

**MINUTES OF THE
SENATE COMMITTEE ON JUDICIARY**

**Seventy-ninth Session
April 4, 2017**

The Senate Committee on Judiciary was called to order by Chair Tick Segerblom at 1:23 p.m. on Tuesday, April 4, 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 Aaron D. Ford
Senator Don Gustavson
Senator Michael Roberson
Senator Becky Harris

COMMITTEE MEMBERS ABSENT:

Senator Moises Denis (Excused)

GUEST LEGISLATORS PRESENT:

Senator Joseph P. Hardy, Senatorial District No. 12
Senator Pat Spearman, Senatorial District No. 1

STAFF MEMBERS PRESENT:

Patrick Guinan, Policy Analyst
Nick Anthony, Counsel
Pat Devereux, Committee Secretary

OTHERS PRESENT:

Javier Trujillo, City of Henderson

Edward J. Dichter, Principal Planner, Community Development Services
Department, City of Henderson
Jeremy Aguero, Applied Analysis
Richard Perkins, City of Henderson
Chuck Callaway, Las Vegas Metropolitan Police Department
Kelly Crompton, City of Las Vegas
Jennifer Gaynor, Nevada Credit Union League
Connor Cain, Nevada Bankers Association
Delen Goldberg, City of North Las Vegas
Richard Gallion, Choice Neighborhood Initiative, North Las Vegas; President,
Nevada Veteran's Association
Peter Guzman, President, Latin Chamber of Commerce
John J. Piro, Deputy Public Defender, Office of the Public Defender,
Clark County
Sean B. Sullivan, Office of the Public Defender, Washoe County
Kimberly Mull, Nevada Coalition to End Domestic and Sexual Violence
Laurel Stadler, Rural Coordinator, Northern Nevada DUI Task Force
Jennifer Noble, Nevada District Attorneys Association
Cheryl V. H. Wilson, Chief Deputy District Attorney, Office of the District
Attorney, Washoe County
Rebecca Druckman, Deputy District Attorney, Office of the District Attorney,
Washoe County
Stephanie O'Rourke, Deputy Chief, Division of Parole and Probation, Department
of Public Safety
Kevin Burns, Chair, United Veterans Legislative Council
Ben Graham, Administrative Office, Supreme Court of Nevada
Mark Stevens, Municipal Court Judge, Department 1, City of Henderson
Byron Brooks
Dan Bernal, Veterans Justice Outreach Director, Imagine Nurturing Our Warriors
Bob Sweetin, City of Mesquite
Janet Franco, Imagine Nurturing Our Warriors
Keith Lee, Nevada Judges of Limited Jurisdiction
James Dzurenda, Director, Department of Corrections
Michael D. Richards, President, College of Southern Nevada
Constance J. Brooks, Vice Chancellor, Nevada System of Higher Education
Jon D. Ponder, CEO, HOPE for Prisoners, Inc.
Danny L. Thompson, Laborers Union Local 872, AFL-CIO
William Stanley, Executive Secretary-Treasurer, Southern Nevada Building and
Construction Trades Council, AFL-CIO

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Don Soderberg, Director, Department of Employment, Training and Rehabilitation
Grace Crosley, Nevadans for Informed Marijuana Regulation
Seth T. Floyd, United Food and Commercial Workers International Union, AFL-CIO
Jeffrey P. Ferro, Executive Assistant to the Director, Organizing Department, United Food and Commercial Workers International Union, AFL-CIO
Matt Zberg, River City Phoenix
Larry Smith, G Five Cultivation
Rusty McAllister, Nevada State AFL-CIO
Jim Sullivan, Culinary Workers Union Local 226
Todd Koch, President, Building and Construction Trades Council of Northern Nevada, AFL-CIO

CHAIR SEGERBLOM:

We will open the hearing on Senate Bill (S.B.) 267.

SENATE BILL 267: Revises provisions governing the expedited process for the foreclosure of abandoned residential property. (BDR S-822)

SENATOR AARON D. FORD (Senatorial District No. 11):

In 2013, I sponsored S.B. No. 278 of the 77th Session to expedite foreclosures on legitimately abandoned residential properties. The pilot program in the bill is set to expire. However, since we were seeing a lot of vandalism and squatters in abandoned homes, we wanted to give cities and banks the ability to foreclose on them.

Section 1 of S.B. 267 removes the sunset date for the expedited foreclosure program begun in 2013 during the economic crash to solve problems the State was having with abandoned properties. The need to extend the program indicates we are still dealing with the effects of the economic crash. Abandoned properties blight neighborhoods, invite crime, lower property values and are a daily reminder that a lot of work remains to be done on the issue.

By extending the program, a permanent and expedited procedure is established for abandoned residential property foreclosures and permanently authorizes local governments to establish registries of abandoned properties and those in danger of becoming abandoned. The City of Henderson asked me to remove the sunset date because the program has worked so well for it.

JAVIER TRUJILLO (City of Henderson):

The City of Henderson strongly supports S.B. 267 ([Exhibit C](#)). The City has greatly benefited from the registry created in S.B. No. 278 of the 77th Session. We are asking that its sunset be removed.

EDWARD J. DICHTER (Principal Planner, Community Development Services Department, City of Henderson):

You have my written testimony ([Exhibit D](#)). I supervise the code enforcement team of the Henderson Planning Department. I oversee our abandoned real property registry designed to reduce and prevent neighborhood blight, mitigate conditions that threaten the health, safety and welfare of the public and promote neighborhood stability. Requiring property representatives to register abandoned properties creates a database of current ownership and key contact information. It also requires representatives to designate a local contact, which expedites necessary actions by code enforcement officers.

Working with out-of-town owners, especially of bank-owned properties, can be time-consuming and delay compliance. The registry provides key data to code enforcement and saves hours of research time, allowing officers to be in the field longer. Code enforcement officials have access to the registry data, so immediate contact can be made with the person responsible for property maintenance issues. All registered properties are inspected by code enforcement officers 30 days after registration to ensure homes are properly maintained.

Within the City, registrations have not declined significantly, demonstrating the need to continue the process. We have provided charts ([Exhibit E](#)) showing that while Clark County foreclosures are down, the number of new registrations of abandoned properties has stayed stable for several years.

SENATOR HARRIS:

The registry is a great way for neighborhoods to deal with challenges. Why is it necessary to make the expedited foreclosure process permanent? Why not extend the program four or five years until the State gets past its foreclosure crisis? We could then revert to foreclosure principles that allow for due process.

JEREMY AGUERO (Applied Analysis):

When S.B. No. 278 of the 77th Session was enacted, it was difficult for banks to go through the foreclosure process. We made many changes in the entire process, some of which made home foreclosures more difficult, while others

expedited the process. It was part of balancing those interests and an effort to create a pathway to overcome administrative hurdles to get squatters to vacate homes.

SENATOR HARRIS:
Was extension of the program ever considered?

SENATOR FORD:
No, because the request was to just remove the sunset. I am amenable to another sunset, but the City may not be. The extension must be long enough to benefit the City.

SENATOR HARRIS:
I would imagine with the Oakland Raiders move and Las Vegas stadium deal getting closer to fruition and its anticipated economic impact, plus the improving economy, in the next five or so years, there will be little reliance on an expedited foreclosure process. People will achieve better job security and housing stability. I hesitate to remove long-term processes because today's economics indicate it is the easiest path.

MR. DICHTER:
According to [Exhibit E](#), for part of 2014, the City of Henderson had 374 homes on the abandoned property registry and Las Vegas had 1,600. In 2015, we had 1,373 registry homes, and Las Vegas had 1,294. In 2016, we had 1,223 homes, and Las Vegas had 804. Our numbers are still quite high so we would be amenable to a four-year extension of the program.

SENATOR HARRIS:
I am certainly open to that.

SENATOR FORD:
I was given Proposed Amendment 3266 ([Exhibit F](#)) to S.B. 267 from Richard Perkins.

RICHARD PERKINS (City of Henderson):
The Amendment, [Exhibit F](#), was proposed to me by someone involved in the real estate market and concerns a situation in Nye County. The County seat is Tonopah, with the bulk of the population in Pahrump. According to *Nevada Revised Statutes* (NRS) 107.081, foreclosed property auctions must be

conducted in courthouses of counties with populations of less than 100,000 people. If foreclosure auctions are in Tonopah, Pahrump residents have to drive several hundreds of miles, which is a hardship. The amendment would remove that population cap and improve auction notices to correspond to notices in the large-population counties of Washoe and Clark.

SENATOR FORD:

I have not spoken to City of Henderson representatives about their position on the amendment or what unintended consequences might result from it.

MR. PERKINS:

I shared the amendment's language with Jeff Fontaine, executive director of the Nevada Association of Counties, and he is fine with it.

CHUCK CALLAWAY (Las Vegas Metropolitan Police Department):

The Las Vegas Metropolitan Police Department (LVMPD) supports S.B. 267 because we have had an ongoing battle with squatters. A bill in the 78th Legislative Session helped us tremendously, but we are working with Assemblyman Edgar Flores, Assembly District No. 28, on additional helpful language in another bill this Session.

The registry allows LVMPD to easily access the owners, whether people or banks, of abandoned homes. We can verify ownership, which is complicated when squatters show us false leases claiming they are in houses legitimately. We support the bill as a public safety measure.

KELLY CROMPTON (City of Las Vegas):

I support S.B. 267 for reasons stated by the City of Henderson and Mr. Callaway.

JENNIFER GAYNOR (Nevada Credit Union League):

The Nevada Credit Union League supports S.B. 267.

CONNOR CAIN (Nevada Bankers Association):

The Nevada Bankers Association supports S.B. 267 because vacant property registration is a useful tool, and we are committed to helping with the problem of squatters.

DELEN GOLDBERG (City of North Las Vegas):

The City of North Las Vegas has a successful squatters task force, of which the foreclosure registry has been an essential component. The tool allows us to track the status of homes to determine whether they should be occupied. We support S.B. 267.

RICHARD GALLION (Choice Neighborhood Initiative, North Las Vegas):

The Choice Neighborhood Initiative, North Las Vegas, supports S.B. 267. The Choice Neighborhood Planning Grant was awarded to the City of North Las Vegas by the Department of Housing and Urban Development in the urban core area east and west of Comstock Drive and north and south of Lake Mead Boulevard. We like the bill because it is a tool to remove blight in the grant area and foster public and private capital development. The bill brings attention to crimes revolving around the blighted structures.

PETER GUZMAN (President, Latin Chamber of Commerce):

The Latin Chamber of Commerce supports S.B. 267. As a 20-plus-year real estate broker, I understand the ramifications of the foreclosure registry and support anything that helps neighborhoods.

CHAIR SEGERBLOM:

We will close the hearing on S.B. 267 and open the hearing on S.B. 280.

SENATE BILL 280: Makes changes relating to programs for the treatment of veterans and members of the military. (BDR 14-150)

SENATOR JOSEPH P. HARDY (Senatorial District No. 12):

The 2015-2016 Interim Legislative Committee on Senior Citizens, Veterans and Adults with Special Needs discussed the veterans treatment courts (VTC) ([Exhibit G](#)) under NRS 176A.280. Judges from the Nevada Supreme Court, Eighth Judicial District Court and Las Vegas Township Justice Court presented information about benefits, eligibility criteria, particular statistics, programs, referrals, resources and success rates of VTCs.

The University of Nevada, Las Vegas, was contracted to conduct a formal evaluation of VTCs to report on their effectiveness to the Legislature. The Committee identified factor in VTC success. They included support for a VTC State coordinator, the ability to transfer misdemeanor defendants from

municipal to justice courts to VTCs and resolution of statutory conflicts pertaining to domestic violence and DUI.

The Committee issued five major recommendations, one of which comprises S.B. 280. Sections 2, 4 and 5 authorize district courts to assume original jurisdiction of cases involving misdemeanor defendants on motion of the cases. Section 3 clarifies defendants on probation and assigned to appropriate VTC treatment programs are required to be supervised by the chief parole and probation officers of district courts. The bill provides an exception to the prohibition against prosecuting attorneys dismissing charges of domestic battery or violating laws related to DUI if the defendant is a veteran or member of the military and meets certain qualifications.

SENATOR SEGERBLOM:

Did the Committee hear from groups involved in DUI and domestic violence prevention?

SENATOR HARDY:

Yes, and their concerns and questions are reasonable. We also discussed Assembly Bill (A.B.) 286.

ASSEMBLY BILL 286: Revises provisions relating to court programs for the treatment of veterans and members of the military. (BDR 14-872)

SENATOR CANNIZZARO:

Senate Bill 280 seems to be transferring jurisdiction for eligible defendants to district court treatment programs. What would the effect be if we passed legislation allowing justice and municipal courts to operate VTCs? Would that make the bill moot, or would that be a different way to fix the problem without giving municipal or justice courts exclusive jurisdiction to operate VTCs?

SENATOR HARDY:

There are VTCs that theoretically specialize in aiding veterans and military personnel. They try to allow them to participate in the process of rehabilitation or restitution while honoring their service. Whether that ends up in justice, municipal courts or VTCs, we have an obligation to simultaneously protect veterans and acknowledge the real need to protect victims.

SENATOR CANNIZZARO:

I am working on a similar bill so am familiar with programs in municipal and justice courts that allow VTCs. If we transfer defendants to district court treatment programs, according to current NRS, or whether another bill allowing justice or municipal courts to operate VTCs, would that be an either/or situation or both?

CHAIR SEGERBLOM:

Senator Hardy said he does not care which court it is as long as it can deal with veterans.

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

The Office of the Public Defender, Clark County, supports S.B. 280 because it will go a long way toward helping veterans. Its language is permissive using the word "may," so district attorneys are not mandated to dismiss cases after veterans have completed programs for DUI or domestic violence offenses. That allows courts and district attorneys to discuss the progress of veteran defendants before determining whether to dismiss their cases.

Veterans treatment courts are not easy. If defendants with misdemeanor offenses complete the regular court requirements, they are done with their sentences much faster than in VTC programs. It can take up to a year or longer to complete VTC programs. Clark County has worked hard to get mentors to support veterans in the programs so they are successful and we can deal with crimes resulting from their service.

I am a veteran who was a medic. I am proud to help veterans in the legal system go through court processes and see them succeed. The VTC program graduation rate is very high, and recidivism rates are very low. Most people support VTC programs.

CHAIR SEGERBLOM:

Should Senator Cannizzaro's bill apply to allow VTCs to go to justice or municipal courts?

MR. PIRO:

Her point is well taken, now that several bills are in the works authorizing justice and municipal courts to offer VTC programs, which many are already

doing. If misdemeanor charges are kept in justice courts and more serious crimes are kept in district courts, defendants are all well served. Senate Bill 280 would provide a means to transfer cases if case numbers are low in district courts while high in justice courts. The VTC funding is contingent on having bodies in the programs.

SENATOR CANNIZZARO:

Senate Bill 29 allows for the transfer of misdemeanor and justice court cases for treatment in district courts.

SENATE BILL 29: Provides for the transfer of a criminal case from one justice court or municipal court to another such court in certain circumstances.
(BDR 1-396)

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

The Office of the Public Defender, Washoe County, supports S.B. 280 for the reasons stated by Mr. Piro. I commend Senator Cannizzaro for working on what will hopefully be a seamless transition between courts for VTCs. I have represented veterans aged mid-20s to almost 70 who participated in VTC programs. The programs are arduous, a lot of camaraderie develops and the success rate is high.

SENATOR HARRIS:

What is a lesser charge someone would plead to as opposed to domestic violence?

MR. SULLIVAN:

It could be disturbing the peace, simple battery or something to that effect.

CHAIR SEGERBLOM:

What is a lesser charge someone would plead to as opposed to DUI?

MR. SULLIVAN:

That could be misdemeanor reckless or careless driving.

KIMBERLY MULL (Nevada Coalition to End Domestic and Sexual Violence):

The Nevada Coalition to End Domestic and Sexual Violence represents various domestic and sexual violence programs across the State. We oppose S.B. 280 because it allows dismissal of the charge of committing battery that constitutes

domestic violence in exchange for a guilty plea to a lesser charge. That is currently prohibited throughout NRS.

Domestic violence is an enhanceable offense. Allowing someone to plead to a lesser charge will prevent the offense from becoming a felony on third commission. Domestic violence is a progressive, extremely deadly crime. Nevada is ranked third nationwide in intimate partner violence deaths. In the past, we have ranked first.

Allowing abusers to plead to lesser charges makes it extremely unlikely they will receive battery-intervention services in conjunction with VTC services. While not perfect, battery-intervention classes are the best hope for effectively changing the behavior of abusers. The records of VTC defendants are sealable. By allowing domestic violence to be pleaded down for entrance into programs, rather than seeking a solution that allows traceable domestic violence, abusers who do not benefit from VTC programs would continually cycle into district court programs. Law enforcers and prosecutors would not know defendants have a history of domestic violence.

Senate Bill 280 would impose a social stigma on people that they are not actually victims of domestic violence. This would increase psychological and emotional violence to victims and limit their access to specific resources and protections allowed for domestic violence. These include victim compensation, U nonimmigrant status and other lifesaving services. Assembly Bill 286 will only allow for first-time domestic violence offenders to enter VTCs.

We want veterans to receive health and other services they need. We also want their spouses and loved ones, who have also sacrificed for their Country during the veterans' service, to be protected from abuse. We would like to see veterans who have violent episodes with intimate partners because of service-related issues such as posttraumatic stress disorder (PTSD) or military sexual trauma receive referral to VTC programs and services as a condition of probation. This allows them to receive the help they need while ensuring victims are offered the same rights.

LAUREL STADLER (Rural Coordinator, Northern Nevada DUI Task Force):

I have been a DUI victims advocate for more than 25 years. Driving under the influence is a crime that kills more than 10,000 and injures about

300,000 people in our Country annually. In 2015, Nevada had 97 DUI fatalities. Recidivism is a huge concern with DUI perpetrators.

The Northern Nevada DUI Task Force is in favor of veterans receiving appropriate treatment for DUI. There are treatment program provisions in NRS. Our problem is the lack of convictions of DUI offenders. Because it is an enhanceable crime, they do not receive the appropriate charge if they are given a free bite of the apple in VTCs.

I learned in the A.B. 286 hearing that there are mentors in VTCs. They should talk to offenders before the offenders decide about entering treatment programs. Offenders should be told VTCs are an option in addition to other sanctions, not in lieu of DUI convictions. Such a serious crime kills and injures so many people and constantly creates new victims.

JENNIFER NOBLE (Nevada District Attorneys Association):

The Nevada District Attorneys Association has the utmost respect for veterans, and I am the wife of a former U.S. Marine. We have concerns about the application of S.B. 280.

CHERYL V. H. WILSON (Chief Deputy District Attorney, Office of the District Attorney, Washoe County):

I oversee a misdemeanor prosecution team that handles DUI and domestic battery cases. Since the Washoe County VTC opened at the district court level, we transfer qualified misdemeanants to its programs. We do not have VTCs at the justice or municipal court level. We have a problem with NRS because we have four serious enhanceable offense misdemeanors: DUI, domestic violence, harassment and stalking. The first two are enhanceable gross misdemeanors if there is a repeat offense.

We have had domestic violence offenders who are veterans who would benefit from VTCs. Laws in 44 states, including NRS 200.485, provide that crime shall be investigated seriously and merit strict enforcement action. Courts shall sentence accordingly and take punitive or rehabilitative action. This dates back to the Violence Against Women Act of 1994, which was endorsed by the State in 1995. Statements made by the U.S. Supreme Court in 1957 concern the dangers on highways from DUI drivers. These classes of crimes have strict prosecution rules in statute to go hard, do not plea-bargain nor take or sentence them lightly.

CHAIR SEGERBLOM:

Is not the point of the bill to change that?

Ms. WILSON:

Yes, but DUI and domestic violence NRS are not unique compared to the laws of other states. We would be one of the first states backing off hardcore prosecution of DUI and domestic violence. We would be going against decades-long, permanently established public policy in courts nationwide.

All misdemeanors can go to district courts on preplea transfers. Defendants do not enter guilty pleas and go to court before adjudication. Nevada's VTC NRS talks about how charges can be dismissed and cases sealed but reopened for bail hearings for enhancement purposes and future charges. That was the intent of Legislators, but we cannot use the law as intended.

We cannot reopen cases or use them for enhancement purposes. There is no limit on the number of times a misdemeanant can take advantage of preplea transfers to district court, get a dismissal and seal the record. That is counter to DUI and domestic violence NRS that are supposed to enhanceable.

CHAIR SEGERBLOM:

Under the bill, would transfers be automatic if veterans request them?

Ms. WILSON:

Justice and municipal court may allow them, and if district courts accept them, cases are transferred. The bill will not change that NRS. However, it also does not change the problem that court actions cannot be used for bail assessment or enhancement on future cases since there are no pleas or convictions for misdemeanants transferred to district courts.

The bill suggests the remedy of making the Division of Parole and Probation, Department of Corrections (DOC), a participant in programs by supervising all parties. The problem is the Division does not have jurisdiction over misdemeanants, just gross misdemeanants and felons. This is a problem because if a felon completes a drug-diversion program and the case is dismissed and sealed, NRS permits the Division to maintain a nonpublic record.

CHAIR SEGERBLOM:

This bill does not do that.

REBECCA DRUCKMAN (Deputy District Attorney, Office of the District Attorney, Washoe County):

The elephant in the room is the issue of sealed case records. Every county with a VTC knows which offenders came through their courts, but VTC prosecutors do not know if another county has diverted veteran offenders. We cannot see sealed case records or prevent revolving doors.

CHAIR SEGERBLOM:

Have you had problems with veterans coming back after completing VTC programs in other counties?

Ms. DRUCKMAN:

Yes.

CHAIR SEGERBLOM:

Have they abused the system?

Ms. DRUCKMAN:

No, they are utilizing VTC services.

CHAIR SEGERBLOM:

That is their right because they are veterans.

Ms. DRUCKMAN:

We could pass a bill that permits domestic violence or DUI recidivists to cycle through VTCs without ever having a usable conviction.

CHAIR SEGERBLOM:

Do you want some kind of statewide registry of veteran offenders?

Ms. DRUCKMAN:

Yes, we would need that, but it would be an unfunded mandate. I have two articles for the Committee's review, "When It's the First Time Every Time: Eliminating the 'Clean Slate' of Pretrial Diversions in Domestic Violence Cases" from the 2014 *Valparaiso University Law Review* and "Way Off Base: An Argument Against Intimate Partner Violence Cases in Veterans Treatment Courts" from a 2012 *Veterans Law Review*.

CHAIR SEGERBLOM:

The reality of what you are talking about is Legislators have to make a policy decision on this issue. You cannot criminalize the behavior we are discussing.

Ms. DRUCKMAN:

When we supervise dangerous offenders in VTC—

CHAIR SEGERBLOM:

We teach veterans to be killers. We took them at age 18, sent them to the Marine Corps and taught them how to shoot and kill people overseas. They come back, and what do you think they are going to do? All of a sudden will they be angels?

Ms. DRUCKMAN:

That remark is offensive to the integrity of the young men and women in the military. Veterans are some of the best people I know, not trained killers who cannot control themselves or make judgment calls. They are the best of the best.

CHAIR SEGERBLOM:

You just said these are violent, terrible people. That is what I was commenting on. You said they are dangerous, and these are the people you love the most, right?

Ms. DRUCKMAN:

The bill provides the Division will supervise veteran offenders. The Division only supervises gross misdemeanants and felons. We have had to refuse transfers from municipal or district courts because we do not have anyone to supervise them to protect the community.

CHAIR SEGERBLOM:

Senator Hardy, could we add that to the bill?

Ms. DRUCKMAN:

That would be an unfunded mandate for the Division. The Washoe County VTC has 60 participants, only 20 of whom are supervised gross misdemeanants or felons. We have no way to supervise the others.

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SENATOR CANNIZZARO:

Who is supervising misdemeanor offenders in your district VTC?

Ms. DRUCKMAN:

The supervisors are staff members directing veteran offenders to have drug tests, talking to them on the phone and meeting with them. No Division officers or marshals are doing home checks, checking phone activity, making sure offenders are involved in prohibited activities, etc.

SENATOR CANNIZZARO:

Do you mean court staff?

Ms. DRUCKMAN:

Yes. We have a Veterans Administration (VA) liaison who helps offenders get needed services through the VA.

SENATOR CANNIZZARO:

Are VA staff part of your treatment team?

Ms. DRUCKMAN:

Yes.

SENATOR CANNIZZARO:

Can you utilize house arrest, intensive supervision or things like that for VTC misdemeanor offenders?

Ms. DRUCKMAN:

No. We only supervise gross misdemeanants and felons. We only do curfew checks and things like that for those under Division supervision.

SENATOR CANNIZZARO:

Is all supervision managed through the Division?

Ms. DRUCKMAN:

Yes, for the 20 qualified offenders. Everyone else is supervised—and I use that word loosely—by court staff.

SENATOR CANNIZZARO:

Is there no house arrest program for justice or municipal court offenders?

Ms. DRUCKMAN:
Correct.

Ms. WILSON:
Let the veterans go to VTCs and get special services. Let them get it on charges of DUI or domestic violence. In order to maintain harmony with NRS and not break from the decades-long tradition of holding these offenders accountable with increased future penalties, let them go to VTCs as a condition of probation, without a dismissal and sealed record on enhanceable misdemeanor offenses at the end.

CHAIR SEGERBLOM:
Would you let them plead to a lesser offense?

Ms. WILSON:
That depends on the facts of each case. If we let people plead to reckless driving instead of DUI, that will not count as enhanceable.

CHAIR SEGERBLOM:
That is the point. They could get a commercial driving license and become professional truck drivers. Their lives would not have been destroyed after 50 years in prison. Our overbroad, crazy laws are ruining people's lives without considering individual cases.

STEPHANIE O'ROURKE (Deputy Chief, Division of Parole and Probation, Department of Public Safety):

The Division of Parole and Probation is neutral on S.B. 280. We are concerned about the fiscal impact the new caseload will have on the Division because we are not funded to supervise misdemeanor offenders.

CHAIR SEGERBLOM:
Would the bill require that?

Ms. O'ROURKE:
Our understanding is veteran misdemeanor offenders would be transferred to district courts and be under the supervision of the Division.

KEVIN BURNS (Chair, United Veterans Legislative Council):

The United Veterans Legislative Council is neutral on S.B. 280 because section 3, subsection 1, paragraph (b) provides VTC offenders would be under the supervision of the Division.

BEN GRAHAM (Administrative Office, Supreme Court of Nevada):

The Supreme Court of Nevada certainly encourages diversionary programs like those provided by VTCs. The goal is to protect the public while doing right by veterans and our communities.

MARK STEVENS (Municipal Court Judge, Department 1, City of Henderson):

I am a former U.S. Marine and a police officer who made many arrests for DUI, was a long-term prosecutor and was on the executive board for the S.A.F.E. House domestic battery shelter. I have presided over a VTC for six years. Senate Bill 280 does not provide that municipal and justice courts can operate VTCs.

CHAIR SEGERBLOM:

The Committee will change that part of the bill. Do you have a problem with its DUI and domestic violence provisions?

JUDGE STEVENS:

No. Eighty-eight percent of defendants in VTCs at the municipal court level are charged with DUI and domestic battery. These are the kind of cases we expect from veterans with PTSD, traumatic brain injuries (TBI), abuse of drugs and alcohol and mental health issues. We want to handle the cases at the lowest possible level in VTCs.

The VTC recidivism rate is amazingly low. Statistically, the high-risk, high-needs defendants we are talking about do have a recidivism rate. My court had 119 program graduates with 5 reoffenders. That is why we need VTCs from a public safety standpoint and why domestic battery and DUI offenders need to be in the treatment programs.

My VTC offenders have to attend a minimum number of program sessions for DUI and domestic battery, including 26 sessions of domestic battery counseling or 52 sessions of DUI counseling. They must also call in daily for random drug and alcohol testing and, if appropriate, attend PTSD, addictive treatment,

Narcotics Anonymous, Alcoholics Anonymous or acceptable alternative counseling. Some people attend seven or nine sessions weekly.

It is unrealistic to think people do not get some incentives to be in VTC programs, so we need to reduce or dismiss convictions. No one thinks the programs are easy. Assembly Bill 286 provides programs must be at least a year long. It needs to be as long as it takes for offenders to get back on the right track. The Henderson Municipal Court has alternative sentencing. Our Misdemeanor Parole and Probation Department supervises offenders at that level.

BYRON BROOKS:

I am a mentor for the Henderson VTC under Judge Stevens and in Las Vegas at the justice court level. I am neutral on S.B. 280 for the reasons outlined by Judge Stevens.

MR. GALLION (President, Nevada Veteran's Association):

The Nevada Veteran's Association is neutral on S.B. 280. Being in the military is not an easy profession. The TBIs from improvised explosive devices cause significant medical damage. The military and veteran community has higher standards for itself. When there is an issue, we deal with it, and VTCs have held us to that standard.

No one who has testified against S.B. 280 has provided a solution to prevent DUIs and domestic violence. One way we prevent them is, if someone has an escalating issue, we provide them with a number to call so battering victims have a safe house for 72 hours. That is only available after police have been called and the person is facing DUI or domestic violence charges. That is unfair.

DAN BERNAL (Veterans Justice Outreach Director, Imagine Nurturing Our Warriors):

I am neutral on S.B. 280. I would caution the Committee to follow the Army KISS principle, "Keep it simple, stupid." Anything that removes exclusive jurisdiction from justice and municipal courts and puts it on veteran defendants to have to petition courts makes things more difficult. They may at best meet with public defenders at their arraignments.

SENATOR HARDY:

The problem is how to balance protection of victims with protecting veterans. How have VTCs worked compared to other ways of helping veteran offenders? The VTCs have a good track record. We will work on the unfunded mandate for the Division of Parole and Probation supervision, statewide perpetrators registry and the issue of enhanceable crimes.

CHAIR SEGERBLOM:

We will close the hearing on S.B. 280 and open the hearing on S.B. 449.

SENATE BILL 449: Authorizes justice courts and municipal courts to establish programs for the treatment of certain offenders who are veterans or members of the military. (BDR 14-1059)

SENATOR NICOLE J. CANNIZZARO (Senatorial District No. 6):

Senate Bill 449 extends VTCs to justice and municipal courts. I am a prosecutor with the Office of the District Attorney, Clark County. We have some justice and municipal courts with VTCs. I have dealt with the Department 4 Las Vegas Township Justice Court VTC operated by Judge Melissa A. Saragosa. A unique aspect of Clark County's VTC is the VA is on board with other treatment professionals, defendant mentors and judges who order house arrest, intensive supervision and jail parolees who violate conditions of release.

Until a few years ago, the pace of deployment for Operation Enduring Freedom and Operation Iraqi Freedom was significant. Today, most servicemembers who fought in those Operations are home with resulting battle scars. Physical wounds are easily identified and treated but there are also psychological wounds. More and more military leaders and policymakers understand combat may damage emotional and cognitive abilities of servicemembers whose bodies may be intact.

Dozens of studies prove the existence of depression, PTSD and TBIs among veterans. The VA says 11 percent to 20 percent of people who served in Operation Enduring Freedom and Operation Iraqi Freedom have PTSD. For the Gulf War and Operation Desert Storm, that figure is about 12 percent, and for Vietnam War veterans, it was about 30 percent. The National Council on Alcoholism and Drug Abuse says veterans' PTSD rate is 3.5 percent higher than that of civilians.

The prevalence of depression among veterans is 2 percent to 10 percent. An estimated 7.5 percent of deployed troops have suffered a TBI. The National Alliance to End Homelessness reported that in January 2014, U.S. communities identified nearly 50,000 homeless veterans during the Point-in-Time counts. That was 8.6 percent of the total homeless population. Although that was a 67 percent decrease from 2009, the rate of veteran homelessness is higher than that of the general population.

These statistics put veterans at a distinct disadvantage when navigating the legal system. How many veterans suffering from PTSD, TBIs, depression and homelessness cycle through the system? Are we providing enough help to veterans struggling to rehabilitate and become productive members of society?

Before 2009, when veterans entered the court system, often for low-level offenses, the system lacked support programs to get them back on their feet. The 75th Legislative Session authorized the creation of VTCs to provide treatment options for eligible veteran or military member offenders. Senate Bill 449 authorizes nonviolent offenders to choose treatment programs in justice or municipal courts in lieu of criminal proceedings.

Veterans treatment courts recognize too many veterans suffer from PTSD, alcoholism, drug abuse and homelessness. If their crimes do not involve use of force or violence, district courts may suspend criminal proceedings and place defendants on probation while they are in treatment programs. Once the programs are completed and defendants are released from probation, their criminal records are sealed. The VTCs have been very successful at the district court level, resulting in reduced recidivism and providing services like job training, mental health counseling and drug treatment desperately needed to help veterans become productive members of communities. Senate Bill 449 will allow justice and municipal courts to operate VTCs similarly to those in district courts.

CHAIR SEGERBLOM:

Even though justice courts are not authorized to operate VTCs, they do so. How will the bill change that?

SENATOR CANNIZZARO:

The bill will put into NRS authorization to continue to operate their VTCs. There has been discussion as to whether these programs are operating legitimately

and whether courts of limited jurisdiction have proper authority to operate VTCs. If a lawsuit went forward challenging the validity of those VTCs and they were ruled impermissible, the programs would end.

CHAIR SEGERBLOM:

Back to S.B. 280, would your bill obviate that need because defendants could stay in justice or municipal courts for treatment?

SENATOR CANNIZZARO:

Correct. If a justice or municipal court has a VTC program, its low-level misdemeanor offenders supervised by those courts could complete the program at that court level. If a VTC program is not available, offenders could apply to district court for a transfer to enter a treatment program. If that becomes law, as part of the sentence, district court judges could agree to accept offenders pursuant to prenegotiation or after a conviction was sustained in justice or municipal courts.

BOB SWEETIN (City of Mesquite):

The City of Mesquite strongly supports S.B. 449. I am the sole city attorney in Mesquite. We have a lot of veterans in our system, but when we tell defendants the VTC is in Las Vegas, they do not have cars or reliable transportation to go there. The bill will help many rural communities.

MR. BURNS:

I coordinate the Veterans Resource Center at Western Nevada College. I have to send my veterans who get into trouble to Reno for VTC programs. It is not an easy diversion program; it is easier to take the other way out. The carrot and stick of sealing the records is critically important.

MR. PIRO:

The Office of the Public Defender, Clark County, supports S.B. 449.

MR. SULLIVAN:

The Office of the Public Defender, Washoe County, supports S.B. 449.

MR. GALLION:

The Nevada Veteran's Association supports S.B. 449. When servicemembers exit active duty, there are three types of honorable discharge: completion of contract commitment, retirement and medical retirement. People on active duty

may be in a treatment program based on medical conditions attributable to a reduction in their DUI or domestic violence convictions. The VA takes a long time to adjudicate medical issues so veterans may be left without the comprehensive care they had before their discharge.

JANET FRANCO (Imagine Nurturing Our Warriors):

I have worked with hyperbaric oxygen therapy for TBI. More than 2,000 veterans have had their brains restored nationwide with the therapy. We have worked with Assemblyman Chris Edwards, Assembly District No. 19, on a TBI treatment bill. We want to work with VTCs to get treatment for TBI patients. Science now has insights into the brain and can detect potential of aggression and domestic violence. The chief of staff of the VA Southern Nevada office supports hyperbaric oxygen therapy, neurofeedback and acupuncture treatments. The VA will reimburse practitioners of hyperbaric oxygen therapy for TBI and PTSD in Nevada.

Ms. MULL:

In section 2, subsection 1 of S.B. 449, which lists "eligible defendants" for VTC programs, victims of military sexual trauma should be added. Approximately 1 in 4 female veterans and 1 in 100 male veterans suffer from the condition.

KEITH LEE (Nevada Judges of Limited Jurisdiction):

The Nevada Judges of Limited Jurisdiction support S.B. 449 in concept and how it would dovetail with S.B. 29. Our concern is the unfunded mandate issue, which could be solved by allowing VTC transfers from district courts.

JUDGE STEVENS:

My concern is with the DUI and domestic battery issue. I would like one bill to address both issues.

SENATOR CANNIZZARO:

I understand the concerns of the Nevada Judges of Limited Jurisdiction and about DUI and domestic violence cases.

CHAIR SEGERBLOM:

We will close the hearing on S.B. 449 and open the hearing on S.B. 306.

SENATE BILL 306: Revises provisions relating to offenders. (BDR 16-298)

SENATOR AARON D. FORD (Senatorial District No. 11):

Senate Bill 306 is part of my goal this Session of implementing broad and meaningful criminal justice reform. Section 1 allows the DOC Director to expand the circumstances under which offenders may use cellphones, computers or other approved devices to communicate with prospective employers and others.

JAMES DZURENDA (Director, Department of Corrections):

Nationally, the commitment to encourage inmate support systems makes offenders successful when they reenter society and reduces victimization. The video visits in section 1, subsection 2 will allow prisoners a way to connect with family and friends. The Lovelock Correctional Center has little visitation because the majority of offenders are from Clark County. Their family and friends do not have the ability to take time off or the means or money to travel to Lovelock. The bill allows a way for prisoners to communicate with loved ones electronically.

The bill also allows inmates to use tablets and iPads within a closed system. We could use them for educational purposes. Inmates could do homework in their cells instead of just doing nothing after school in their housing units. The DOC can enhance its programs with take-home work to do in cells. Offenders would have easier access to medical and mental health services through an internal email system. This would be good for inmates struggling with thoughts of suicide or serious medical conditions. There would be electronic documentation for offenders that messages got to their destinations.

Offenders will be able to request commissary and canteen items with their tablets or iPads. Inmates can file grievances or express issues about their housing on tablets. We can then respond much faster, especially to emergency security and safety issues. The bill allows inmate training on how to use iPads or tablets so inmates will be prepared on release, especially for job applications and interviews required to be submitted online. We have offenders returning to their communities after 20, 30, 40 or 50 years who have never seen these devices.

The bill allows tablets, cellphones and laptops with Internet access in DOC transitional centers. These inmates go out daily to look for or to work jobs. Virtually all job applications are now online. Denying online access to inmates hinders our progress in finding jobs for them. When offenders meet job qualifications, the only way employers' human resource departments can

schedule interviews is by phone or email. Without cellphone access, that is impossible.

SENATOR FORD:

The expanded use of telecommunications devices is limited to offenders in transitional housing, restitution centers or specific education and vocational training programs. The crux of the bill is aiding the transition of inmates back into society. That benefit must be earned.

Senate Bill 306 section 2, subsection 1 declares, "It is in the interest of the State to enhance existing programs of education and training for certain offenders ... " who will soon be released. The bill expresses Legislators' belief that resources should be devoted up front to these programs to reduce recidivism and ultimately save the State money.

The bill provides a pilot educational program between the Nevada System of Higher Education (NSHE), specifically the College of Southern Nevada (CSN), and HOPE for Prisoners, Inc. Section 3 directs the Board of State Prison Commissioners to create and administer the pilot program. Fifty male and 50 female inmates will be selected to complete high school equivalency examinations, take college- and career-readiness courses or get vocational training and receive counseling on how to reenter society. The pilot program must set the conditions under which participants are selected and provide a partnership with the Department of Employment Training and Rehabilitation (DETR), local agencies and nonprofits. Sections 4 and 5 provide for a \$300,000 appropriation from the General Fund to the NSHE to carry out the program, stipulating when the program ends on June 30, 2021, that money will revert to the Fund.

MICHAEL D. RICHARDS (President, College of Southern Nevada):

Up to 2008, CSN provided training and general education in occupational programs in several facilities for 470 offenders annually. We terminated the program due to the economic recession. Under S.B. 306, in collaboration with DOC, CSN can restart the program more systematically as a pilot program. Rather than offer random courses, we want to offer programs leading to credentials to provide inmates with postrelease life skills. We will have two program tracks, credit-bearing degrees and preapprenticeships. The CSN will report to the Seventy-ninth Legislative Session on the success of the pilot program.

CHAIR SEGERBLOM:

I predict that \$300,000 will come back tenfold to the State.

CONSTANCE J. BROOKS (Vice Chancellor, Nevada System of Higher Education):

The goal of the NSHE and the Board of Regents is increasing graduation rates for all students. Senate Bill 306 provides a unique and creative mechanism by which we can reach a sensitive population.

CHAIR SEGERBLOM:

After ten years of an economic depression, it is good to get back into things at which we are good.

JON D. PONDER (CEO, HOPE for Prisoners, Inc.)

You have my written testimony ([Exhibit H](#)). HOPE for Prisoners, a nonprofit based in Las Vegas, provides comprehensive reentry services for inmates. In State and federal prisons, I have worked with hundreds of inmates. The way people spend their time incarcerated is directly correlated to the success of their reentry into society. If the overall goal of the State is to reduce recidivism and increase options for sustainable employment, education and jobs skills training must be offered prior to reintegration.

Progressive and sustainable reentry depends on meeting the basic need of prisoners: the ability to provide for themselves and their families. For people being released with little or no employment history or transferable skills sets, the job options to meet this goal of self-sufficiency are severely diminished. The amount of time between release and attainment of employment directly affects the likelihood of reoffense. Expanded education and skills training will help people serve time more productively, increase self-esteem and confidence, and open hitherto closed avenues to employment.

SENATOR FORD:

This is the right thing to do for all Nevadans. Ex-cons experience discrimination in housing, employment, educational opportunities and the political process. As they whisper in our ears about how they can become better integrated into society, we should listen. Offenders trying to do the right thing and improve their lives will benefit the communities and families to which they return. The State will see improved outcomes and lower recidivism and spend less on merely locking people up.

MR. GUZMAN:

The Latin Chamber of Commerce supports S.B. 306. Many people who look like me are sometimes incarcerated for ridiculous charges. They are going to get out. How we handle that, giving a man or woman hope, dignity, training and education, is the way to solve our Country's incarceration problem. We can make some hard changes only with creative, out-of-the-box thinking.

DANNY L. THOMPSON (Laborers Union Local 872, AFL-CIO):

In local jails, people serve life sentences 30 days at a time. There is a mark on those people, especially after they go to prison, when they look for a job after release. The cost to taxpayers of recidivism is huge. A lot of prisoners want to turn their lives around, but the system works against them. Senate Bill 306 will help with that.

WILLIAM STANLEY (Executive Secretary-Treasurer, Southern Nevada Building and Construction Trades Council, AFL-CIO):

The Southern Nevada Building and Construction Trades Council supports S.B. 306. The Council partners with the Clark County School District and the High Desert State Prison on our Multi-Craft Core Curriculum apprentice-readiness program. If S.B. 306 passes, we hope to take the same program to the select 100 inmates and prepare them for a career in the construction trades. The training is computer-based. At other correctional facilities, we have had to dumb down the program by using a paper format or an intranet. That takes away the diagnostic tools that allow us to know how long students study or if they are having problems with certain areas of instruction. Multiple studies show if a released inmate enters an apprenticeship program, their level of recidivism is negligible.

CHAIR SEGERBLOM:

We could invest Public Employees Retirement System money in your partnership.

MR. SULLIVAN:

The Office of the Public Defender, Washoe County, supports S.B. 306. We have heard testimony about how important it is to reintegrate inmates back into society in terms of housing, employment, reunification with their families and education.

MR. PIRO:

One unintended consequence of videoconferenced visits at prison facilities will allow Clark County deputy district attorneys to communicate faster with clients. We usually have to drive an hour to meet with them at High Desert State Prison. Video visits will also speed resolution of cases.

DON SODERBERG (Director, Department of Employment, Training and Rehabilitation):

As a member of an Executive Branch agency, I am neutral on S.B. 306 until Governor Brian Sandoval publicly supports or opposes it. For DETR, prisoner reentry is a workforce issue. Anything that expands the State's skilled workforce is positive. The activities to be offered to inmates in section 3 are things DETR can and will do. The DETR works closely with CSN. There is training, and there is training for important skills in demand. We focus on the latter so people who use our job assistance services do not come back on the other end, the unemployment line.

CHAIR FORD:

An amendment is coming on the expiration date of June 30, 2021, for the pilot program, extending it through 2019.

CHAIR SEGERBLOM:

We will close the hearing on S.B. 306 and open the hearing on S.B. 396.

SENATE BILL 396: Revises provisions relating to the medical use of marijuana or industrial hemp. (BDR 54-53)

SENATOR PAT SPEARMAN (Senatorial District No. 1):

Senate Bill 396 authorizes health care providers or massage therapists to administer marijuana-infused products or products containing industrial hemp to patients or clients or recommend the use of such products. Section 3 revises the definition of a "chronic or debilitating medical condition" to include opioid addiction.

Research suggests cannabis-infused topical lotions and oils may help reduce pain and inflammation without psychogenic effects. Patients and clients indicate these oils and lotions provide better results than do other topical pain relievers or anti-inflammatory medications. Colorado, Oregon and Washington authorize the use of such products under certain circumstances.

In Colorado, massage therapists may use marijuana-infused products or clients may provide their own products. Products may not be sold to clients for home use. In Oregon, massage therapists may legally purchase and use products on clients aged 21 or older. In Washington, products containing 0.03 percent tetrahydrocannabinol are considered hemp or a cannabis health and beauty aid. Section 1, subsection 2 of S.B. 396 exempts health care providers or massage therapists from certain crimes for using hemp or marijuana products or recommending their use. It also prohibits professional licensing boards from disciplining these practitioners.

Recent studies suggest access to marijuana products might reduce opioid misuse. A University of California, San Diego, study found hospitalization rates for people with painkiller abuse and addiction dropped an average of 23 percent and opioid overdoses dropped by an average of 13 percent in states with medical marijuana. Studies have analyzed the connection between medical marijuana and reduced opioid abuse. A 2014 study published in *JAMA Internal Medicine* found opioid overdose deaths were 25 percent lower in states with medical marijuana. However, a direct causal link was not found.

You have the conceptual proposed amendment ([Exhibit I](#)). Representatives of counties and cities asked me if the bill would cover ingested products. The proposed amendment makes clear it is strictly for topical products. It also authorizes practitioners to keep on hand an adequate amount of those products.

SENATOR HARRIS:

Section 1, subsection 1, paragraph (a) states patients may provide their own products. What protections will there be for people administering products? We do not have confidence in the chain of custody of products. They may be too potent or impure. Massage therapists may ingest products transdermally, unless the therapist is wearing gloves.

SENATOR SPEARMAN:

I did not consider that but am open to adding it to the proposed amendment.

CHAIR SEGERBLOM:

If products are purchased through licensed marijuana dispensaries, they would have been tested.

SENATOR HARRIS:

What if a client brought something concocted at home from their own plants?

CHAIR SEGERBLOM:

That is true with any client-provided massage oils or lotions. All we can do is regulate what is sold in dispensaries.

MR. CALLAWAY:

The LVMPD is concerned with section 1, subsection 2, paragraphs (a) through (f) because it grants exemption from prosecution for certain individuals.

CHAIR SEGERBLOM:

We understand that concern and will remove the subsection. The provisions are covered under general statutes.

GRACE CROSLEY (Nevadans for Informed Marijuana Regulation):

I want to make sure topical products do not have psychoactive effects.

MR. PERKINS:

Some of the concerns of the City of Henderson are addressed in the proposed amendment, which we will review.

CHAIR SEGERBLOM:

We will close the hearing on S.B. 396 and open the hearing on S.B. 416.

SENATE BILL 416: Authorizes the formation of apprenticeship programs for medical marijuana establishment agents. (BDR 40-1140)

SENATOR SPEARMAN:

Senate Bill 416 authorizes formation of an apprenticeship program for medical marijuana establishment agents. Apprenticeship programs provide on-the-job training and classroom instruction for highly skilled occupations under the supervision of trade professionals. Creating a medical marijuana establishment can be complex. Workers must understand the uses of medical cannabis and its impact on the body for treating pain or diseases. The proper distribution of cannabis includes an understanding of dispensary technicians and developing policies and procedures for operations, inventorying and sales. Health and safety protocols include understanding security systems and substance abuse and addiction.

Section 1 of S.B. 416 provides a medical marijuana establishment or association thereof may enter into agreements to carry out an apprenticeship program. The bill would be effective on July 1.

When you research the U.S. history of cannabis as part of the medicinal toolbox, it was legal until 1937. After the Mexican Revolution, an attitude developed that marijuana was harmful without scientific evidence. People have looked with disdain on using cannabis as medicine. A friend of mine recovering from stage 2 colon cancer and another friend with arthritis pain swear by marijuana. As the medical marijuana market grows, we need a standard for training for its purveyors. The bill will also add to the State's economic development.

SETH T. FLOYD (United Food and Commercial Workers International Union, AFL-CIO):

The United Food and Commercial Workers (UFCW) supports S.B. 416 but has a proposed amendment ([Exhibit J](#)) to section 1, subsection 8. Its purpose is to bring the bill in line with NRS 610 and its administrative code provisions. It would provide enabling legislation to representatives of labor unions to enter into an agreement to carry out apprenticeship programs overseen by the State Apprenticeship Council.

CHAIR SEGERBLOM:

We are talking about a licensed apprenticeship program approved by the State. We are also looking at having hiring halls from which dispensaries could draw.

JEFFREY P. FERRO (Executive Assistant to the Director, Organizing Department, United Food and Commercial Workers International Union, AFL-CIO):

I am the lead organizer of the Cannabis Workers Rising program of the UFCW. We are committed to building an industry that allows workers to thrive in a diverse and skilled workforce. Our 1.3 million members work in retail, food processing, meatpacking, medical, pharmaceutical, cosmetology, distillery, chemical and cannabis industries. The UFCW has the only apprenticeship dedicated specifically to cannabis and has worked with states and municipalities to develop and stabilize the emerging industry. We represent tens of thousands of people in multiple states working in cultivation, manufacturing, processing, delivering, researching and dispensing marijuana. I sit on the union side of the California Joint Labor Management Committee, specifically working for dispensary employees. Apprenticeship programs are effective in the other

industries we represent. The State will create good, highly skilled jobs, especially since they deal with a highly regulated, tightly controlled substance.

In California, the UFCW cannabis apprenticeship programs operate under the Division of Apprenticeship Standards, Department of Labor, under the oversight of Governor Jerry Brown. The program provides a salary so participants do not come out of school with a financial burden. They earn a certification to show employers they have met minimum standards. The program leads to good jobs and a skill base not necessarily specific to cannabis. It also promotes workplace diversity. A trained workforce benefits consumers from a health and safety standpoint.

MATT ZBERG (River City Phoenix):

River City Phoenix operates three California dispensaries in Sacramento and Oakland. We have apprentices working in medical marijuana dispensaries.

CHAIR SEGERBLOM:

Are they covered by UFCW health insurance?

MR. ZBERG:

Yes.

LARRY SMITH (G Five Cultivation):

G Five Cultivation is a cannabis grow facility in southern Nevada. I support S.B. 416, which will give Nevadans the skills necessary to attain gainful employment and contribute to the economic development of the industry. There are a variety of marketable skill sets in the apprenticeship program, including agriculture; plant genetic science, structure and life cycles; nutrients and carbon dioxide; and air quality measurements.

RUSTY McALLISTER (Nevada State AFL-CIO):

The Nevada State AFL-CIO supports the apprentice program in S.B. 416. Anything that qualifies under the State Apprenticeship Council is a good thing.

JIM SULLIVAN (Culinary Workers Union Local 226):

The Culinary Workers Union Local 226 supports S.B. 416.

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TODD KOCH (President, Building and Construction Trades Council of Northern Nevada, AFL-CIO):

The Building and Construction Trades Council of Northern Nevada, AFL-CIO, supports S.B. 416 because any time we can expand registered apprenticeships outside of construction in Nevada is a good thing. After I served my 3 1/2-year apprenticeship, I began earning good job benefits, including retirement income. It was an earn-while-you-learn program so I made a living wage. My pay increased to the high standard of living I still enjoy.

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CHAIR SEGERBLOM:

I will close the hearing on S.B. 416. Seeing no more business before the Senate Committee on Judiciary, this meeting is adjourned at 3:45 p.m.

RESPECTFULLY SUBMITTED:

Pat Devereux,
Committee Secretary

APPROVED BY:

Senator Tick Segerblom, Chair

DATE: _____

EXHIBIT SUMMARY				
Bill	Exhibit / # of pages		Witness / Entity	Description
	A	2		Agenda
	B	7		Attendance Roster
S.B. 267	C	1	Javier Trujillo / City of Henderson	Letter of Support
S.B. 267	D	1	Edward Dichter / City of Henderson	Written Testimony
S.B. 267	E	4	Edward Dichter / City of Henderson	Foreclosure and Abandoned Property Registration charts
S.B. 267	F	1	Richard Perkins / City of Henderson	Proposed Amendment
S.B. 280	G	6	Senator Joseph P. Hardy	Summary of Recommendations, Legislative Committee on Senior Citizens, Veterans and Adults with Special Needs
S.B. 306	H	1	Jon Ponder / HOPE For Prisoners	Written Testimony
S.B. 396	I	1	Senator Pat Spearman	Proposed Conceptual Amendment
S.B. 416	J	2	Seth T. Floyd / United Food and Commercial Workers International Union, AFL-CIO	Proposed Amendment