

**MINUTES OF THE  
SENATE COMMITTEE ON JUDICIARY**

**Eighty-first Session  
April 2, 2021**

The Senate Committee on Judiciary was called to order by Chair Melanie Scheible at 1:00 p.m. on Friday, April 2, 2021, Online. [Exhibit A](#) is the Agenda. All exhibits are available and on file in the Research Library of the Legislative Counsel Bureau.

**COMMITTEE MEMBERS PRESENT:**

Senator Melanie Scheible, Chair  
Senator Nicole J. Cannizzaro, Vice Chair  
Senator James Ohrenschall  
Senator Dallas Harris  
Senator James A. Settelmeyer  
Senator Ira Hansen  
Senator Keith F. Pickard

**STAFF MEMBERS PRESENT:**

Patrick Guinan, Policy Analyst  
Nicolas Anthony, Counsel  
Sally Ramm, Committee Secretary

**OTHERS PRESENT:**

John McCormick, Assistant Court Administrator, Administrative Office of the Courts, Supreme Court of Nevada  
Leisa Moseley, Nevada State Director, Fines and Fees Justice Center  
Lisa Rasmussen, Nevada Attorneys for Criminal Justice  
Nick Shepack, American Civil Liberties Union of Nevada  
John Piro, Office of the Public Defender, Clark County  
Sean Sever, Administrator, Division of Management Services and Programs, Department of Motor Vehicles  
Annemarie Grant

**CHAIR SCHEIBLE:**

Anyone intending to testify today may submit written comments. Each person will have two minutes to testify: you may also simply state you agree with a

former testifier. When the hearings for the bills are concluded, there will be time for public comment. To submit testimony during or after the meeting, the email address is [Sen.JUD@sen.state.nv.us](mailto:Sen.JUD@sen.state.nv.us).

We will begin this meeting with the work session on Senate Bill (S.B.) 108.

**SENATE BILL 108**: Establishes provisions relating to the administration of justice. (BDR 14-549)

PATRICK GUINAN (Policy Analyst):

Senate Bill 108 is sponsored by the Senate Committee on Judiciary on behalf of the Nevada Youth Legislature and is outlined in the submitted work session document and proposed amendment ([Exhibit B](#)). This bill requires any person who is employed in the criminal justice system in Nevada to complete, at least once every two years, specific training and instruction relating to implicit bias and cultural competency. It also requires the Office of the Attorney General to adopt regulations concerning this training in consultation with any person deemed helpful in the adoption of such regulations.

Additionally, any person who files a court petition to commence a juvenile proceeding must file an affidavit certifying that every person involved in the decision to file the petition and who is required to complete such training has done so.

The amendment narrows the scope of the bill to the juvenile justice system and those who have routine contact with juveniles within the scope of their employment. The amendment also requires that developing the regulations requiring training in implicit bias and cultural competency will rest with the Division of Child and Family Services of the Department of Health and Human Services rather than the Attorney General and that responsibility for providing the training will fall to an individual's employer.

SENATOR PICKARD:

I reached out to a representative from the juvenile justice system and they said the policies in this bill are already in place. I was not able to talk to any judges. Can Mr. McCormick tell us if this is in place for any judicial officers?

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JOHN MCCORMICK (Assistant Court Administrator, Administrative Office of the Courts, Supreme Court of Nevada):

We are currently in the process of delivering training to all of the district judges in the State on May 25. This will be part of our ongoing requirements.

SENATOR PICKARD:

Will that also apply to the Hearing Masters?

MR. MCCORMICK:

Hearing Masters will have the opportunity to catch up with that after we post it on our distance education website.

SENATOR HANSEN:

There were statements during the hearing that disturbed me, and I want to get them on the record. Treyvon Martin was not murdered. In fact, George Zimmerman was acquitted. When the civil rights aspect was brought up, the Department of Justice dismissed the racial aspects, so the premise that the kids started with was wrong. I have been working with the juvenile justice folks for six sessions now and nobody cares more about juveniles of all races and colors than people like Brigid Duffy, Chief, Juvenile Division, Office of the District Attorney, Clark County. The concept of implicit bias in the system is biased itself. The version of American history that these people are working from is the Howard Zinn version. Basically, everything is bad that we focus on and anything that was good in American history is suppressed. Mr. Zinn was a historian, playwright and social activist.

The idea that we are going to force all the people in the criminal justice system to go through this indoctrination every two years is wrong. It is based on a false premise that there is a systemic problem in the system, which I reject after years of personal observation. I am voting no today because I reject the notion that the juvenile justice system in Nevada has an implicit bias.

CHAIR SCHEIBLE:

I will accept a motion to amend and do pass S.B. 108.

SENATOR OHRENSCHALL MOVED TO AMEND AND DO PASS AS AMENDED S.B. 108.

SENATOR HARRIS SECONDED THE MOTION.

THE MOTION CARRIED. (SENATOR HANSEN VOTED NO.)

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CHAIR SCHEIBLE:

I will close the work session on S.B. 108 and open the work session on S.B. 212.

**SENATE BILL 212**: Revises provisions relating to the use of force by peace officers. (BDR 14-215)

MR. GUINAN:

Senate Bill 212 is sponsored by Senator Dallas Harris and is outlined in the work session document and proposed amendment ([Exhibit C](#)). This bill prohibits using restraint chairs by law enforcement and also prohibits a peace officer who is responding to a protest or demonstration from discharging a kinetic energy projectile indiscriminately into a crowd or targeting the head, pelvis or back of a person. Prior to using a chemical agent, an officer must first declare that the protest or demonstration constitutes an unlawful assembly, provide orders to disperse, an egress route and a reasonable time to disperse.

The bill also requires a peace officer to employ de-escalation techniques and other alternatives consistent with his or her training before resorting to higher levels of force to effect an arrest.

The amendment proposed by Senator Harris removes references to the Attorney General from the bill regarding reporting use of force data and replaces those with appropriate references to the Central Repository for Nevada Records of Criminal History. The proposed amendment also removes the prohibition on the use of restraint chairs and places restrictions on their use and procedures to be followed. The proposed amendment also removes language concerning a peace officer aiming at a person's "back" and instead inserts "spine or other vital areas" of "the body of" a person.

SENATOR HANSEN:

The police are already doing most of these things. We are attacking the good guys and trying to handcuff our police. When these issues are studied, when we mention people shooting randomly into crowds, we forget that we had a Las Vegas Metropolitan Police Department (LVMPD) officer shot in the back of

the head. Officer Shay Mikolanis, 29 years old, was paralyzed from the neck down and we have not mentioned him. Once again, we are using this false philosophy of bias training to further handicap the ability of our law enforcement officers to do their jobs. They already do all they can to try to keep this sort of activity in check. There are 1.3 million instances police officers in Clark County handled in one year and only a tiny sliver of issues. This sort of legislation is wrong, and I am voting no.

SENATOR PICKARD:

The amendment more solidly places this in the position law enforcement finds themselves. They are already doing most of these things. Given the presentation and testimony we received, I think this is an affront to police and completely unnecessary. I cannot support this kind of action. Police react to what they find. They do not create the problems. Say what you will about implicit bias, they do everything in their power to address those things and we should be ashamed for bringing this kind of bill. I will be voting no.

SENATOR CANNIZZARO:

I have worked in law enforcement for nearly a decade. I work with officers every single day, prosecuting violent crimes and working with those officers who do a fantastic job and take a lot of pride in their work. I think uniformly saying in our statutes there should be de-escalation techniques, which we know a lot of good police departments in our state are employing, allows them to safely respond to situations. I do not see anything in this bill that would prevent an officer from using deadly force if the situation required it, including some parameters for the community saying when you are calling law enforcement, they do not have to be fearful of the police. We are giving law enforcement the appropriate mechanisms and creating the right kind of accountability. These policies are creating uniformity across the State and make sense. This also gives some direction and guidelines for law enforcement. I am always proud to work with law enforcement, and this helps to ensure that the community can have confidence in the job that they do every day. I will be supporting the bill and the amendments.

SENATOR SETTELMAYER:

The vast majority of law enforcement are great people doing great things. There are a few bad actors. I wish we could find a way to target the bad actors by legislation that is not burdensome to those individuals that are already doing great jobs. As we have heard, most law enforcement departments in Nevada are

doing this already, but I think each department is different. Every aspect of our State can be quite different. Some of the smaller sheriffs' departments may find these types of rules burdensome. I cannot endorse it at this time, especially in light of the testimony. When we have individuals come into this body and blatantly fabricate the data, we should not support it.

CHAIR SCHEIBLE:

I echo Senator Cannizzaro's comments as I also work in law enforcement and with police officers every day who support this bill. We heard that multiple law enforcement agencies have worked hard with Senator Harris to get to this amendment. Looking at it, not through a broad lens of who is at fault and who did what but looking pointedly at the language of the bill, it does exactly what we are supposed to do as lawmakers—ensure to every citizen of Nevada that they have certain rights and certain safety, especially when it comes to the use of force. It is not overly burdensome. The language matches LVMPD's current policy. The use of force should not be different across law enforcement agencies. People in Nevada should know that wherever they go in Nevada, even if they are committing a crime or suspected of committing a crime, they will be approached and responded to with respect, dignity and reasonableness that does not put them in fear of serious bodily harm or death. That is what our officers do every day. They respond in a reasonable fashion, with respect, and they uphold the safety and the laws of Nevada. We are simply putting that into statute, so there is no question about what it means and how that is supposed to be done. I will also support this bill.

I will accept a motion to amend and do pass S.B. 212.

SENATOR OHRENSCHALL MOVED TO AMEND AND DO PASS AS AMENDED S.B. 212.

SENATOR CANNIZZARO SECONDED THE MOTION.

THE MOTION CARRIED. (SENATORS HANSEN, PICKARD AND SETTELMAYER VOTED NO.)

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I will close the work session on S.B. 212.

SENATOR OHRENSCHALL:

I will be filling in for Chair Scheible as she attends another meeting and will now open the hearing on S.B. 219.

**SENATE BILL 219**: Revises provisions relating to offenses. (BDR 14-249)

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

I am joined today by Leisa Moseley, the Nevada State Director for the Fines and Fees Justice Center. I will give a brief presentation of the bill and Ms. Moseley will provide additional contextual data behind the reasons for this bill and why this is good legislation.

By way of background information, driver's license suspensions are a frequently used tool to enforce the collection of criminal justice debt, money owed due to the accumulation of fees and fines that a defendant acquires for being processed through the justice system. These fees and fines can be imposed as administrative fees or fines for offenses that are tied to a sentence. They occur when a defendant is not serving time in custody. These are often used as a deterrent from future wrong doing, but they are also imposed as administrative assessments on defendants. When combined with other costs of living, these fees and fines sometimes cannot be paid. Considering rent, mortgage payments, credit card debt, insurance payments, child support and other things that come as a result of daily life, the additional cost of criminal justice debt can be difficult or impossible to pay. One estimate by the United States Census Bureau in 2012 puts fees and fines collected by state and local governments at more than \$15 billion per year. This is when collection enforcement, such as the suspension of a driver's license, is used. When people lose their driver's license, they also often lose their job or have trouble finding work and cannot satisfy the debt. Because people need to drive to go to work, to get to a doctor's appointment or to provide transportation for their children, they often drive on a suspended license. If they are stopped by law enforcement, the result is another traffic citation which may then incur additional fines and fees. The resulting cycle of debt and prolonged criminal justice system involvement disproportionately burdens low-income communities.

Fines and fees are one way we may assess individuals a particular punishment for having committed a particular crime because they pled guilty or they were found guilty. This can also include community service, stay out of trouble orders, additional counseling, those types of things. We are not saying in this

bill that courts cannot assess fines or fees for criminal involvement, like traffic citations or misdemeanor events. This applies only when it is strictly an inability to pay—not someone who is refusing to pay or committing additional crimes or violating orders. We are trying to avoid another reason for them to incur fines and fees; therefore, taking away their ability to work and pay the fees they owe. There are other ways that we can ensure that people are taking responsibility for their actions and ways in which we can ensure the safety of the community that do not result in this never-ending cycle of debt. Senate Bill 219 is an effort to curb the cycle of debt that can be acquired and reduce the burden on court dockets as well. This bill aims to stop the suspension of a driver's license based on an individual's inability to pay.

Section 1 removes the authority of a court to suspend a driver's license of a defendant or prevent a defendant from applying for a driver's license. When S.B. 219 goes into effect on October 2, section 4 will require that the Nevada Department of Motor Vehicles (DMV) immediately reinstate a driver's license, or the ability to apply for a driver's license, for individuals subject to a suspension of the driver's license because of delinquent fines and fees. Section 4 also states the DMV cannot charge fees for reinstatement of a driver's license or require a defendant to undergo any physical or mental assessment for eligibility purposes.

There has been similar legislation introduced in several states that include North Carolina, Tennessee, Virginia, Mississippi, Montana and New York, eliminating the practice of suspending or revoking driver's licenses simply for unpaid court-imposed fines and fees. I have had conversations with stakeholders and would note for the Committee that those conversations are still ongoing.

I had an opportunity to sit down with representatives from the DMV to further discuss this bill. I understand that this is not a fiscal committee, but we wanted to have a conversation about the impact to the DMV and their ability to comply with the provisions of this bill. There did not seem to be any objections to the policy overall. We discussed the fiscal impacts to DMV. We are currently working with them to get a few more numbers on how many people fall under this category of having outstanding fees, not including other reasons why a driver's license may be suspended like a DUI, too many points on their driving record or other impositions on a driver's privilege that would evoke suspension.



I also spoke with judges of limited jurisdiction, and they addressed some concerns that they have over the ability for a court to have discretion over when to suspend a driver's license. Under the law, driver's license suspension due to unpaid fees and fines is mandated, not discretionary. Discretion is an important piece to discuss. We also discussed the implications of this bill and of Assembly Bill 116 being carried by Assemblywoman Rochelle Nguyen dealing with the transfer of traffic tickets to civil infractions. The interplay between these two bills makes sure fines and fees for traffic tickets are available, and driver's licenses are not indiscriminately suspended or turn traffic violations into criminal infractions, and how those two things would work together. This is the amendment I anticipate as we get further towards our deadline in Committee.

**ASSEMBLY BILL 116:** Revises provisions relating to traffic offenses.  
(BDR 43-491)

Driver's license suspension does nothing for public safety in the broad sense, and it creates unnecessary burdens on the courts with defendants who are guilty of driving while poor. They cannot pay those fines and fees, and now we are imposing additional ones. I hope we will gain some support for S.B. 219 as we strive for a more equitable and fair administration of justice.

LEISA MOSELEY (Nevada State Director, Fines and Fees Justice Center):  
Debt-based driver's license suspensions disproportionately impact communities of color, particularly Black and Hispanic communities. These communities are more likely to be the subject of law enforcement interactions and have their licenses suspended. In 2015, *The Las Vegas Review-Journal* investigated this practice and looked at law enforcement data and found that residents living in the seven poorest communities, which are statistically African-American and Hispanic, accounted for nearly two-thirds of traffic citations. Many of these citations result in the residents getting their driver's license suspended because they cannot afford to pay the fines and fees. This is a practice that traps people in a cycle of poverty, and it is nearly impossible to get out. The same zip codes have the highest rate of food insecurity and unemployment.

Suspension of driver's licenses for outstanding court fees is premised on the belief people who have outstanding debt just simply do not want to pay. The data we have does not support that. It shows it is not about a willingness to pay, but people are simply unable to pay some of the high fines and fees that come with traffic violations.

For emphasis, I want to talk about New York, because they recently passed legislation similar to S.B. 219, to highlight the disproportionality in which this practice affects mostly Black and Hispanic communities. In New York, the ten zip codes with the highest concentration of Black and Brown people had four times the suspension rates compared to zip codes that had higher concentrations of White residents. In New York, 76 percent of the drivers are White, 80 percent of the people who were arrested for driving on a suspended license were either Black or Hispanic. In those ten zip codes in New York, the suspension rates for Black and Brown people were nine times more than those in wealthier White zip codes.

Between July 2017 and June 2019, the data from the DMV shows that over 38,000 Nevadans had their licenses suspended for unpaid traffic fines and fees. The research shows that it does not just make it harder for the people with suspended licenses. Losing their license presents them with an impossible choice. They can stop driving and lose the ability to take the children to school and go to medical appointments and things like that. Or they drive on a suspended license and risk the possibility of getting more fines and fees. They risk getting arrested, resulting in more fines and fees and even incarceration, which sometimes happens. It does not result in people paying their court debt.

We do have data that shows that in jurisdictions in states that have stopped suspending driver's licenses, collection rates have gone up. For example, in California, they stopped this process and they have good data. Their one-time payments increased by 8.9 percent. There have been some concerns from jurisdictions about what is going to happen with their revenue. In San Francisco, when they stopped suspending licenses they saw an increase in their revenue. Texas, in some jurisdictions, suspends driver's licenses and in some places they do not. Dallas still suspends driver's licenses for unpaid court fines and fees. Fort Worth does not. Fort Worth has seen an increase in money per case that they collect—\$116—and Dallas still collects \$113. The process of ending driver's license suspensions could actually help jurisdictions increase their revenue.

There are additional benefits to our State that ending this practice would offer. Residents who have their driver's licenses suspended are not able to drive around, decreasing their mobility. Arizona has a program where they reinstated licenses that had been suspended for unpaid traffic debt. They saw an increase in their mobility and increased employment and income, an average of

\$3,200 per year up to \$4,800 per year. Phoenix reinstated only about 7,000 licenses in this program. The benefits are significant, but one of the significant benefits in Phoenix is an increase in their gross domestic product of \$149 million and an increase in jobs as result of reinstating these 7,000 licenses. The benefits for the states that have ended this practice far outweigh what we see where this practice has not been ended. Suspending driver's licenses traps people in a cycle of poverty and also has implications for the State. With that in mind, seeing the benefits that states which have stopped suspending driver's licenses have seen, it is time that Nevada follows suit.

SENATOR OHRENSCHALL:

Living in southern Nevada, we have come a long way with our public transportation. Where I live and work, I have mapped it out so I could take the bus to work. Notwithstanding the progress we have made in public transportation, there are three miles each way that I cannot connect on the bus. This makes it difficult for people to work and pay off the fine if their licenses are suspended.

SENATOR HANSEN:

The problem here is that if you read the existing law that is stricken, it says it is up to the judge. See section 1, subsection 3, paragraphs (a), (b) and (c). If people with fees and fines are willfully avoiding payment, the judge is already taking into account people who are indigent and cannot afford to pay. Then, if you cannot pay under law, you have the opportunity to perform community service. If you fail to perform community service, nothing to do with dollars here, we are striking all of that part of the law. The concept, as Ms. Moseley said, simply because they cannot pay, is inaccurate. The bill states that if the court determines that the defendant has the ability to pay the amount due, and is willfully avoiding payment, the court can order the confinement of the defendant in the appropriate facility.

We are taking away the ability to suspend a driver's license as leverage, but we are leaving in the law that the defendant can be incarcerated. There are some critical flaws in the thinking here. These are not just people who cannot afford to pay; they are then giving community service. We are eliminating that. Then we leave incarceration in the law for the same thing.

SENATOR OHRENSCHALL:

In my experience, since the pandemic, it has been difficult, if not impossible, to perform community service and to find places that are open. That may change, but in the last year, it has been difficult.

SENATOR HANSEN:

There is no sunset in this bill that when Covid-19 is done, we go back to this system. I do not see Covid-19 as an excuse to strike community service out of the law and leave in its place incarceration.

SENATOR CANNIZZARO:

It is important to draw a distinction between jurisdictions that are sometimes characterized differently employing the same policies, and both jurisdictions seeing positive results from the policy. I see your point about the language in the statute. I spoke with the courts of limited jurisdiction. They have indicated while the language seems to be permissive, functionally, if there is merely an outstanding fine or fee, the suspension is automatic and must be done by the court. The order is mandated, not discretionary. There are no due process-based procedures or findings of the defendant's ability to pay.

Additionally, the reason for the language being left in section 1, subsection 3, paragraph (c) regarding whether a defendant is willfully not paying their fine and how that would practically work is, for example, in the Las Vegas Justice Court. If a person is charged with a simple battery or a simple assault, typically what will happen is they are not going to serve jail time. If they do get sentenced to jail, they serve the time, and their penalty is paid. However, if the defendant is not sentenced to jail, and they plead or are found guilty of a misdemeanor, they are given noncustodial penalties. Sometimes that penalty is a fine or community service, counseling, or a stay out of trouble order. Then they would have a suspended sentence, or an implied sentence. If they do not complete their ordered activity, the court will issue contempt of court. If there is a contempt of court, that would mean jail time. This gives us enforcement mechanisms for individuals to satisfy their sanctions outside of incarceration.

This comes into play in those criminal cases where they do not complete the community service, do not pay the fine, do not stay out of trouble or do not complete their counseling. The court can impose the suspended sentence, or they can impose contempt time, and the person does time in jail in satisfaction of that.

These noncustodial provisions come into play when people have traffic tickets, and they cannot pay the fine. The court is assuming that they are willfully not paying the fine. There is an automatic provision that the courts then suspend the license. The result of this automatic provision is that the defendant has not only been fined for the underlying traffic ticket, they also have additional fines and fees from the DMV to reinstate their license. In the meantime, the suspended license prohibits them from driving. To Senator Ohrenschall's point, public transportation is often unavailable. When you do not have a vehicle to get you to and from work, it is very difficult and you are susceptible to job loss because you do not show up. In a lot of at-will jobs, the person is simply fired.

We are only referring to traffic tickets here, not trying to remove the court's ability to enforce other provisions like a suspended sentence, a stay out of trouble order, counseling or community service order. Typically, in practice, if it is something like community service they are not doing, they are usually going to get a suspended sentence, not the suspension of a driver's license, meaning how this law operates in practice is different from the statutory language. The courts of limited jurisdiction are finding that the driver's license suspension order gets forwarded to the DMV automatically.

SENATOR HANSEN:

I understand the overall idea of the bill. It does not make sense to take people's licenses away so they cannot go to work to pay the fine. I am thinking more of a situation where someone comes and says, "Your Honor, I am guilty, but frankly, I am unemployed at the moment." That typically does not happen in traffic court, but I see where you are going with this. I am not opposed to the concept. It just seems odd to eliminate community service and the suspension after they have been given the opportunity by the courts. They cannot pay the fine, but they can go pick up garbage. If they do not show up to pick up garbage, their driver's license will be suspended. This is what the current law allows, and to me it is a mistake to eliminate that.

SENATOR SETTELMAYER:

Will the court still have the jurisdictional ability to suspend driver's licenses based on other criteria that are written in Nevada laws such as graffiti citations, things of that nature?

SENATOR CANNIZZARO:

We are not intending to take away the ability for a driver's license to be suspended if the charge is, for example, DUI or commercial driver's license violations or having too many points on their driver's record. There are different provisions under those statutes. If somebody is not completing the court-ordered penalty, then suspension of the license is a penalty for that infraction. This is merely getting at those instances regarding traffic citations where someone cannot pay the fines, and is trying to ensure that more fines are not being added to the initial amount. Then, instead of ordering a suspended driver's license, we can look at different ways to ensure the payment of fines and fees.

SENATOR SETTELMAYER:

You are not going to be able to utilize this change of law to prevent taking away somebody's driver's license for collecting 12 or more demerits in a year, a first or second DUI, street racing, driving without car insurance and graffiti citations? I know judges who use this as a tool especially when dealing with youth offenders to take away their driver's license due to graffiti violations. A driver's license can still be suspended for falling behind on child support payments, failing to show up to traffic court, third offenses securing a child in a car seat, perjuring oneself in the DMV, habitual truancy, possession of drugs and alcohol, or firearm utilization. This proposal only affects situations where people are choosing not to pay traffic fines.

SENATOR CANNIZZARO:

That is correct. It is our intention to get at those instances. Certainly, there are times where suspension of a driver's license makes sense. We are not trying to take away that ability entirely. We are trying to ensure that the law is not mandating the suspension of driver's licenses as a mechanism to enforce payment of fines and fees when we have statistical data that shows us that it is ineffective and where we have data that also shows that it adds to what we have discussed today as the cycle of debt.

SENATOR HARRIS:

I love this bill, mostly because I am someone who has received that suspension notice in the mail and felt that sinking feeling, picked up my phone to see if someone could give me a ride to work that day, and for the next few days, in order to be able to figure it out. Why was it suspended? Which ticket did I miss? When am I going to court? What fine was I not caught up on? Having the

experience of maybe thinking about community service but taking a look at the list and knowing that none of those days work with my days off at my job where I had very little control over my schedule. Trying to manage all of those emotions and how difficult that can be, I personally appreciate the bill.

LISA RASMUSSEN (Nevada Attorneys for Criminal Justice):

I think it is a great bill. It targets the people who are too poor to pay their fines and fees and, as everyone has pointed out, the consequence of that is often losing a job which does not help pay the fines and fees. It does not target the people who should lose their licenses, like DUI, reckless drivers, people who are dangerous drivers. The Nevada Attorneys for Criminal Justice supports S.B. 219.

NICK SHEPACK (American Civil Liberties Union of Nevada):

We welcome all the interest in this area. The majority of traffic violations that lead to traffic debt are debt-based violations such as not being able to pay your registration fees on time or not being able to fix a taillight right away. The fines and fees from these violations can be more than a person can afford. In turn, they fail to pay the fee in the allotted time and lose their license.

As Senator Ohrenschall stated, public transportation is problematic even in our largest cities. It is almost nonexistent in many of our rural communities. If the only way people can get to work is drive, they often will. If they do not have a license that means they are driving uninsured. This is a major public safety issue. By suspending the licenses of the most vulnerable Nevadans, we are ensuring they remain vulnerable. These people are often single parents who have the responsibility to transport their children, and a license is necessary to do that.

There are multitudes of ways to ensure that civil penalties are paid. Hobbling a person's ability to move freely about the area in which they live is a wrong-headed policy. We live in a State where driving is necessary for many. Our laws should take that into account. We should only suspend a driver's license if having that license poses a safety risk for the community. Punishing poverty always leads to more poverty. It is that simple. We urge you to support this bill.

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

This is a good measure that can help people climb out of the holes that they sometimes find themselves in financially. I worked at bench warrant quashing clinics and saw traffic tickets ruin people's lives. That sounds unrealistic, but it is real. The person gets a traffic ticket, their license gets suspended, they cannot pay the fines and eventually they get arrested on a bench warrant. They are placed in jail for a few days and lose their job because they live paycheck to paycheck, and they lose their housing. It takes an enormous amount of effort to climb out of that hole.

When I got out of the Army and went to college, I was living paycheck to paycheck and any small change in my finances would have set me back. The same was true in my family when I was growing up. This is a great measure that can help a lot of people, and I urge everybody to pass S.B. 219.

SEAN SEVER (Administrator, Division of Management Services and Programs, Department of Motor Vehicles):

The DMV is neutral on this bill and understands the purpose. We submitted a fiscal note on the bill as written, which says we are willing to absorb the programming costs that this bill would create for us; technology changes we have to make to our system. However, there is a large revenue impact to the DMV with this bill. As many of you have seen the people standing outside our offices waiting to get in, the DMV is also suffering right now, particularly with our decreased revenue due to the pandemic. We are making budget cuts and not filling positions. We appreciate Senator Cannizzaro acknowledging this. We are willing to work with the Majority Leader to see if there are ways to lessen the impact. We are also looking at how other state DMVs are handling this issue as there are similar situations in other states.

MS. MOSELEY:

This legislation will give people an opportunity to live and support their families. As Senator Cannizzaro mentioned earlier, people who experience suspended driver's licenses are not able to drive themselves around or to work and support themselves. Ending that practice would benefit our State in the form of people being able to maintain work and support themselves and their families, ending reliance on programs like food stamps or public assistance. This legislation will go a long way in not only building up self-esteem for people who have experienced this but also supporting our State and helping us to increase revenue in some cases.



SENATOR OHRENSCHALL:

We will now close the hearing on S.B. 219 and open public comment.

ANNEMARIE GRANT:

The idea there is a war on police is false propaganda, and the idea of the thin blue line is indoctrination. The inability to acknowledge shortcomings and being in denial of them when it comes to law enforcement is telling. The saying is "one bad apple will spoil the bunch." Nicholas Farrah died in a restraint chair in less than two minutes. My brother Thomas Purdy was hogtied for 45 minutes and asphyxiated while hogtied. Justin Thompson and Nico Smith were asphyxiated by Washoe deputies. Kristopher Talancon was asphyxiated by the Sparks Police Department. Micah Abby was asphyxiated by the Reno Police Department. The Las Vegas Metropolitan Police Department was responsible for asphyxiating Byron Williams and many more.

It is time for Nevada to acknowledge their own George Floyds. Until we change the attitudes of many, as witnessed today during this hearing, laws will do no good. Even if law enforcement opposes a bill, it will not hold law enforcement accountable anyway, so you should not be worried about it. Please support bills that promote transparency and accountability.

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SENATOR OHRENSCHALL:

That concludes public comment. We are adjourned at 2:12 p.m.

RESPECTFULLY SUBMITTED:

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Sally Ramm,  
Committee Secretary

APPROVED BY:

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Senator Melanie Scheible, Chair

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

EXHIBIT SUMMARY				
Bill	Exhibit Letter	Begins on Page	Witness / Entity	Description
	A	1		Agenda
S.B. 108	B	1	Patrick Guinan	Work Session Document
S.B. 212	C	1	Patrick Guinan	Work Session Document