

**MINUTES OF THE MEETING  
OF THE  
ASSEMBLY COMMITTEE ON JUDICIARY**

**Eighty-First Session  
March 25, 2021**

The Committee on Judiciary was called to order by Chairman Steve Yeager at 9:02 a.m. on Thursday, March 25, 2021, Online. Copies of the minutes, including the Agenda ([Exhibit A](#)), the Attendance Roster ([Exhibit B](#)), and other substantive exhibits, are available and on file in the Research Library of the Legislative Counsel Bureau and on the Nevada Legislature's website at [www.leg.state.nv.us/App/NELIS/REL/81st2021](http://www.leg.state.nv.us/App/NELIS/REL/81st2021).

**COMMITTEE MEMBERS PRESENT:**

Assemblyman Steve Yeager, Chairman  
Assemblywoman Rochelle T. Nguyen, Vice Chairwoman  
Assemblywoman Shannon Bilbray-Axelrod  
Assemblywoman Lesley E. Cohen  
Assemblywoman Cecelia González  
Assemblywoman Alexis Hansen  
Assemblywoman Melissa Hardy  
Assemblywoman Heidi Kasama  
Assemblywoman Lisa Krasner  
Assemblywoman Elaine Marzola  
Assemblyman C.H. Miller  
Assemblyman David Orentlicher  
Assemblywoman Shondra Summers-Armstrong  
Assemblyman Jim Wheeler

**COMMITTEE MEMBERS ABSENT:**

Assemblyman P.K. O'Neill (excused)

**GUEST LEGISLATORS PRESENT:**

Assemblyman Glen Leavitt, Assembly District No. 23



**STAFF MEMBERS PRESENT:**

Diane C. Thornton, Committee Policy Analyst  
Ashlee Kalina, Assistant Committee Policy Analyst  
Bradley A. Wilkinson, Committee Counsel  
Bonnie Borda Hoffecker, Committee Manager  
Traci Dory, Committee Secretary  
Melissa Loomis, Committee Assistant

**OTHERS PRESENT:**

Tonja Brown, Private Citizen, Carson City, Nevada  
Janine Hansen, State Chairman, Independent American Party of Nevada  
Lynn Chapman, representing American Legion Auxiliary, Unit 30  
Terri Hendry, Communications Director, Department of Veterans Services  
Marisa Rodriguez, Senior Deputy City Attorney, City of North Las Vegas  
Rhiann S. Jarvis Denman, Deputy City Attorney, City of North Las Vegas  
James J. Smedley, Deputy City Attorney, City of North Las Vegas  
Amanda R. Mateer, Deputy City Attorney, City of North Las Vegas  
John J. Piro, Chief Deputy Public Defender, Legislative Liaison, Clark County Public Defender's Office  
Jennifer P. Noble, Chief Deputy District Attorney, Legislative Liaison, Washoe County District Attorney's Office; and representing Nevada District Attorneys Association  
Jim Hoffman, representing Nevada Attorneys for Criminal Justice  
Kendra G. Bertschy, Deputy Public Defender, Washoe County Public Defender's Office  
Benjamin Challinor, Policy Director, Faith in Action Nevada  
Annemarie Grant, Private Citizen, Quincy, Massachusetts

**Chairman Yeager:**

[Roll was called. Committee protocol was explained.] We have four bills on the agenda. Before that, I have seven bill draft request (BDR) introductions. Committee, I will read the BDRs and then I will take one motion to introduce all seven with a roll call vote. A reminder to the Committee that voting to move these BDRs does not commit you to supporting the bill. It just allows them to go to the floor to receive a bill number and then we will schedule them for hearing.

**BDR 3-138**—Revises provisions relating to the collection of child support. (Later introduced as [Assembly Bill 406](#).)

**BDR 43-485**—Revises provisions relating to prohibited acts concerning the use of marijuana and the operation of a vehicle or vessel. (Later introduced as [Assembly Bill 400](#).)

**BDR 41-643**—Revises provisions relating to gaming. (Later introduced as [Assembly Bill 405](#).)

**BDR 3-1023**—Revises provisions relating to orders for protection against domestic violence. (Later introduced as [Assembly Bill 404](#).)

**BDR S-1027**—Directs the Advisory Commission on the Administration of Justice to appoint a subcommittee to study records of criminal history. (Later introduced as [Assembly Bill 401](#).)

**BDR 43-1030**—Revises provisions governing certain crimes. (Later introduced as [Assembly Bill 403](#).)

**BDR 14-1033**—Revises provisions relating to public safety. (Later introduced as [Assembly Bill 402](#).)

At this time, I will entertain a motion to introduce the seven BDRs that I just read into the record.

ASSEMBLYMAN WHEELER MOVED FOR COMMITTEE  
INTRODUCTION OF BILL DRAFT REQUESTS 3-138, 43-485, 41-643,  
3-1023, S-1027, 43-1030, AND 14-1033.

ASSEMBLYWOMAN NGUYEN SECONDED THE MOTION.

Is there any discussion on the motion? [There was none.]

THE MOTION PASSED. (ASSEMBLYMAN O'NEILL WAS ABSENT  
FOR THE VOTE.)

Those seven BDRs will be introduced today on the Assembly floor. Just so Committee members know, we may receive more BDRs either before the meeting concludes or tomorrow.

We have four bills on the agenda this morning. We will take them in reverse order and will hear the three related to charitable lotteries at the same time. I will open the hearing on [Assembly Bill 234](#), [Assembly Bill 285](#), and [Assembly Bill 293](#). Assemblymen Wheeler and Leavitt will provide presentation of all three bills. Assemblyman Ellison is the sponsor of one of those measures, but he is presenting in another committee this morning. I believe Assemblyman Wheeler will handle his presentation.

**[Assembly Bill 234](#)**: Revises provisions relating to charitable lotteries. (BDR 41-35)

**[Assembly Bill 285](#)**: Revises provisions relating to charitable lotteries. (BDR 41-748)

**Assembly Bill 293: Revises provisions relating to charitable lotteries. (BDR 41-204)**

**Assemblyman Jim Wheeler, Assembly District No. 39:**

Today I would like to present for your consideration Assembly Bill 293. Thirty years ago, the Nevada Legislature enacted laws which required the Nevada Gaming Control Board to regulate charitable lotteries and gaming. During the last session, the laws were amended with Assembly Bill 117 of the 80th Session with the intention to allow increased fundraising activities, and to streamline the approval process for nonprofits. Before 2019, a nonprofit organization was not required to register with the Gaming Control Board if the total value of prizes was less than \$2,500 and the organization operated no more than two charitable lotteries per year, and as long as the tickets were sold to members and to their guests during a special event and prizes did not exceed \$15,000 in a calendar year.

Currently, the requirements affect any organization doing fundraising with a raffle or any game that involves an element of chance. While this may not pose a major challenge in the community—donation efforts for professional sports organizations or large nonprofits that have scheduled fundraising events each year—it does become problematic for smaller entities like 4-H clubs, Little League baseball teams, high school football, or veterans or disability groups that need to raise money on the fly for unanticipated needs. It has also become cumbersome and time-intensive for smaller organizations to register every time they choose to schedule a little fundraising event or a raffle. I have one group in Gardnerville that are octogenarian wine tasters. They like to do their raffle once a year and they cannot do it anymore, and if we do not pass these bills, I am going to turn them loose on you because they have been all over me trying to get this changed.

Assembly Bill 293 and the other two bills reinstate the ability for people to make a smaller wager on a game of chance, with the money designated to go toward a charitable cause within the community. An organization is not required to register with the Gaming Control Board as long as the total value of the prize offered does not exceed \$2,500 and the organization does not operate more than two lotteries per calendar year, or when the tickets for the lottery are sold only to members and their guests for a special event sponsored by the organization and the total value of all prizes offered during the calendar year does not exceed \$15,000.

This concludes my portion of the presentation for A.B. 293. I strongly encourage your support of the bill. I would like to read some comments from Assemblyman Ellison regarding Assembly Bill 234:

I think the following example is one of the best arguments for supporting A.B. 234 or one of the other bills presented today. Friends for Life is a small community group in Elko, Nevada, that assists friends and neighbors who experience hardships created by serious medical conditions. They have been hard at work for the last 25 years raising funds for individuals in Elko County and the surrounding community. One of their original fundraisers was in 1998 to help a resident paralyzed in a rodeo accident gather enough money to

purchase an adaptive van and a computer with assistive technology. It took the group 11 years, but they eventually raised \$34,000 for the van. Last year, Friends for Life was working to raise funds again for additional adaptive equipment, but they ran into difficulty because of A.B. 117 of the 80th Session, and they were not able to raise any funds. Friends for Life has several small fundraisers through the course of a year, but many of them in the past have been raffles.

That concludes my presentation regarding A.B. 293 and A.B. 234, and I am ready for any questions.

**Chairman Yeager:**

Assemblyman Wheeler, I appreciate your pinch-hitting for Assemblyman Ellison this morning. We also have Assemblyman Leavitt with us to make remarks, and then we will take questions.

**Assemblyman Glen Leavitt, Assembly District No. 23:**

As we heard from Assemblyman Wheeler, amendments made to *Nevada Revised Statutes* (NRS) Chapter 462 inadvertently caused some headaches for some smaller charitable organizations, and this bill is just trying to resolve some of those hurdles. This bill was brought to me by a small group who were unable to do their raffle at their luncheon. I read NRS Chapter 462 and did not know if they could do it or not as it was not clear. These bills make it clear what they can and cannot do. These ladies did not want to break the law and did not want to try to interpret the law on the chance that they may be breaking it. Another thing I asked them was, How much do you raise per year, what is your end goal? They told me if they could raise \$1,200 in a calendar year, they were super happy. I did not want them not to have that ability as their membership is small, so through their dues and their small luncheons, they were not able to raise enough money to both operate and do some of the things that they wanted to do. Other than that, Assemblymen Wheeler and Ellison, through their remarks, were pretty clear on what the bill does and what it will accomplish.

**Assemblywoman Bilbray-Axelrod:**

Section 1, subsection 1, paragraph (c) indicates the tickets or chances for the charitable lottery are sold only to members of the organization and guests of those members while attending a special event. I am worried that this language might be too limiting for the example that you shared for Assemblyman Ellison regarding Friends for Life. I do not think they had a special event; they were trying to raise money. I know a lot of these smaller charities might have something going on for a period of time. I am wondering if that language is just a little too specific. I am reading this like when they do a pot of gold type of thing at an event. Just wondering if this will prevent charities from doing something that would last maybe a couple of weeks.

**Assemblyman Wheeler:**

I think you are absolutely correct. I did see that in the bills when they first came out. I did not want to send my bill back for a rewrite because we may be here in July if that happens.

I did see that and was hoping someone would bring it up as I was going to in my closing remarks. What happens a lot of times is they may hold a raffle and sell those tickets to people outside and then award the prize at the event. Sometimes the people are not there to pick up the prize. I do think we need to clear that language up.

**Assemblywoman Bilbray-Axelrod:**

While you are at it, I would also clean up the language that someone has to be attending that event or be a guest, because you may want to sell a raffle ticket to grandma, and grandma is not attending the event. Since you are already willing to look at that section, I do think that needs a little cleanup.

**Assemblyman Wheeler:**

I agree with you, thank you.

**Assemblywoman Nguyen:**

I get what your intent is, but is this something that any of you have spoken with the Gaming Control Board about their thoughts on the proposed change to the law?

**Assemblyman Wheeler:**

For myself, I did about two years ago when this first hit and one of the clubs in my neighborhood indicated that they could not do it. I did call the Gaming Control Board and they indicated I was correct, and it was an unintended consequence of A.B. 117 of the 80th Session. We decided at that time we would need to fix it in the next session.

**Assemblyman Leavitt:**

I have not talked to the Gaming Control Board. My interpretation of it was it was just vague language that needed some interpretation and that is where we were at. I do agree with Assemblywoman Nguyen that A.B. 285 is the best bill out of the three identical bills.

**Assemblywoman Nguyen:**

Obviously, this would be for smaller organizations, but I have had people contact me from churches about how to do this, so I appreciate your bringing it and having this kind of conversation. But on the flip side, I know that with some of these smaller organizations, even with the octogenarians' wine club, there can sometimes be drama. What will happen if there is no way to register with the Gaming Control Board or some sort of regulatory authority if someone feels like they have been cheated or some organization is rigging some sort of lottery or game? If they do, in fact, try to complain to the Gaming Control Board, who will investigate or who will protect any kinds of instances of fraud? Do you have any ideas on how that might happen?

**Assemblyman Wheeler:**

I believe that would be a civil suit at that point and it would obviously go to small claims court because of the amounts. That would be my take on it right off the top of my head. I do not know if Assemblyman Leavitt would have anything to add to that.

**Assemblyman Leavitt:**

I do not have anything to add in that specific realm. I just know that the organizations I have talked to are so small. They are trying to raise a small amount of money, and this is just trying to help small organizations. They have not yet said that there were any disputes in the many, many years they have been doing this.

**Assemblywoman Nguyen:**

How did you come up with that dollar amount?

**Assemblyman Wheeler:**

It was pretty darn arbitrary. For A.B. 293, when I originally put it in two years ago, I had talked to a couple of different organizations in my district and they said they never go over \$15,000 or even \$10,000 a year and prizes are usually donated, so they are under \$2,500 a year. A lot of them, for instance, will have a 50-50 at a women's luncheon where you put in \$1 and whoever gets their ticket drawn gets fifty cents on the dollar back and the other half goes to the organization. So we are talking a few hundred dollars in most cases.

**Assemblyman Leavitt:**

I do agree with that assessment. It was arbitrary, but not arbitrary, as we wanted to keep the dollar amount low as to not go beyond the scope of the Gaming Control Board in some way, shape, or form, but also allow these organizations to do what they need to do for their organization and their fundraising efforts.

**Assemblyman Orentlicher:**

The issue of setting the amounts of \$2,500 and \$15,000, that may be the right amount for today but it may not be the right amount in two or four years, so I hate to have us come back to tweak it every time that we realize the numbers are not quite right. Is there a way to give the Gaming Control Board some discretion to adjust as need be so changes do not have to be done through legislation?

**Assemblyman Wheeler:**

I think that is a great idea. It is not something that even crossed my mind. I do not know about Assemblyman Leavitt, but I am sure it could be attached to a Consumer Price Index or something and allow it to change in regulation instead of law.

**Assemblyman Leavitt:**

I am okay with that concept other than these particular bills take it out of the purview of the Gaming Control Board, so I do not know how we reintegrate that in without having to register with them every time they want to do a raffle at a luncheon.

**Chairman Yeager:**

Are there any questions from the Committee? [There were none.] Is there anyone who would like to testify in support?

**Tonja Brown, Private Citizen, Carson City, Nevada:**

There were a lot of good questions raised. I would just like to mention that I sat on the board of the Last Response Memorial Fund which was set up shortly after the death of Carson City Deputy Sheriff Carl Howell. I sat on the Gold Star Families board for some years. I sat on the Nevada Fallen Soldiers Memorial Wall Project and the Nevada's Children Memorial Fund, which was dedicated to all of the children in Nevada who had been slain by others. If you have not seen that memorial, I had that one placed on the Capitol grounds. I would ask that you look at it. It is a beautiful memorial. Of course, we worked on the memorial wall that has now been placed on the Capitol grounds. As a board member, we have come across some of these issues and it hindered our fundraising events. We definitely support these bills.

**Janine Hansen, State Chairman, Independent American Party of Nevada:**

I am especially happy to support a bill by my own Assemblyman John Ellison as well as the other identical bills. The Independent American Party has in past years sponsored raffles to raise money. These were instituted by our former State Chairman John Wagner. The raffles helped us to pay for our state conventions and State Central Committee meetings. These raffles were significant to us, a minor party, to provide money to pay for speakers at our meetings and other meeting expenses.

We appreciated the concerns expressed by Assemblywoman Bilbray-Axelrod about the limiting of the raffles only during special events and only to members or guests attending the event. We have often sold our tickets in advance of the actual meeting to friends and supporters, so we appreciate the Assemblywoman's concerns and hope the bills will be amended accordingly. Our prizes have never exceeded \$2,500, and we have never raised \$15,000 in a single year with raffles. We appreciate the consideration of these bills and hope you will pass them, especially with the concerns of Assemblywoman Bilbray-Axelrod.

**Lynn Chapman, representing American Legion Auxiliary, Unit 30:**

I am the past president of American Legion Auxiliary, Unit 30. We support all three of these bills. We are an organization that has been around for over 100 years. Our main concern is veterans and their families. We raise money for all of the programs we have in place to help our veterans and their families as well as to help build character in the next generation. We raise money for the following: Wreaths Across America; the Fernley cemetery support group; child welfare services; Boy Scouts and Cub Scouts of America; Junior Reserve Officer Training Corps and their rifle teams; buddy packs and other needs for the VA [U.S. Department of Veterans Affairs] hospital; chaplain's program; Greater Las Vegas Fisher House; and Veterans Guest House in Reno. We sponsor girls for Nevada Girls State and help pay for that program as well as provide scholarships for veterans and their families. We also supported the Nevada Veterans Memorial Plaza at the Sparks Marina. We raised \$250 toward a new flagpole for Sparks High School. We also help in emergencies around America when any disaster strikes. We just want to have raffles to be able to raise what little money we can, money for those and other projects that we do to help Nevada families in our community. We would like to thank everyone for the questions that really helped to focus in



on what we need to do. Please help these organizations. We do not have a lot of money, but this is our way of being able to raise money to help in our communities.

**Chairman Yeager:**

Is there anyone else who would like to testify in support? [There was no one.] I will note for Committee members that there are additional letters of support [[Exhibit C](#), [Exhibit D](#), and [Exhibit E](#)] on the Nevada Electronic Legislative Information System (NELIS).

Is there anyone who would like to testify in opposition? [There was no one.] Is there anyone who would like to testify in the neutral position? Committee, there is also a letter in the neutral position on NELIS [[Exhibit F](#)].

**Terri Hendry, Communications Director, Department of Veterans Services:**

I am here today to testify in the neutral position. I am also here to share with the Committee that this issue was among the 35 issues identified by veterans organizations across the state as worthy of consideration during the 2020 Veterans Legislative Symposia. During the symposia, these veterans stated that they wanted lawmakers to consider changing NRS Chapter 462 and Gaming Control Board regulation 4A, believing these regulations severely curtail fundraising activities for many local groups who raise money to support local veteran activities.

**Chairman Yeager:**

Is there anyone else who would like to testify in the neutral position? [There was no one.] I would invite the presenters back for any concluding remarks.

**Assemblyman Wheeler:**

I love when there is no opposition to a bill. This is a simple bill. If anyone has any questions on any of the bills, please give me a call or email and I am happy to take any suggestions.

**Assemblyman Leavitt:**

We think it is important for more organizations to do their operations and appreciate the consideration and agree with the amendment suggestions put forth by Assemblywoman Bilbray-Axelrod.

**Chairman Yeager:**

I will close the hearing on [A.B. 234](#), [A.B. 285](#), and [A.B. 293](#). I will now open the hearing on [Assembly Bill 10](#). I will let members of the Committee know that there is a proposed amendment [[Exhibit G](#)] from the City of North Las Vegas on the Nevada Electronic Legislative Information System.

**Assembly Bill 10: Revises provisions relating to vehicular manslaughter. (BDR 43-367)**

**Marisa Rodriguez, Senior Deputy City Attorney, City of North Las Vegas:**

I have with me fellow colleagues from the City Attorney's Office and Government Affairs Director Jared Luke, who will be answering questions at the end of the presentation. We also have another colleague, Andy Moore, appearing from his home office.

Assembly Bill 10 seeks to fill a gap in the penalty options when someone kills another person because of their careless or reckless driving. Currently under the law, there are only two options. At one end of the spectrum, you have a B felony when someone is convicted of reckless driving which carries a 1 to 6 year prison term. On the other end of the spectrum, you have a misdemeanor which is for people who are convicted of vehicular manslaughter. We do not have anything in between, and A.B. 10 is seeking to bring justice to the victims and the families of those who have lost a loved one because someone was careless while driving. They choose to use their phone when they know that they are close to a school zone and when other factors merit something higher than a misdemeanor.

Before I go into the substance of the bill, I would like to tell you about a tragic incident that is the impetus for this bill [[Exhibit H](#)]. It is a tragedy that happened to two beautiful children in North Las Vegas. Alexander Bush was 12 years old and Charlotte Bush was 9 years old on the date of the incident [page 2, [Exhibit H](#)].

On February 14, 2020, both siblings were walking home after school when they were struck by a truck driven by Mark Kline. The facts of that particular case are that the two children were walking in a marked crosswalk shortly after school. I believe the incident happened around 2:45 p.m. It was close to the school. Mr. Kline was familiar with the road. He lived in that neighborhood. In fact, he admitted that the reason he took that road was to avoid the school zone, although this was still close to the school. He was familiar with the road and knew he was driving a big truck with a massive grill. He admitted that he had consumed a beer before the incident and that he was looking at his phone when he struck both children. Unfortunately, Alexander passed away a couple of days after the incident and Charlotte suffered severe and serious disabilities that, to this day, require around-the-clock medical care. In fact, the parents of these children had to move out of state to provide the medical care that she needs [page 3].

The case was sent to the Clark County District Attorney's Office for review. Unfortunately, the law, as it is written right now, would only allow them to prosecute this as a category B felony, but the facts did not fall into that category. The case was sent back to the North Las Vegas City Attorney's Office, where we are limited by law to charge this only as a misdemeanor. In fact, that is what happened. On the next slide [page 4] I have the various charges against Mr. Kline. Ultimately, he was sentenced to a misdemeanor. Mr. and Mrs. Bush do not think this is justice for what happened to their family. Even though this was not just a regular person who briefly looked away, the facts of this case in their minds and in the mind of the city merited something higher than a misdemeanor.

In the amended version of the bill [[Exhibit G](#)], we seek to amend *Nevada Revised Statutes* (NRS) 484B.657 [page 5, [Exhibit H](#)]. This is the statute that addresses vehicular manslaughter. Basically, when someone is convicted of killing someone because of their negligent driving, the prosecutors would have the option of prosecuting the incident as a misdemeanor, or, where the facts are so egregious as in the Bush case, it could be prosecuted as a gross misdemeanor. That is the amendment to NRS 484B.657 that A.B. 10 would bring.

I also listed, for the Committee's benefit, a handful of other states that currently have laws that are similar to what A.B. 10 proposes [page 8]. We did this to show you that we are not trailblazers here. We are not the first one to do this. This is something that other states are doing. In fact, there are other jurisdictions that have harsher penalties, but we did not list them because it did not apply to A.B. 10.

Aside from bringing justice to the Bush family and other families who will find themselves in that situation, the City of North Las Vegas cares about this issue because unfortunately the number of pedestrians who are hit by cars and die has been increasing. According to a report that we provided [[Exhibit I](#)], nationwide the number of people who are hit while walking has increased by 45 percent over the last decade. That increase is not distributed evenly across the board. Unfortunately, minorities end up being the victims of these incidents. In fact, according to the same report, Black Americans are struck and killed by drivers at a much higher rate than white, non-Hispanic Americans.

The same thing happens when you look at low-income neighborhoods. People in lower-income neighborhoods are hit by a car twice as often as those people who live in a middle-income neighborhood and three times more than people who live in a higher-income neighborhood. Of course, this happens because people with lower incomes tend, at higher rates, not to own a car, they need to walk or take public transportation, and this exposes them to distracted drivers. In fact, nationwide we rank eleventh among the deadliest states for pedestrians, which is not a good number [page 7, [Exhibit H](#)].

That is why it is important for the City of North Las Vegas that we address this so that when we unfortunately have to deal with this issue, there is justice that can be brought for the victims and their families.

The Bush family was hoping to copresent; however, their daughter is currently undergoing therapy and they were not able to be here today. In lieu of that, they sent a statement that my colleague, Ms. Denman, will read for the record.

**Chairman Yeager:**

Before you do that, could you please stop sharing your screen so that we can see the larger picture of who is reading the statement.

**Rhiann S. Jarvis Denman, Deputy City Attorney, City of North Las Vegas:**

I am going to read a statement from Aaron Bush [[Exhibit J](#)], who is the father of the two children who were hit.

Our kids were taken from us on Valentine's Day. I saw them laying in the street. When you see it, you know. You just know. I remember seeing the ambulances and paramedics working on Alex in the middle of the asphalt when I arrived on the scene. His eyes were open. His mouth hanging open. Blood on his face. Paramedics doing chest compressions while he laid there limp and lifeless on the ground. Charlotte had been pulled to the side of the road and was lying next to a parked car. She just looked like she was asleep. Most nights, these are the images that flash through my mind when I am falling asleep. Since they were able to resuscitate Alex on the scene, he was technically "alive" when he got to the hospital. Given their protocols, they had to give him 48 hours before they could declare him "legally dead." They finally declared him legally dead on February 16th, but I know that he was gone on the 14th. We made the decision for him to be an organ donor, so as soon as they declared him and we gave the final word, the hospital began procedures to keep his organs alive in his body until they could be removed for donation. He laid there in a hospital bed, dead, for two days.

Her brother Alex was a hockey player, a goalie, beloved by his teammates at all of the ice rinks in town. He was so proud that he was number 29 for his Junior Vegas Golden Knights House League hockey team, wearing his hero's number, playing on his hero's ice at City National Arena. He loved that he was one of only a couple male flute players in his school band and he was so proud that he was the top fundraiser in his class for his school band and that his efforts got his class that pizza party. He loved to play video games, build Legos, draw Pokemon, and text his friends. He loved helping people. His teachers told us that he would talk to kids that he had seen getting bullied at school and would immediately befriend them so that they would feel better. His love for helping people is why we decided to make him an organ donor. He would be so proud if he knew that other people's lives are better because of him. He loved to hug. He gave the best hugs. His hugs were so warm and genuinely full of love. I will never know another hug like the ones I would get from my son. Because he is gone. All because of one man and his phone. It is time for a change.

And now I come to Charlotte. She is alive. That is what the doctors set out to do when my kids were brought to UMC [University Medical Center] Trauma after they were hit by a 5,000-pound truck driving 30 miles per hour. She is alive, but she is not living. She will never be the smart, sassy, artistic, dancing fashionista that she had made out of herself in her short nine years. She is not walking. She is not talking. She cannot move. We have not managed to establish any kind of repetitive or reliable communication with her. She still gets all of her medication, formula, and water through a tube inserted through her stomach. To quote one of her favorite songs, it is likely that she is "never gonna dance again." All of this because of one man on his phone.

That will conclude our presentation and we are ready for questions from the Committee.

**Chairman Yeager:**

Thank you for your presentation and I want to acknowledge and thank the Bush family for sending their statement. Committee, that statement [[Exhibit J](#)] is on the Nevada Electronic Legislative Information System (NELIS) if you would like to read it. As a Committee, we send our deepest sympathies to the Bush family about what happened. It is an unimaginable tragedy, and we send our thoughts and prayers to them.

Before we move on to questions, for the record I wanted to ask, for those presenting from the City of North Las Vegas, I believe we only had Mr. Luke signed in on the Legislature's website. If after the meeting, those of you who also presented or are going to answer questions, please go to the website to sign in. That will help keep an accurate record of who was in attendance today.

I want to confirm, Ms. Rodriguez, that there is nothing additional for the presentation and that you are now available for questions.

**Marisa Rodriguez:**

There is nothing additional for the presentation other than two articles that we submitted with the PowerPoint presentation [[Exhibit H](#)] for the Committee's review.

**Chairman Yeager:**

Thank you, Ms. Rodriguez. I will note for the record that there are a number of exhibits for this bill in addition to the studies related to pedestrian deaths and texting and driving [[Exhibit I](#) and [Exhibit K](#)] on NELIS for the Committee's review.

Are there any questions from the Committee?

**Assemblywoman Nguyen:**

I know in working with city attorneys across the state and especially in southern Nevada that these are some of the more difficult cases that you have to deal with. A lot of times, because I do not think people realize—and can you clarify, vehicular manslaughter under NRS 484B.657, as referenced in section 1, subsection 1—this is simple negligence and not recklessness. Is that correct?

**Marisa Rodriguez:**

Yes, this would apply to negligence, not reckless negligence. We have a different statute that addresses that. Not every conduct that is deemed negligent is as egregious. There are a number of factors that contribute to someone's conduct that if they are found to be guilty by committing vehicular manslaughter, not every incident will have the same facts. With this amendment [[Exhibit G](#)], we are hoping to provide options so that the prosecutor can determine whether to charge it as a misdemeanor at the city level or as a gross misdemeanor where the facts are so egregious, as in the Bush case.

**Assemblywoman Nguyen:**

And under this, it is simple negligence. I am aware that there is reckless vehicular homicide. Is that correct? That is a felony, correct?

**Marisa Rodriguez:**

Yes, that is correct.

**Assemblywoman Nguyen:**

So that would be if you have multiple acts of simple negligence that would lead to that. Is that correct?

**James J. Smedley, Deputy City Attorney, City of North Las Vegas:**

Yes, vehicular manslaughter addresses conduct that rises to simple negligence, negligent conduct—not all negligent conduct—but the statute essentially says that if you are operating your vehicle in a certain manner by doing certain things that raises it to the level of negligent conduct and you kill somebody, then there is going to be a consequence. As the statute currently stands, before this amendment, it is a simple misdemeanor punishable by 6 months or less in jail. That is the maximum. I think the impetus of what we are trying to do here is that, yes, there are other statutes out there that address different types of conduct. If you cut a line right down the middle, where I think your question appropriately cuts the line, it is the difference between somebody doing something on purpose and doing something on accident. There are statutes out there that essentially say, if you kill somebody with intentional conduct, the consequences are worse. In certain situations, your intentional conduct might rise to the level of recklessness, and if you kill or hurt somebody, that is a felony.

The impetus of what we are trying to do here is we have asked the question, yes, in the context where you have negligent conduct, it has already been criminalized. What we are doing here is not trying to create something new. We are not asking you to make something negligent that was not criminalized before to be criminal now. What we are saying is it has already been criminalized by the Legislature. The Legislature has already said, if you accidentally kill somebody with negligent conduct, that is a crime and we are going to call it vehicular manslaughter. What we are trying to say is in these municipalities like ours, where part of what we have to do is protect the public interest, what greater harm can somebody cause than the death of another human being. And where you have caused the death of another human being in a negligent manner that has already been deemed to be criminal, can we take the penalty in the interest of justice for the victims, the surviving members, and say 6 months is not enough, a year is better?

That is the fundamental principle that we are trying to aim at here with what we are doing because we have to look at these families, like the Bush family, and tell them yes, your 12-year-old and 9-year-old are dead for crossing the street in a crosswalk after school on a bright, sunny day having done absolutely nothing wrong. They were struck down by somebody who did something that was not reckless, that was not felony punishable, that was not an intentional act, but it is a negligent act that has already been criminalized. Now we have to look at that family and say, The maximum consequence we could possibly get, if

lightning strikes and all of the 26 witnesses show up, your family is able to come and testify, everyone testifies—the three- or five-day trial happens, all of that comes down, a bench verdict finds him guilty—the worst we can ask for in this circumstance is 6 months in jail. If he would have mowed over a family of 10 or 22, the worst we could have asked for is 6 months in jail under the statute the way it is written.

What we are asking is, in a circumstance like this, for all kinds of reasons—justice, principle, supporting the victims and remaining family members—is it too much to ask for a raise of a penalty in a circumstance from 6 months to 12 months? What that would do is it would raise it to the level of a gross misdemeanor. That would make it a situation where instead of a bench trial, instead of a judge, who technically is uninterested in the case, now this person will be tried by a jury of their peers. Let the citizenry decide what is the appropriate punishment for mowing down another member of the municipality.

**Assemblywoman Nguyen:**

I want to interrupt briefly. Juries in our state do not sentence people. And in fact, they are specifically under statute directed not to consider a sentence. I just want to make sure that we are not putting something on the record that is not something that happens in our state.

**James Smedley:**

That is a fair point. I apologize for my emotional investment in this case. At the end of the day, that is what we are asking you to do. Your question goes directly to the heart of it. If it is negligent conduct, that is different than intentional conduct, and that is absolutely true. So then the philosophical questions become, What is an appropriate punishment for that? How much jail time is too much jail time? How much jail time potentially is not enough jail time? At the end of the day, we are asking for that increase from 6 months to a year, and the only way that can happen under the state of the law is to recharacterize the offense from a misdemeanor to a gross misdemeanor, and that is essentially where it is.

**Assemblywoman Nguyen:**

I think you misunderstood my statement. It is my understanding that we actually do already have existing statutes that address simple negligence, reckless negligence, and intentional conduct. For example, if you kill someone while you are drinking, that is a felony. People are routinely sentenced to 8 to 20 years, and that is a very different circumstance than someone who is going maybe five miles over the speed limit and unintentionally and accidentally hits someone. I recognize the tragedy that people are lost on our roadways. I am just hesitant to expand what we have been doing in our state just seemingly arbitrarily up to a year.

That brings me to the amendment [[Exhibit G](#)] you submitted. It makes this wobbler kind of language about whether or not it can be a misdemeanor or a gross misdemeanor. We do not really have jurisdictional statutes that can be treated like a misdemeanor or a gross misdemeanor. As you know, that makes the difference between whether or not your office would prosecute it if it were a misdemeanor or whether or not a district attorney's office would prosecute it if it were a gross misdemeanor. I am wondering how that works in law.

How do you determine who makes that jurisdictional call? If a police officer responds to a traffic death, do they submit that documentation to both the district attorney's office and the city attorney's office, and then you guys fight over who gets it? It is still simple negligence, so who makes that determination on whether it is a misdemeanor or a gross misdemeanor when it is the same exact conduct? I am curious how that works jurisdictionally or how you intended for it to work jurisdictionally.

**Marisa Rodriguez:**

It would be fact-specific. Not every incident is the same. For example, with the Bush children, there were a number of factors that the conduct of Mr. Kline—driving close to a school when he knew that it was close to when children got out of school, in a road where there is a marked crosswalk, where he had a beer, where he was driving a big truck with this grill, and where he was looking at his phone. It would be case-specific. If the facts of a particular case are so egregious, then the case would be submitted to the district attorney for review. They would have the option of whether or not to prosecute this as a gross misdemeanor. If they decline to prosecute the matter, just like they review other matters that are sent to them to prosecute as a B felony, for example, for reckless driving; if they decline, if they do not believe that the facts are there that merit a gross misdemeanor, they would send that case back to the city. The city would then make its determination; the prosecutors would review and determine whether or not to prosecute as a misdemeanor.

**Assemblywoman Nguyen:**

I am still not really sure how that works. Right now it is my understanding—and your circumstance with the Bush family, it is just tragic, and these are horrible cases and they are horrible circumstances—but when you are looking at some of these factors, do you not have the ability to refer these cases over to the district attorney's office to see whether or not they will contemplate charging this as a felony reckless vehicular homicide case where they could prosecute it? I realize having a big truck is not illegal or negligent in any way, but the drinking, obviously that sounds like a problem, as well as the distracted driving. Is it just the situation where you do not refer cases over that you feel rise to that level, where it is not a simple negligence, or are they not taking them? Where is the problem with some of these existing problems that you are having with the cases that you are using as examples?

**Marisa Rodriguez:**

We did submit this case to the district attorney's office, but again they are limited by what the current law is. If the facts do not rise to the level of a B felony, they are not able to prosecute as such. What we are seeking to do through A.B. 10 is to fill that gap. Right now, you have either a misdemeanor or a B felony for reckless driving. This would allow some middle ground for those cases that are so egregious but do not rise to the level of reckless driving.

**Assemblywoman Nguyen:**

I am just concerned with having that wobbler language between a misdemeanor and a gross misdemeanor. Maybe there needs to be an additional enumerated standard if that is what you are trying to capture, something that is above a simple negligence but below a reckless negligence. I am not familiar if there is something in between. I see what you are trying to



accomplish, and I look forward to looking at this more and speaking with Legal [Division, Legislative Counsel Bureau] about some of my jurisdictional concerns.

**Chairman Yeager:**

Are there any other questions from the Committee?

**Assemblyman Orentlicher:**

Just to reinforce what Assemblywoman Nguyen has been saying. You talk about egregious cases that do not quite make it to reckless, negligent conduct. To reach all simple negligence when you are just trying to reach a small number of cases seems like overkill. It would be better to think about some tweaks that pick up this small category of cases at the outer edge of negligence rather than picking up everything that counts as simple negligence.

**Chairman Yeager:**

I am not sure there was a question there necessarily, but feel free to address that if you would like.

**Marisa Rodriguez:**

I do not know if you reviewed the amendment [[Exhibit G](#)]. We originally only added the word "gross" so that any vehicular manslaughter would be punishable as a gross misdemeanor. But now we have included misdemeanor or gross misdemeanor; that way there is that range. I do not know if that addresses your comment, but if not, we would be happy to consider any amendments that you think would be appropriate and to work with you on it.

**Chairman Yeager:**

Are there any additional questions from the Committee? [There were none.] I have a question based on your presentation [page 4, [Exhibit H](#)] about the sentence. I think Assemblywoman Nguyen explained that in municipal court, the sentence would be doled out by the municipal court judge after either a bench trial or a plea of guilty. But it looks like in this particular case, the judge opted to impose a \$2,000 fine, 200 hours of community service, traffic school, victim impact panel, stay out of trouble for a year, and 120 days of house arrest with a 60-day sentence. I do not want to ask you to speak for the judge because obviously you are not judicial officers, but it does not appear in this case, even though the judge had at his or her disposal 6 months in jail and opted to instead impose 120 days of house arrest. I do not want to say that house arrest is any walk in the park either, but it is certainly not the same as being in jail. I wondered if you had any thoughts on that because I think the bill seeks to potentially allow 12 months in jail for a particular case. But in this case, which I think we can all agree is tragic and probably fairly egregious on the negligence level, the municipal court judge did not choose to impose the maximum sentence. I guess I just wanted to ask about that and see if you had any thoughts on why the judge did not do that in this particular case.

**Amanda R. Mateer, Deputy City Attorney, City of North Las Vegas:**

My colleague, James Smedley, and I were two of the prosecutors who handled that case. This case actually did not proceed to a bench trial. It was actually negotiated prior to that point in time between the defendant, Mr. Kline, and his defense attorney. That was for several reasons, the primary one being that the Bush family had moved out of state to Ohio to give Charlotte that full-time care. They were comfortable, and while they understood that the maximum penalty was 6 months in jail, they felt that 6 months in jail versus any other penalty—because they would not be able to travel back to Nevada easily to appear for a bench trial—that nothing would bring their child back and nothing was going to change that, not 6 months in jail, obviously not 12 months in jail either, and probably not a million years in jail would change that. They were comfortable with negotiating the case because of their unique situation where they were no longer within the state of Nevada, and they could not easily travel back to Nevada to sort of relive and hash out that tragedy again if it were to proceed to a bench trial.

However, in speaking with them, they did indicate that if this was treated as a gross misdemeanor and it did proceed through justice court and eventually district court and through a jury trial, that they would have felt more inclined to maybe try to make those accommodations to come back for a trial. But given that it was just treated as a misdemeanor bench trial, they ultimately decided that they were okay given COVID-19 and given the fact that travel restrictions with their disabled daughter were going to make that very difficult. They did give us the green light to negotiate the case in the way that ultimately it resulted in, and the judge did go along with the recommended sentence that was stipulated to by both parties.

**Chairman Yeager:**

Thank you for that additional context. Are there any other questions from the Committee? [There were none.] Is there anyone who would like to testify in support? [There was no one.] As noted earlier, there is a letter in support for Assembly Bill 10 from We Save Lives [[Exhibit L](#)] on NELIS.

Is there anyone who would like to testify in opposition?

**John J. Piro, Chief Deputy Public Defender, Legislative Liaison, Clark County Public Defender's Office:**

We are in opposition to A.B. 10. Before I go into my opposition testimony, I want to say that I am deeply sorry for what happened to the Bush family and the loss of their children.

I spoke with the North Las Vegas City Attorney's Office about the bill, and I brought up some facts about deterrents that I want to speak with the Committee about. Raising criminal penalties has not shown by research to deter crimes. I wish it did, because then maybe all of that increasing of penalties would have made us much safer over all those years that we increased penalties. In fact, the U.S. Department of Justice has stated that the certainty of being caught is vastly more powerful as a deterrent than the punishment given—meaning that if we had more North Las Vegas traffic cops on the street, perhaps that would deter bad

traffic more so than increased penalties. A year in jail for the gentleman who did this to the children by his negligence would not bring those children back; I wish it would, but it cannot.

There are also unintended consequences from this bill. We will now be doing jury trials on simple negligence which will delay civil trials, which is not even saying it is making it whole, but that is what people do—sue each other. Money is the poorest remedy for a loss like this, but having a criminal trial, we will have to hire traffic experts and do a full criminal trial before the civil trial will even proceed, thereby delaying whatever modicum of civil award would be of justice to a family.

There are things that could help, like better city design, better city planning, and better traffic devices. But that is all revenue-raising things that would need to happen to help control traffic. Notably, there were no statistics cited that when these laws have passed in other communities, how it has deterred this type of conduct of simple negligence while driving. Perception of being caught and swift punishment are more effective deterrents than increased penalties. What this bill does is simply increase the penalty. For that, we are in opposition.

**Jennifer P. Noble, Chief Deputy District Attorney, Legislative Liaison, Washoe County District Attorney's Office; and representing Nevada District Attorneys Association:**

We are in opposition today, but I would like to thank Ms. Rodriguez and the prosecutors of the City of North Las Vegas for meeting with us to discuss our concerns on this bill. We were unable to come to consensus but as a fellow prosecutor, I observed that they are dedicated public servants and they are working very hard in the interests of public safety. As a mother, the facts of the Bush case and the loss and suffering their family continues to undergo is frankly, absolutely crushing. During my career, I have prosecuted some of these cases, these misdemeanor manslaughter cases, and I have observed that the families are frustrated when they learn that the person who killed their loved one while driving is being prosecuted for a misdemeanor.

The gravamen of our opposition is that there is no intent element in our vehicular manslaughter statute and the Nevada Supreme Court has made clear that the simple negligence standard cited in NRS 484B.657 means "ordinary negligence." The implication of this is that any person whose even momentary inattention on the road causes a fatal accident may be prosecuted for misdemeanor vehicular manslaughter. The same holds true for anyone who commits any traffic violation, such as momentarily failing to maintain their lane of travel, rolling a stop sign, crossing a gore, exceeding the posted speed limit, or failing to yield the right of way. These are all acts of simple negligence and we do not think that a jury trial for a gross misdemeanor is an appropriate remedy when an act or omission results in an accident causing death.

Because NRS 484B.657 does not require any criminal intent or any intent at all or any willful conduct, we think it should remain a misdemeanor, and the amendment does not clarify which type of conduct would merit the increased punishment. We do have a reckless driving statute that contemplates the instance of death, which is NRS 484B.653, and that involves a

"willful or wanton disregard of the safety of persons or property." That is a category B felony. It sounds like the facts of this case fell somewhere in between our misdemeanor manslaughter statute and the reckless driving causing death statute. The felony prosecutors could not quite prove those elements and that is tragic.

During the presentation, the term "careless" was used. Throughout Nevada, counties and municipalities have ordinances and codes that deal with careless driving. For example, we have Washoe County Code 70.3877 for careless driving. It requires a "careless disregard of the safety of persons or property" on the road. That even has some sort of state of mind in it. When I looked at the laws of the other states that were included in the city's presentation, it occurs to me that many of them are specific in terms of the types of prohibited conduct. It is not just simple negligence; for example, the Georgia statute contemplates acts like overtaking a school bus or fleeing a police officer, when those acts result in death. In Texas, their law seems to be specific to the use of cell phones while driving. In Colorado, they have a careless driving statute, but you are still talking about a careless and imprudent manner of driving. The state of mind according to their case law is a disregard for public safety. So there is still some mental element.

While this Legislature may want to consider legislation specific to certain acts, such as what the driver committed in the Bush case, such as the use of cell phones, et cetera, we are concerned that making all acts of simple negligence punishable by a gross misdemeanor is just not the appropriate remedy because there is no criminal intent in our current statute.

**Jim Hoffman, representing Nevada Attorneys for Criminal Justice:**

First, I would like to say as well that this is a terrible tragedy and for what my opinion is worth, I am sorry for the family. However, as a policy matter, we oppose A.B. 10. As we have been talking about, the standard for this bill is simple negligence. This is not something we criminalize in other contexts. If a business owner mops the floor and fails to put down a sign, we do not put them in jail for a year if somebody slips and hits their head. Even if the doctor commits malpractice and their patient dies, we do not put the doctor in jail for a year. But that is the equivalent of what A.B. 10 would be allowing here.

Negligence is fundamentally an unintentional, accidental event. Attaching harsher penalties to it is not going to change anyone's behavior or stop any harm from happening because nobody ever plans to commit negligent behavior in the first place. They are not doing a cost-benefit analysis that would stop them from doing the wrong thing. The tragedy that happened to this family was terrible, but A.B. 10 would not actually prevent things like this from happening in the future. For that reason, we are opposed to it.

**Kendra G. Bertschy, Deputy Public Defender, Washoe County Public Defender's Office:**

My sincere condolences to the Bush family. I wish that this bill would have the effect of giving the Bush family some closure or bringing their children back, and unfortunately, that is just not possible. We are concerned with this bill because it would in fact delay justice for

individuals like the Bush family. As the other opposition callers have indicated before me, I will ditto their statements regarding why we have concerns for this bill.

I would just add that I am grateful that the Washoe County Sheriff's Office and other agencies in Washoe County are actively working to deter this conduct through educational campaigns, such as the distracted driving campaigns where they are undergoing additional efforts to make sure the drivers on our roads are engaging in safe behaviors. We believe that is the more appropriate way to address these issues versus increasing the penalties which, as written, will merely cause more litigation and will add additional confusion and unfortunately delay justice. For those reasons, we oppose this bill.

**Chairman Yeager:**

Is there anyone else who would like to testify in opposition? [There was no one.] Is there anyone who would like to testify in the neutral position?

**Tonja Brown, Private Citizen, Carson City, Nevada:**

I send my deepest, heartfelt condolences to the family. I want to clarify for the record that there is no relationship between the defendant, Mr. Mark Kline, and myself. We base our neutral decision on the code of ethics that some inmates within our institutions hold dearly to themselves. That is, you do not harm a child or an elderly person. You commit no physical, emotional, or negligent harm to a child, and for those reasons we are in neutral.

**Chairman Yeager:**

Is there anyone else who would like to testify in the neutral position? [There was no one.] I will invite the presenter back for concluding remarks.

**Marisa Rodriguez:**

As we mentioned, A.B. 10 is about justice for the families who lose their loved ones to people who are negligent while driving. It is about accountability. Driving a vehicle is one of the most dangerous activities that any of us can do on a daily basis. It is something that as a society we have accepted because we need it to provide for our current system. However, it is a weapon, and we need to be conscious about that. When someone chooses to be distracted by using their phone, there needs to be a mechanism to provide justice to the victims of those incidents.

Just briefly to address one of the comments during opposition testimony, Mr. Piro mentioned that the civil system was the mechanism for these victims to be made whole. That presumes that the defendant would have the means to pay any judgment and presumes that their policy and insurance limits would be sufficient to cover the medical costs and any other damages which as you are probably aware, is not the case. Most people are underinsured and would not cover the costs of even a day of the medical treatment that is necessary. I believe he also mentioned that it would delay the civil trial because it would require the criminal matter to be finalized first. That is true. That is the nature of matters that have both a civil and a criminal matter. Our civil system is set up in a way to allow for that. You can stay a civil matter until the criminal matter is finalized.

The City of North Las Vegas brought A.B. 10 because we want to protect our public, our pedestrians, our cyclists, and we want to make our community safer. When someone chooses to use their phone when driving in a negligent manner, there should be justice for the families.

**Chairman Yeager:**

I will close the hearing on A.B. 10. We received another bill draft request (BDR) for Committee introduction.

**BDR 3-380**—Authorizes the issuance of an order for protection of a vulnerable adult. (Later introduced as [Assembly Bill 407](#).)

At this time, I will entertain a motion to introduce BDR 3-380.

ASSEMBLYWOMAN NGUYEN MOVED FOR COMMITTEE  
INTRODUCTION OF BILL DRAFT REQUEST 3-380.

ASSEMBLYMAN MILLER SECONDED THE MOTION.

Is there any discussion on the motion? [There was none.]

THE MOTION PASSED. (ASSEMBLYMEN MARZOLA AND O'NEILL  
WERE ABSENT FOR THE VOTE.)

I will open it up for public comment.

**Benjamin Challinor, Policy Director, Faith in Action Nevada:**

This coming Wednesday, March 31, 2021, just six days from today, the state and federal eviction moratoriums are set to expire. Up to 500,000 Nevadans are estimated to be at risk of facing eviction. We need to act now to do something so we can make sure that these Nevadans stay in their homes. In the long term, two of those actions that could be done are passing Assembly Bill 141 and Assembly Bill 161. In the short term, we can make sure that we extend the moratorium to make sure that the federal assistance has been provided as well as the rental assistance and unemployment that is still to be sent to Nevadans to make sure they stay in their homes.

**Annemarie Grant, Private Citizen, Quincy, Massachusetts:**

My brother, Thomas Purdy, was killed by the Reno Police and Washoe County Sheriff's Office in 2015 during a mental health crisis. I wanted to tell you a little bit about myself. I am 48 years old and lived two years longer than my older brother. I am a mom to a 19-year-old son, Brian, who is my only child. Of course, like most parents, I feel blessed to be his mom. I truly lucked out. When he was younger and my son was the kid running home, when I would ask why he was home so soon, he would without hesitation let me know so-and-so was throwing rocks at windows and he did not want to get in trouble.

Besides trying to advocate for change in the laws, I also try to connect those who have lost a loved one to police, because there is a negative stigma that comes along with it. It is isolating. When I hang up the phone, I am here alone with my thoughts, just like all those mothers and fathers out there who have lost a loved one to police. There is not much support for people like us.

I became actively engaged in your state and local government. I have to give acknowledgement to the Advocates for the Innocent and the Inmates, Tonja Brown. I came across her brother Nolan Klein's wrongful conviction online and saw how she has been fighting for change and justice for Nolan with every fiber of her being. She has become a mentor, ally, teacher, supporter, but most of all, a friend. It is due to her encouragement that I become active in calling the Legislature, making public records requests, and have the strength and tenacity like she does to never give up, never stop fighting for what is right and the truth. It is so important to me what has happened with the policing and the justice system in your state. My brother was killed by police there, stolen from us; how could it not matter to me?

Please support bills that promote transparency and accountability. I send my condolences to the Bush family.

**Chairman Yeager:**

Is there any other public comment? [There was none.] Are there any questions or comments from Committee members? [There were none.] Thank you, Committee, for your time and attention today with the emotional testimony.

We will meet tomorrow at 8:30 a.m. with two bills on the agenda. At this time, we do not have agendas yet for next week as we wait for bills to be introduced on the floor. An 8:30 a.m. start time for Monday is possible but I will confirm that tomorrow. I do expect the next couple of weeks to be busy.

This meeting is adjourned [at 10:47 a.m.].

RESPECTFULLY SUBMITTED:

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Traci Dory  
Committee Secretary

APPROVED BY:

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Assemblyman Steve Yeager, Chairman

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



## EXHIBITS

[Exhibit A](#) is the Agenda.

[Exhibit B](#) is the Attendance Roster.

[Exhibit C](#) is written testimony dated March 24, 2021, submitted by Andy LePeilbet, Chair, United Veterans Legislative Council, in support of [Assembly Bill 234](#).

[Exhibit D](#) is written testimony dated March 24, 2021, submitted by Andy LePeilbet, Chair, United Veterans Legislative Council, in support of [Assembly Bill 285](#).

[Exhibit E](#) is written testimony dated March 24, 2021, submitted by Andy LePeilbet, Chair, United Veterans Legislative Council, in support of [Assembly Bill 293](#).

[Exhibit F](#) is a letter dated March 25, 2021, from Denise F. Quirk, Vice Chair, Governor's Advisory Committee on Problem Gaming, regarding [Assembly Bill 234](#), [Assembly Bill 285](#), and [Assembly Bill 293](#).

[Exhibit G](#) is a proposed amendment to [Assembly Bill 10](#), presented by Marisa Rodriguez, Senior Deputy City Attorney, City of North Las Vegas.

[Exhibit H](#) is a copy of a PowerPoint presentation titled "Assembly Bill 10, Nevada Legislature – 81st (2021) Session," presented by Marisa Rodriguez, Senior Deputy City Attorney, City of North Las Vegas.

[Exhibit I](#) is a copyrighted article published by KLAS-TV/8NewsNow titled "Nevada pedestrian death risk ranked; some groups more likely to be struck and killed by drivers," dated March 22, 2021, submitted by Marisa Rodriguez, Senior Deputy City Attorney, City of North Las Vegas, in support of [Assembly Bill 10](#).

[Exhibit J](#) is a written statement by Aaron Bush, presented by Rhiann S. Jarvis Denman, Deputy City Attorney, City of North Las Vegas, in support of [Assembly Bill 10](#).

[Exhibit K](#) is a copyrighted article published by FleetOwner titled "Texting and driving: A case for greater punishment," dated June 11, 2018, submitted by Marisa Rodriguez, Senior Deputy City Attorney, City of North Las Vegas, in support of [Assembly Bill 10](#).

[Exhibit L](#) is a letter dated March 24, 2021, submitted by Candace Lightner, President, We Save Lives, in support of [Assembly Bill 10](#).