

**MINUTES OF THE  
SENATE COMMITTEE ON JUDICIARY**

**Seventy-ninth Session  
May 11, 2017**

The Senate Committee on Judiciary was called to order by Chair Tick Segerblom at 1:35 p.m. on Thursday, May 11, 2017, 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 Tick Segerblom, Chair  
Senator Nicole J. Cannizzaro, Vice Chair  
Senator Moises Denis  
Senator Aaron D. Ford  
Senator Don Gustavson  
Senator Michael Roberson  
Senator Becky Harris

**GUEST LEGISLATORS PRESENT:**

Assemblywoman Daniele Monroe-Moreno, Assembly District No. 1  
Assemblywoman Dina Neal, Assembly District No. 7  
Assemblyman James Ohrenschall, Assembly District No. 12

**STAFF MEMBERS PRESENT:**

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

**OTHERS PRESENT:**

Sara Alice Brown, National Conference of State Legislatures  
Richard Justin  
Richard Carreon  
David Cherry, City of Henderson

John J. Piro, Deputy Public Defender, Office of the Public Defender,  
Clark County  
Sean B. Sullivan, Office of the Public Defender, Washoe County  
Holly Welborn, American Civil Liberties Union of Nevada  
John T. Jones, Jr., Nevada District Attorneys Association  
Mike Dyer, Nevada Catholic Conference  
Jodi Stephens, American Bail Coalition  
Samuel P. McMullen, Aladdin Bail Bonds  
Lisa Rasmussen, Nevada Attorneys for Criminal Justice  
Paul Caruso, Southern Bail Agents of Nevada  
Denise Tanata, Children's Advocacy Alliance  
Scott Shick, Nevada Association of Juvenile Justice Administrators  
Alex Ortiz, Clark County  
Kristina Wildeveld, Nevada Attorneys for Criminal Justice

CHAIR SEGERBLOM:

We will hear a presentation on National Trends in Juvenile Justice Reform.

SARA ALICE BROWN (National Conference of State Legislatures):

I am a director in the criminal justice program at the National Conference of State Legislatures and a generalist in criminal justice policy. For the last ten years, I have specialized in juvenile justice issues for state legislators.

I am here to talk about national trends in juvenile justice over the past five to ten years. I have provided a copy of my presentation, National Trends in Juvenile Justice Reform ([Exhibit C](#)). Nevada is a leader in juvenile justice reform.

The National Conference of State Legislatures is a bipartisan organization serving all 50 state legislatures, all members and their staffs. We strive to strengthen state legislatures, and we do this by providing unbiased research, training and technical assistance. We offer programs for lawmakers from all over the Country to come together and share and exchange ideas on the most pressing topics of the day, including juvenile justice. In 2016, we held a Juvenile Justice Policy Forum at Lake Tahoe. Our state policy headquarters is in Denver, and we have a smaller office in Washington, D.C., whose primary function is to lobby Congress on states' rights issues.

This is an exciting and historical time in juvenile justice as states are working to improve the justice system for youth. This is a departure from the more punitive

policies of the 1990s when a high spike in juvenile crime and violence nationwide caused every state legislature to pass laws holding more young offenders accountable through adult sentencing options. State legislatures are reexamining and rebalancing these approaches to juvenile justice policy. The latest reforms reflect neuroscientific and adolescent development research that shows kids are different from adults. This has resulted in policies across the Country that are evidence-based, cost-effective alternatives to incarceration. Juvenile justice reform has become a model policy issue for bipartisanship across all three branches of government. States are aligning fiscal responsibility with public safety and better outcomes for youth.

The National Conference of State Legislatures identified eight major legislative trends from the past five to ten years. The first is states enacting broad comprehensive omnibus reforms following study of their justice systems. Stakeholders from communities and the different branches of government provide recommendations to their legislatures. These laws often create oversight commissions to track and monitor implementation. First Lady Kathleen Sandoval and former Nevada Supreme Court Justice Nancy Saitta's reform bill, Assembly Bill 472, creates an oversight and reporting commission that would, among other duties, improve data collection, which is a key piece of juvenile justice reform. Seven other states have similar proposals.

**ASSEMBLY BILL 472 (1st Reprint)**: Establishes policies for reducing recidivism rates and improving other outcomes for youth in the juvenile justice system. (BDR 5-918)

Another trend is reestablishing boundaries between the adult and juvenile justice systems. In the 1990s, the jurisdiction of the adult system grew for kids as states made it easier for kids to get into the adult system. Now, the adult system is shrinking and the juvenile justice system is expanding by allowing more juvenile court judicial discretion. States are amending their direct file and transfer laws, called certification in Nevada, increasing juvenile court jurisdiction.

A recent trend is the raising of the age of the juvenile court jurisdiction to the national age of majority, which is 17 years old. New York raised the age about a month ago and South Carolina and Louisiana raised the age in 2016. Only six states have not raised the age of juvenile court jurisdiction to the national age of majority.

Another area of juvenile justice reform is due process for youth in the courtroom. As part of this trend, states are addressing juvenile competency to proceed with trial. In the last 5 years, 12 states enacted laws expanding the definitions of competence for juveniles to take into account social and cognitive development. Nevada did this in 2015. Other trends prohibit and limit indiscriminate shackling in the courtroom and reexamine and limit solitary confinement. States are ensuring juveniles are represented by effective counsel in proceedings. Assembly Bill 341 encourages the Nevada Supreme Court to adopt rules for attorneys who represent juveniles to ensure effectiveness of counsel. Twelve other states have done this in recent years.

**ASSEMBLY BILL 341 (1st Reprint)**: Revises provisions governing juvenile justice.  
(BDR 5-964)

There is also a provision in A.B. 341 to allow attorneys to seek outside consultation from mental health providers, social workers and teachers. Five other states have done this in recent years, with Colorado and California having particularly strong laws. States are starting to look at protecting juvenile rights more broadly. Four states have enacted into law a juvenile bill of rights. Assembly Bill 180, sponsored by Assemblywoman Daniele Monroe-Moreno, Assembly District No. 1, raises this issue.

**ASSEMBLY BILL 180 (1st Reprint)**: Enacts the Juvenile Justice Bill of Rights.  
(BDR 5-711)

At the heart of juvenile justice reform is providing prevention and intervention for at-risk juveniles and diverting juveniles in need of treatment away from the system. Providing proper risk and needs assessments of these juveniles requires a validated risk assessment tool, which is what A.B. 472 does. Sixteen states have statutes supporting risk assessments in juvenile proceedings.

Funding is key when it comes to diversion programs. Five states recently provided funding for diversion programs on the front end of the juvenile justice system. I have listed examples of successful comprehensive diversion programs in Exhibit C. The trend is to provide alternatives to incarceration and to treat and rehabilitate kids in their own communities with evidence-based programs supported by rigorous outcomes and evaluations that show success. Eighteen states have statutes that support evidence-based programs funded by state dollars. Thirteen states have support centers as well.

The fifth trend addresses human trafficking and recognizes its intersection in the juvenile and criminal justice system. In the last 15 years, all states have criminalized sex trafficking, but the latest trend is to provide services, treatment and diversion for juvenile victims. The National Conference of State Legislatures has a new database and Website that encapsulates 50 state programs and their statutory provisions. An emerging issue is training different personnel in various occupancies, such as airline, trucking and hotels, to recognize and spot a victim situation and report to law enforcement. There are many pending bills trying to tackle this issue.

A part of juvenile justice reform is treating the mental health and substance abuse needs of juvenile offenders. Lawmakers are looking for ways to more effectively respond to the mental health needs of young offenders through screening, assessment, diversion and treatment. States are collaborating and involving all child-serving organizations as well as the mental health community and schools. Listed on page 9 of [Exhibit C](#) are some of the various ways that states have been treating the mental health needs of juvenile offenders. This map shows the 35 states that have passed comprehensive reforms.

Trend No. 7 has gotten a lot of attention recently and puts a spotlight on the issue of minority youth coming into contact with the juvenile justice system at a higher rate than their white counterparts. In response, state legislatures have taken measures to study the cause and identify strategies to reduce this trend. There is a growing trend of states passing laws to improve community police relations, to improve data collection regarding the problem and to address racial profiling and barriers to employment. A number of states are enacting racial impact statements that require all criminal and juvenile justice legislation to be screened to make sure there is no unintentional language that might result in unequal targeting or treatment of minority youth.

Finally, there is a trend to provide improved aftercare services for juveniles to reintegrate into society. At least one-half of the states in the last five to ten years have enacted such legislation and programs. A criminal record presents a challenge for youthful offenders that follows them for years after adjudication. States are amending and passing laws dealing with expungement. Expungement is the physical destruction of the records. A growing number of states are automatically expunging records. No action on the part of the juvenile is required. This is the most foolproof way to get rid of a record.

There is a new direction in juvenile justice legislation across the Country. States are identifying methods to determine what juveniles need, how they can become productive adults, and how to provide the best results for public safety. Branches of government are reaching across the aisles to put broad reforms in place that save money.

Some new and emerging issues include an increased focus on racial justice issues throughout juvenile justice and on addressing the young adult population, which is 18 to 24 years of age. There has been such success in reform with juveniles up to age 18 that questions are being asked about 18- to 24-year-olds. Some states are introducing bills to try to expand the jurisdiction of the juvenile court up to that age. There are no policy solutions yet with that population but expect it to continue to grow. There is a strong focus on shifting resources from closed institutions to evidence-based and community-based programs.

CHAIR SEGERBLOM:

I know that you have worked with former Justice Saitta. She has been a leader for Nevada and put us at the forefront. It is great to see the list of reform efforts and to see Nevada in the vanguard.

I will open the hearing on A.B. 136. Assemblywoman Dina Neal, Assembly District No. 7, you were not here when we heard A.B. 136. Today was reserved for the opposition.

**ASSEMBLY BILL 136 (1st Reprint)**: Revises provisions governing bail in certain criminal cases. (BDR 14-708)

RICHARD JUSTIN:

I am a bail agent and neutral on the bill. The Nevada Bail Agents Association provided a statement ([Exhibit D](#)) and is opposed to A.B. 136.

The jails are overcrowded. I have been a bail agent for 33 years. My concern is the racial discrimination in the bail assessment tools and their fiscal impact. For example, the bail agencies in Carson City handle probably 120 or 130 pretrial release agreements each month. Under the federal standard pretrial system, that would take about eight to ten pretrial officers. There is one booking and release person in Carson City. I do not know how Carson City is going to get the money to implement A.B. 136.

I was upset with the fact that bail agents were not included on the Nevada Supreme Court's Committee to Study Evidence-Based Pretrial Release. The Supreme Court also did not include victims, sheriffs or police officers on the Committee. Bail agents have the distinct view of the judicial process. Judges, bailiffs, jailers, police officers, extradition officers, pretrial service people, etc., all have their view. Bail agents deal with all of them, and we are accountable to all of them.

Private sector bail is the last bastion of the presumption of innocence, which allocates the burden of proof in our system. Too many deals are made. When people get out on bond, the pressure moves from them to the district attorney to prove the charge beyond a reasonable doubt. I see people after their cases have been dismissed with prejudice. They are crying because they are innocent. When you see them, you understand.

RICHARD CARREON:

I am a member of the Choice Neighborhood Initiative (CNI). We acknowledge the discrimination amongst minorities in the criminal justice system. It is my personal opinion and not the opinion of the CNI that A.B. 136 is not the best way to fix this problem. The CNI falls in a portion of Assembly District 7. We did a survey of 139 residents in that Choice Neighborhood area, and about 40 percent of the respondents said that crime was the biggest issue. The top four issues were gunshots at 33 percent, theft at 30 percent, burglary at 26 percent and sale or use of narcotics at 21 percent.

When the CNI project was approved by the U.S. Department of Housing and Urban Development for North Las Vegas, it was supposed to be a way for the community to develop a means to increase prosperity. A crime prevention measure was part of the plan. According to the residents, the prevention measures were better street lighting, a community crime watch program, antigang initiatives and better security systems. The Choice Neighborhood Initiative has no official position on A.B. 136 because it does not know how it will affect the progress of the project in the community. The concern is that the unintended consequences of A.B. 136 will hinder progress. I was asked by CNI Lead Coordinator Jim Haye for the City of North Las Vegas to convey to Assemblywoman Neal that she is welcome to come and talk to us.

CHAIR SEGERBLOM:

Is your concern that if the bill passes, people will be out of jail and commit more crimes?

MR. CARREON:

Yes.

DAVID CHERRY (City of Henderson):

We appreciate the amendments that the bill's sponsor made. We were opposed but with the new language in the first reprint, we are neutral.

JOHN J. PIRO (Deputy Public Defender, Office of the Public Defender, Clark County):

At the last Committee hearing, support was mainly focused on the amendments, which are no longer relevant. Assembly Bill 136 provides that the court may use an evidence-based risk assessment tool, which takes into account criminal records. This is something that is being evaluated consistently. I am part of the pilot program in Clark County that uses the risk-based assessment tool. Clark County's jail is overcrowded even though this tool is being used. The tool needs to be refined to make pretrial release more fair.

The bail system has been shown to be unfair. If we do not start making changes, we are absolutely going to have a lawsuit in the Interim. There are plenty of people talking about it and researching it.

Section 3, subsection 2 is smart. It gets rid of a standardized bail schedule, which is not relevant to anything. It is not based on any evidence-based tools. It is something that the judges put together in Clark County that makes no sense. It has standard amounts for certain crimes and does not take into account a person's history or anything of that nature. A pretrial risk assessment tool actually does that. I do not understand the opposition to it.

Section 2, subsection 11 provides restrictions that could keep the community safe while respecting the pretrial presumption of innocence. This bill is a good step forward.



SENATOR HARRIS:

What kind of a time delay, if any, is there when an evidence-based tool is utilized as opposed to the traditional approach of setting bail, posting and release?

MR. PIRO:

In Clark County, a magistrate will do the 48-hour review and, based on the police complaint, set a bail. When the complaint is filed and the person is brought in, a lawyer from our office will be appointed or the person will have private counsel. We talk to the person. That is when we have access to the risk assessment tool. We see the results. We see what is wrong and what is right on the tool. We see if it is accurate. Then we make our arguments to the court for release without bail, house arrest, intensive supervision, etc. Does that answer your question?

SENATOR HARRIS:

It answers my question in part. There is a 48-hour process to use the evidence-based tool to determine whether a person qualifies for a nonfinancial bail. When is it a financial bail? Is it determined by a bail schedule? What is the time frame when the evidence-based tool is not being used?

MR. PIRO:

The 48-hour window is when no evidence-based tool is being used. There is a 72-hour window within which the accused gets an attorney. The constitutionality of that process is open for debate.

SENATOR HARRIS:

Using an evidence-based tool keeps people incarcerated for an additional 24 hours. That is what I am trying to get at.

MR. PIRO:

That is not correct. That is just the way it works for a person to get to a morning arraignment. That is the process of being arrested and getting a first court appearance. It is not delaying the process at all. It is a matter of having the evidence-based tool results available at the first court appearance as opposed to using a court intake sheet.

SENATOR HARRIS:

To sum up and to make sure I understand, there is no significant difference in time between a traditional bail and a nonfinancial bail determined using an evidence-based tool. The end result is the same amount of incarceration time.

MR. PIRO:

That is correct.

SEAN B. SULLIVAN (Office of the Public Defender, Washoe County):

We support A.B. 136. It is an important measure. Bail is a critical stage of the proceeding. The Public Defender's Office in Washoe County sends attorneys to the jail generally within 72 hours to address the initial appearance, bail issues, etc. Assembly Bill 136 is a step in the right direction for bail reformation in Nevada.

HOLLY WELBORN (American Civil Liberties Union of Nevada):

We support A.B. 136. We wish it went further, and we supported the amendment presented by Assemblyman Ozzie Fumo because we thought it addressed the constitutional concerns more wholeheartedly. However, this is a step in the right direction.

We appreciate that the risk assessment tool is discretionary rather than mandatory and provides factors to look at other than a bail schedule. We have criticized the risk assessment tool because it is based on arrests rather than convictions. Data shows that African Americans are two and a half times more likely to be arrested than whites and four times more likely to be arrested for drug offenses. Racial disparity also exists among convictions but not at the rate of arrests.

JOHN T. JONES, JR. (Nevada District Attorneys Association):

We support the first reprint of A.B. 136. The district attorneys across the State have been involved in discussions about amending the bail statutes, and we have participated in the movement toward a pretrial risk assessment. We are not yet ready to move solely to an evidenced-based standard. There are issues with our record-keeping systems in this State and other problems we are working on. We need time to work on these issues. Assembly Bill 136 is a good start to the discussion regarding bail, and we are in support of the first reprint.

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MIKE DYER (Nevada Catholic Conference):  
We support this bill.

JODI STEPHENS (American Bail Coalition):  
We support the first reprint of A.B. 136.

SAMUEL P. McMULLEN (Aladdin Bail Bonds):  
We support this bill. We appreciate that the bill has been made better in terms of what we consider to still be an exercise of judicial discretion. There has been some helpful movement, including no restriction on the separation of powers with the Supreme Court doing what it wants by rule.

ASSEMBLYWOMAN DINA NEAL (Assembly District No. 7):  
I would like to provide some clarification. I do not know what is going on with the Choice Neighborhood Initiative. All I know is that Jim Haye is the Economic Development Specialist for the City of North Las Vegas, and he writes grants. I have sent an email to clarify that relationship. It seems odd. I will verify the truth, but I do not believe he would have bearing on or interest in this bill. That is my opinion, but I will find out for sure.

LISA RASMUSSEN (Nevada Attorneys for Criminal Justice):  
We support A.B. 136. We were in support of it with the amendment. It is disappointing the amendment was pulled. I understand there was a lot of pushback to it. The bill does not go far enough, but it is an improvement. I hope that we can continue to make improvements because what happens now creates a situation that is inequitable for people who are in a racial minority or low socioeconomic class.

PAUL CARUSO (Southern Bail Agents of Nevada):  
We support A.B. 136 as written. A judge has discretion on whether to use the evidence-based tool. From what we understand, some of the judges do not like it at all.

Las Vegas Justice Court Judge Eric A. Goodman said in court the other day that the public defenders have a 60 percent success rate for their clients showing up for court. In the future, we would like to have a bail agent included on committees discussing bail reform—a bail agent who has actually done a bond and knows what it is like to make sure a defendant goes to court. If higher-risk inmates are going to be released on their own recognizance (OR) based on the

risk assessment tool, we are going to have to figure out a way to get the success rate down from 60 percent to a bail bondsman success rate of about 20 percent.

When a court does not deem a defendant to be a low risk and does not want to release on an OR, then the court is effectively deeming the defendant a high risk. These are the defendants who we need to help get out of jail. The Clark County Detention Center (CCDC) has an overcrowding problem. There should be other ways to reduce the overcrowding at the CCDC. If we are using bail reform for that, we need to relook at it. Bail agents can help figure out a way to solve the CCDC overcrowding problem.

Comparing an OR success rate with the bail industry success rate is like comparing apples to oranges because the court has already deemed the defendants in need of bail as high risk or a risk to public safety. Bail bond companies work with the people not released on OR to help them make bail. Bail bond companies also figure out how to make sure they go to court. Bail bond companies want a good success rate.

CHAIR SEGERBLOM:

I will close the hearing on A.B. 136 and open the hearing on A.B. 180.

ASSEMBLYWOMAN DANIELE MONROE-MORENO (Assembly District No. 1):

I have provided the Committee with a bill summary ([Exhibit E](#)) of A.B. 180, which enacts a juvenile justice bill of rights. The goal of the bill is to create a juvenile justice bill of rights in Nevada and, in doing so, to codify existing practices which serve to ensure juveniles in detention are treated with dignity and respect. It does not create additional rights for juveniles over those that already exist. It does not create any additional obligations on the part of the juvenile justice system over those that are already in existence.

It does, however, require the detention facility to inform both the child and, if practical, the parent and/or guardian with a written copy of these rights as well as to post the bill of rights in the facility. The bill allows a child who believes his or her rights have been violated to have a process to address those grievances. In addition, it establishes policies concerning certain medications given to children who are detained within those facilities.

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CHAIR SEGERBLOM:

For the record, Ms. Brown just listed juvenile justice trends in the Country, and the bill of rights for juveniles was one of those listed.

SENATOR HARRIS:

Are we currently experiencing a problem with children not having access to medications that they require in our detention facilities?

DENISE TANATA (Children's Advocacy Alliance):

I do not have exact numbers on that. I would defer that question to the detention facilities or someone from the juvenile justice system.

MR. DYER:

We support A.B. 180.

MR. SULLIVAN:

We support A.B. 180.

SCOTT SHICK (Nevada Association of Juvenile Justice Administrators):

We support this bill.

MR. PIRO:

We support A.B. 180.

ALEX ORTIZ (Clark County):

We support A.B. 180.

MS. WELBORN:

We support A.B. 180.

MS. RASMUSSEN:

We support A.B. 180.

ASSEMBLYWOMAN MONROE-MORENO:

We started working on this bill long before Session started. We had numerous meetings with the various stakeholders. We all worked very hard.

CHAIR SEGERBLOM:

I will close the hearing on A.B. 180 and open the hearing on A.B. 341.

ASSEMBLYMAN JAMES OHRENSCHALL (Assembly District No. 12):

Two parts of the original version of Assembly Bill 341 have survived. The first part permits any attorney who represents a child in a juvenile justice proceeding to consult with and seek the assistance of a social worker, mental health professional and educator. Often in juvenile court, many of the children charged with delinquent acts have untreated mental health or substance abuse issues. They may be self-medicating. The assistance of a social worker and mental health professional is important to that child.

The kinds of experts I am envisioning in section 1 of A.B. 341 are those who can help deal with untreated issues as opposed to experts for trial or what is known as a contested hearing in juvenile court. Many children who come into delinquency court have learning or reading disabilities, but they have never had an individualized education program (IEP). No one knows why the child has continuously had problems in school. Often, Eighth Judicial District Court Judge William O. Voy will order an educational surrogate to work with a child to develop an IEP. It would be better if that could happen earlier in the process.

Section 4 of the bill requires that attorneys who practice in delinquency court and represent the children meet special requirements. Attorneys without any juvenile justice practice will be asked by someone to represent a son or daughter. The attorney may be good at handling wills and trusts but know nothing about juvenile delinquency law. The attorney may be a great adult criminal defense attorney, but juvenile delinquency practice is different. That is the goal of section 4 of the bill.

Clark County has proposed an amendment ([Exhibit F](#)). I reviewed it with Susan Roske, former head of the Office of the Clark County Public Defender. It is a friendly amendment.

SENATOR HARRIS:

Section 1, subsection 4 allows consultation with and appointment of any other expert that the attorney deems appropriate. What types of other experts do you intend? What kind of special needs might somebody have that could not be addressed by a qualified mental health professional, a social worker or an educator?

ASSEMBLYMAN OHRENSCHALL:

I am afraid you have stumped me for the second time in two days. That is a catchall for the attorney representing the child. I have seen attorneys ask for other kinds of specialized experts, but none come to mind at the moment. I will get back to you.

CHAIR SEGERBLOM:

If the child had a disability, the expert could be a specialist with regard to that particular type of disability.

ASSEMBLYMAN OHRENSCHALL:

That is a good example. We wanted to cover all of the experts a child might need or an attorney might want to consult. We did not want to miss anything.

CHAIR SEGERBLOM:

This issue could be cultural differences. For example, if a child's parents were raised in a different country, an expert could explain how the child views things differently.

ASSEMBLYMAN OHRENSCHALL:

I think that is certainly an example. I represented a child in delinquency court who grew up on a reservation in northern Nevada. The child was a victim of a crime and was moved to a Clark County group home. While the court did not order an expert, it might have been appropriate to appoint an expert familiar with the type of upbringing the child would have experienced on a northern Nevada reservation.

SENATOR HARRIS:

Would all of these experts be paid for by the county or the State?

ASSEMBLYMAN OHRENSCHALL:

[Exhibit F](#) from Clark County addresses that issue. In the Office of the Clark County Public Defender, where I am employed, if we want an independent expert, we need to obtain approval for the expenditure. That is how I envision this working.

KRISTINA WILDEVELD (Nevada Attorneys for Criminal Justice):

I am a private criminal defense attorney practicing for 22 years. My entire practice has been criminal defense representation both in juvenile court and in

adult criminal court. I am one of the few attorneys who practices in both criminal court and juvenile court. We support this bill.

I am in juvenile court at least twice a week. I need experts such as investigators, DNA experts, cell phone experts, identification experts, medical experts and cultural experts. I request approval for experts, but I have to provide a justification.

I wholeheartedly support section 4, subsection 4 regarding minimum requirements for attorneys representing juveniles. Justice James W. Hardesty has talked about this for a long time. I am a death penalty-qualified attorney under Nevada Supreme Court Rule 250. I see attorneys in juvenile court who have no business being there because they do not know what they are doing.

MS. RASMUSSEN:

I do some work in juvenile court. Nevada Attorneys for Criminal Justice supports this bill because it imparts a level of advocacy that should be present for people representing juveniles and gives them the resources that are afforded to adults. There is no reason why these resources should not be available to juvenile defendants in juvenile cases.

In response to Senator Harris's questions about who is paying for experts, all of our requests for resources when we represent indigent people, whether adult or juvenile, go through a vetting process. We have to provide justification. We have to say why it is important and necessary to the case. Lawyers require these resources in order to be effective counsel. There are safeguards.

MR. DYER:

We support A.B. 341.

MR. SULLIVAN:

We support this bill. I want put on the record my thanks to Assemblyman Ohrenschall. I do not know any other Legislator who worked as hard as he did on this bill. I know that he has such a kind and big heart toward his juvenile clients, and it shows. We certainly appreciate all of his efforts on A.B. 341.

CHAIR SEGERBLOM:

Be sure to come back in two years and add the parts that were taken out.



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MR. PIRO:  
We support A.B. 341.

MS. WELBORN:  
We support this bill. We look forward to the next Legislative Session when we can add those measures back in.

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

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CHAIR SEGERBLOM:

I will close the hearing on A.B. 341. The hearing is adjourned at 2:36 p.m.

RESPECTFULLY SUBMITTED:

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Connie Westadt,  
Committee Secretary

APPROVED BY:

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Senator Tick Segerblom, Chair

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

<b>EXHIBIT SUMMARY</b>				
<b>Bill</b>	<b>Exhibit / # of pages</b>		<b>Witness / Entity</b>	<b>Description</b>
	A	1		Agenda
	B	5		Attendance Roster
	C	13	Sarah Alice Brown / National Conference of State Legislatures	Presentation National Trends in Juvenile Justice Reform
A.B. 136	D	16	Stephen B. Krimel / Nevada Bail Agents Association	Letter of Opposition
A.B. 180	E	1	Assemblywoman Daniele Monroe-Moreno	Bill Summary
A.B. 341	F	3	Clark County	Proposed Amendment