

**MINUTES OF THE JOINT MEETING  
OF THE  
ASSEMBLY COMMITTEE ON JUDICIARY  
AND THE  
SENATE COMMITTEE ON JUDICIARY**

**Eighty-Second Session  
April 6, 2023**

The joint meeting of the Assembly Committee on Judiciary and the Senate Committee on Judiciary was called to order by Chair Brittney Miller at 2:08 p.m. on Thursday, April 6, 2023, in Room 4100 of the Legislative Building, 401 South Carson Street, Carson City, Nevada. The meeting was videoconferenced to Room 4401 of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada. 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/82nd2023](http://www.leg.state.nv.us/App/NELIS/REL/82nd2023).

**ASSEMBLY COMMITTEE MEMBERS PRESENT:**

Assemblywoman Brittney Miller, Chair  
Assemblywoman Elaine Marzola, Vice Chair  
Assemblywoman Shannon Bilbray-Axelrod  
Assemblywoman Lesley E. Cohen  
Assemblywoman Venicia Considine  
Assemblywoman Danielle Gallant  
Assemblyman Ken Gray  
Assemblywoman Alexis Hansen  
Assemblywoman Melissa Hardy  
Assemblywoman Selena La Rue Hatch  
Assemblywoman Erica Mosca  
Assemblywoman Sabra Newby  
Assemblyman David Orentlicher  
Assemblywoman Shondra Summers-Armstrong  
Assemblyman Toby Yurek

**ASSEMBLY COMMITTEE MEMBERS ABSENT:**

None



**SENATE COMMITTEE MEMBERS PRESENT:**

Senator Melanie Scheible, Chair  
Senator Dallas Harris, Vice Chair  
Senator Marilyn Dondero Loop  
Senator Rochelle T. Nguyen  
Senator James Ohrenschall  
Senator Ira Hansen  
Senator Lisa Krasner  
Senator Jeff Stone

**SENATE COMMITTEE MEMBERS ABSENT:**

None

**GUEST LEGISLATORS PRESENT:**

Assemblywoman Sandra Jauregui, Assembly District No. 41

**STAFF MEMBERS PRESENT:**

Mariana Rodriguez, Deputy Legislative Counsel  
Diane C. Thornton, Committee Policy Analyst  
Bradley A. Wilkinson, Committee Counsel  
Devon Kajatt, Committee Manager  
Garrett Tamagni, Committee Secretary  
Traci Dory, Committee Secretary  
Aaron Klatt, Committee Secretary  
Connor Schmitz, Committee Secretary  
Ashley Torres, Committee Assistant

**OTHERS PRESENT:**

Olivia Li, Legal Counsel, Every Town for Gun Safety  
Tanya Schardt, Senior Counsel and Director, State and Federal Policy, Brady United  
Against Gun Violence  
Ben Tucker, Private Citizen, Sparks, Nevada  
Marisa Marano, Private Citizen, Henderson, Nevada  
Geena Marano Springmann, Private Citizen, Henderson, Nevada  
Linda Cavazos, Private Citizen, Henderson, Nevada  
Jamie Bunnell, Private Citizen, Las Vegas, Nevada  
Jaime Spotleson Brousse, Private Citizen, Henderson, Nevada  
Annette Magnus, Executive Director, Battle Born Progress  
Jessica Diss, Private Citizen, Reno, Nevada

Lindsey Harmon, Executive Director, Planned Parenthood Votes Nevada  
Christiane Brown, Member, State Executive Committee, Brady United Against Gun  
Violence Nevada  
Kennedy McKinney, Intern, Nevada Women's Lobby  
Serena Evans, Policy Director, Nevada Coalition to End Domestic and Sexual  
Violence  
Leann McAllister, Executive Director, Nevada Chapter, American Academy of  
Pediatrics  
Wendy Starkweather, Private Citizen, Henderson, Nevada  
Jessica Cantu, Private Citizen, Henderson, Nevada  
Irene Bradley, Private Citizen, Las Vegas, Nevada  
Virginia Belford, Private Citizen, Las Vegas, Nevada  
Neil Gilfillan, Private Citizen, Las Vegas, Nevada  
Michael Messenger, Private Citizen, Henderson, Nevada  
Brian Harris, Private Citizen  
Jennifer Pfliegler, Private Citizen, Henderson, Nevada  
Paula Luna, Private Citizen, Las Vegas, Nevada  
Lisa Lynn Chapman, Private Citizen, Las Vegas, Nevada  
Jeri Burton, Co-Executive Director, Nevada Chapter, National Organization for  
Women  
Kimberly Carden, Member, Leadership, Indivisible Northern Nevada  
Erin Rook, Private Citizen, Las Vegas, Nevada  
Sara Hoffman, Private Citizen  
John Lott, President, Crime Prevention Research Center  
Victoria Ruiz, Private Citizen  
Eric Jeng, Deputy Director, One APIA Nevada  
Clinton Holeman, Private Citizen  
Donna West, Private Citizen, Las Vegas, Nevada  
Daniel S. Reid, Western Regional Director, National Rifle Association of America  
Jake Paiva, Private Citizen, Lyon County, Nevada  
Jim DeGraffenreid, National Committeeman, Nevada Republican Party  
Bob Russo, Private Citizen, Gardnerville, Nevada  
William Horne, Private Citizen, Las Vegas, Nevada  
Kathy Doyle, Secretary, Nevada Federation of Republican Women  
Ryan Shane, Private Citizen, Carson City, Nevada  
Gracie Shane, Private Citizen, Carson City, Nevada  
Tracy Shane, Private Citizen, Carson City, Nevada  
Cindy Martinez, Private Citizen, Sparks, Nevada  
Leslie Quinn, Private Citizen, Las Vegas, Nevada  
Matthew Yealy, Private Citizen, Henderson, Nevada  
Katrín Ivanoff, Private Citizen, Las Vegas, Nevada  
Cyrus Hojjaty, Private Citizen, Las Vegas, Nevada  
Michael Ryan, Private Citizen, Las Vegas, Nevada  
Bruce Parks, Chairman, Washoe County Republican Party

Norma Scurlock, Private Citizen  
Lorena Cardenas, Private Citizen  
Chandler Arnold, Private Citizen, Las Vegas, Nevada  
Jodi Thornley, Private Citizen  
Alex Rodrigues, Private Citizen, Las Vegas, Nevada  
Richard Nagel, Private Citizen  
Tom Martin, Private Citizen, Dayton, Nevada  
Bridget Oka, Private Citizen, Las Vegas, Nevada  
David Pucino, Deputy Chief Counsel, Giffords Law Center to Prevent Gun Violence  
Mark Wlaschin, Deputy for Elections, Office of the Secretary of State  
Emily Persaud-Zamora, Executive Director, Silver State Voices  
Jennifer Willett, Nevada Grassroots Manager, All Voting is Local  
Christine Saunders, Policy Director, Progressive Leadership Alliance of Nevada  
Briana Escamilla, Director, Regional Organizing, Planned Parenthood Votes Nevada  
Jeffrey S. Rogan, representing Clark County  
Donald Gallimore, Sr., Second Vice President, Reno Sparks National Association for  
the Advancement of Colored People  
Paul Catha, Political Director, Culinary Workers Union Local 226  
Aria Flores, Engagement Director, Chispa Nevada  
Anne Lawton, Private Citizen, Las Vegas, Nevada  
Daela Gibson, Private Citizen, Reno, Nevada  
Alvin Chan, Program Manager, Native Voters Alliance Nevada  
Lata Nott, Senior Legal Counsel, Voting Rights, Campaign Legal Center,  
Washington, D.C.  
Thomas Morley, representing Nevada Firearms Coalition  
Steven W. Hirsch, Private Citizen, Washoe Valley, Nevada  
Pat Horgan, Private Citizen, Reno, Nevada  
Michael Findlay, Director, Government Relations, National Shooting Sports  
Foundation, Newtown, Connecticut  
Wiz Rouzard, Private Citizen, Las Vegas, Nevada  
Jason Tingle, Private Citizen, Carson City, Nevada  
Ari Freilich, State Policy Director, Giffords Law Center to Prevent Gun Violence  
Elliot Malin, representing Anti-Defamation League  
LC Rapert, Deputy Director, Silver State Equality  
Ariana Saunders, Private Citizen, Las Vegas, Nevada  
Nicole Solovey, Private Citizen, Las Vegas, Nevada  
Adonna Frankel, Private Citizen, Las Vegas, Nevada  
Rudy Zamora, Private Citizen, Las Vegas, Nevada  
Nick Marquart, Private Citizen  
Sy Bernabei, Private Citizen, Las Vegas, Nevada  
Janine Hansen, State President, Independent American Party  
Casey Rodgers, Private Citizen, Minden, Nevada  
Shawn Meehan, Private Citizen, Reno, Nevada  
Julie Burke, Private Citizen, Reno, Nevada

Barbara Jones, Private Citizen  
Celes Parks, Private Citizen, Henderson, Nevada  
John Carlo, Private Citizen, Las Vegas, Nevada  
Susan Proffitt, Private Citizen, Las Vegas, Nevada  
Jessica Ansel, Private Citizen  
Daniel Raspin, Private Citizen

**Chair Miller:**

[Roll was called. Committee rules and protocol were explained.] I will open the hearing for Assembly Bill 355. Assembly Bill 355 will be presented by Assemblywoman Sandra Jauregui; Olivia Li, legal counsel for Every Town for Gun Safety; and Tanya Schardt, senior counsel and director of State and Federal Policy, Brady United Against Gun Violence.

**Assembly Bill 355: Revises provisions relating to firearms. (BDR 15-937)**

**Assemblywoman Sandra Jauregui, Assembly District No. 41:**

Many of you know my story, how a night at a concert in Las Vegas turned into a nightmare. I have always shared a little bit about the struggles I have encountered post 1 October. In 2019, I read a very personal letter I sent my family and friends detailing why I could not see or speak to any of them. In 2021, I shared a little bit about my recovery. I share these personal elements because it is important for the Committee to know why I champion this issue and why I will continue to champion this issue, because I never want a Nevadan to experience the trauma that I and so many have endured.

The unfortunate reality is there is nothing I can share that will make you truly understand the physical and equally important emotional and mental scars that linger with me and with other survivors of gun violence. Before 1 October, I was a happy, energetic, and social person. It took me four years to really start to feel that way again; to feel like I could smile and say good morning, good afternoon, or hello to people as I passed them, to feel like it was okay to laugh at a joke. For four years, it frustrated me that people would make jokes and not take life seriously. I knew how lucky they were to be here. How lucky I was to be here. For four years, I carried with me an anger that people took life for granted, because I knew someone else died, but for some reason, I did not.

In 2021, I started feeling like myself again, but even now, almost six years later, there is still a part of me missing. I know I will never be as lighthearted, as jovial, or as carefree as I once was. That is incredibly hard to share; to share the scars, as well as the healing, because there is a little bit of me that feels vulnerable and embarrassed for sharing something so personal in public. But the reality is, the horror of gun violence and the luck of being a survivor has forced me to take action: the kind of action that turns grief into positive change.

Over the last four years, we have come together to pass some of the most comprehensive gun safety legislation in the nation: banning bump stocks and ghost guns while enacting red flag laws, child-safe storage laws, and universal background checks, just to name a few. Today, I am here to continue that mission so no other Nevadans have to go through the struggle that comes with survival, or the hole in your soul that comes with the loss of a loved one.

I am here today to present two bills that will further protect our communities from the horrors of gun violence. Assembly Bill 355 will make it illegal for someone under the age of 21 to have an assault rifle or semiautomatic shotgun and make it illegal for someone to help anyone under the age of 21 acquire an assault rifle or semiautomatic shotgun.

We have seen far too many mass shootings by people under the age of 21 who get their hands on assault rifles and go out and kill: Sandy Hook Elementary School; Uvalde, Texas; Buffalo, New York, were all mass shooters who used assault rifles and were under the age of 21. In the past five years, six of the nine deadliest mass shootings were committed by people under the age of 21.

Limiting the sale of handguns reduced suicide rates by 18 percent for 18- to 20-year-olds, and 17 percent of prisoners who committed a crime with a firearm were under 21 when they purchased their weapon. The age requirement to purchase a handgun in Nevada is already 21. The same should be true for assault rifles so these mass shooters cannot legally get their hands on these weapons and strike our communities again.

Chair, I would now like to turn it over to Olivia Li with Every Town for Gun Safety, followed by Tonya Schardt with Brady United Against Gun Violence.

**Olivia Li, Legal Counsel, Every Town for Gun Safety:**

I work for Every Town for Gun Safety, and I am responsible for supporting state legislative efforts in Nevada. Every Town is the largest gun violence prevention organization in the country, with more than 10 million supporters nationwide. We have over 350 active volunteers in Nevada representing nearly half the counties across the state. I thank lawmakers in Nevada, especially Assemblywoman Jauregui, for pursuing such a comprehensive gun safety platform this session, and I also thank this Joint Committee for allowing me to testify in support of Assembly Bill 355.

As Assemblywoman Jauregui mentioned, Nevada has made great strides recently on gun violence prevention, passing universal background checks and an extreme risk protection order law, and safe storage laws. This year, the Nevada Legislature can cement its status as a leader on this issue. However, Nevada lacks a strong age restriction on the purchase and possession of semiautomatic assault rifles and semiautomatic shotguns. Right now, a resident of Nevada can purchase an AR-15 at the age of 18, but not a handgun. It is a common paradox across the country, but states like Florida and Washington have fixed it.

Assembly Bill 355 closes this loophole in Nevada's suite of gun safety policies by requiring residents to be 21 or older to purchase a semiautomatic centerfire rifle or a semiautomatic shotgun. Minimum age laws like this can help prevent gun homicides, mass shootings, and suicides. So much of the carnage of our nation's gun violence epidemic falls on young Americans. Firearms are now the leading cause of death for American children and teens. The youth suicide rate in this country is at its highest point in 20 years, and more than 3,100 young people die by gun suicide every year, and unfortunately, 18- to 20-year-olds commit gun homicides at triple the rate of people who are 21 and older.

As Assemblywoman Jauregui mentioned, according to criminal justice researchers, the average age of those who carry out mass shootings at schools is 18. The gunman who killed 21 people and injured 17 others at Robb Elementary School in Uvalde, Texas, waited until his eighteenth birthday to purchase two assault weapons.

Assembly Bill 355 can help prevent these tragedies. The bill requires purchasers of especially dangerous firearms to be 21 and older, meaning that 18-, 19-, and 20-year-olds can no longer purchase semiautomatic shotguns or semiautomatic centerfire rifles like an AR-15. Nine states barred all people from purchasing semiautomatic assault rifles, and nine states also barred people younger than 21 from purchasing at least some long guns. Florida, one of these states, adopted a minimum age restriction after the Parkland, Florida, mass shooting, where a shooter killed 17 people and injured 17 others. New York raised the age for possession of semiautomatic rifles to 21 after an 18-year-old killed ten people in a grocery store in Buffalo, New York—my hometown. Lawmakers in Nevada should not wait for a tragedy like this before passing a sensible age restriction.

While A.B. 355 prevents young adults under the age of 21 from buying high-powered assault rifles, it allows 18- to 20-year-olds to purchase firearms commonly used in hunting. Under A.B. 355, people 18 and older can continue to purchase and possess manual-action rifles, .22 rimfires, and certain shotguns. This bill appropriately balances public safety concerns with respect for the Second Amendment. It prohibits 18- to 20-year-olds from acquiring the deadliest guns without restricting access to many hunting firearms.

One last thing, A.B. 355 strengthens Nevada's secure storage laws by holding adults accountable when people under the age of 21 access semiautomatic rifles or semiautomatic shotguns. States must do everything they can to promote secure storage practices. Locking up both guns and ammunition, for example, can reduce child- and teen-inflicted self-injuries by up to 78 percent and unintentional firearm injuries by up to 85 percent. When children access unsecured guns, it can also endanger an entire community. In incidents of gunfire on school grounds, around 70 percent of shooters under the age of 18 got the gun from their home or the home of a friend or relative.

This bill is a sensible and protective policy that mirrors the laws that other states have put in place in the wake of mass tragedy, but Nevada has a chance to do this now. Every Town encourages and fully supports your efforts to pass A.B. 355. I thank this Committee for listening to my testimony.

**Tanya Schardt, Senior Counsel and Director, State and Federal Policy, Brady United Against Gun Violence:**

Thank you so much for the opportunity to speak today in support of A.B. 355. Everyone in this country is all too familiar with the impact of firearms, and in particular, assault-style rifles, in the hands of those under the age of 21. There is a disproportionate representation of young men among the most destructive mass shooters in American history. Just in the last year, the shooting at Tops Friendly Markets in Buffalo, New York, and the subsequent slaughter of elementary school students and their teachers in a classroom in Uvalde, Texas, just a week later, were perpetrated by two 18-year-olds who were legally armed with semiautomatic-style assault rifles. The assault weapons' designs and purpose make them the gun of choice for mass shooters—in particular, young, male mass shooters.

All of this is especially troubling given that the industry itself targets male adolescents through predatory marketing practices. Adolescents and young men are both highly susceptible to product advertising, and in particular, receptive to advertisements that depict impulsive, thrill-seeking behavior. They also have an elevated risk of attempting suicide and engaging in violent behavior. In fact, the Federal Bureau of Investigation (FBI) data shows young people disproportionately commit gun homicide. Eighteen- to twenty-year-olds make up 4 percent of the U.S. population but comprise 17 percent of known homicide offenders.

Federal law already prohibits anyone under the age of 21 from purchasing a handgun, which leaves it up to the states to regulate the other types of firearms purchased to ensure they are not found in the hands of individuals not yet ready for the responsibility of owning a dangerous firearm. Passage of this law would be in line with a nationwide trend to increase the age to purchase assault weapons. Assembly Bill 355 presents a commonsense opportunity to protect all Nevadans from further acts of gun violence perpetrated by adolescents in the state. I urge the Committee to vote in favor of this bill.

**Assemblywoman Jauregui:**

We are now open to questions.

**Assemblywoman Marzola:**

My question is more a confirmation for me. What kinds of guns would someone under 21 years of age no longer be able to buy under A.B. 355?

**Olivia Li:**

Under the age of 21, someone can no longer purchase semiautomatic centerfire rifles or semiautomatic shotguns. Not all semiautomatic rifles are centerfire, but those that are can



also be assault weapons. Assault weapons bans also often encompass semiautomatic shotguns. The guns people under the age of 21 can no longer buy under A.B. 355 are those that are the most dangerous on the market.

**Senator Hansen:**

There was a Ninth Circuit Court opinion indicating 18-, 19-, and 20-year-olds cannot be denied a constitutional right under the Second Amendment. What makes this bill different than the one passed in California?

**Olivia Li:**

The law at issue in California was a little bit different than this one in that it allowed the purchase of some long guns that were semiautomatic with a hunting rifle. That state also just flat-out bans assault weapons, which are semiautomatic centerfire rifles and semiautomatic shotguns that contain militarized features. That is not an issue in this bill. That is a little bit different than what this bill does. This bill touches assault weapons. The age restriction in California was not relevant because that state already bans it.

I do want to say the Ninth Circuit case has been remanded, as I understand it, to the district court. It applied the constitutional test that was the law before *Bruen* [*NY State Rifle & Pistol Ass'n v. Bruen*] came down.

**Senator Hansen:**

For the record, it was hunting licenses. Only one question?

**Chair Miller:**

Yes, only one. You can request a follow-up, but we are going to move on. Of course, you can absolutely follow up with her offline.

**Assemblywoman Mosca:**

Where did we get the definition of semiautomatic shotguns and semiautomatic assault weapons for the bill?

**Assemblywoman Jauregui:**

Those are the definitions for semiautomatics that already exist in Nevada statutes. I do not have the definition in front of me, but I can let you know where it currently exists, which is *Nevada Revised Statutes* (NRS) 202.253.

**Assemblyman Gray:**

I have friends and colleagues who were at the IHOP shooting here in Carson City. Had they been allowed to have their weapons, they probably could have saved themselves and others instead of being killed and mutilated. However, the common thread with that one and the other shootings we have seen, especially most recently, was underlying mental illness. There

was something going on there. That being said, I have a sociological question. How can a large portion of our society today support the mutilation of children under the age of 18 in the name of transgenderism and yet not—

**Chair Miller:**

Assemblyman Gray?

**Assemblyman Gray:**

May I finish my question please? It is a sociological question and has to do with maturity.

**Chair Miller:**

Assemblyman, we are going to move on.

**Assemblyman Gray:**

Can the record reflect I was not allowed to ask my question?

**Chair Miller:**

Assemblyman, nowhere in the bill are transgender children mentioned. We are moving on.

**Assemblyman Yurek:**

Thank you, Assemblywoman Jauregui, for sharing your story. It is truly impactful. We have all seen tragedies that are forcing us to take a look at what we need to do to try to stop some of this. Whatever we do has to pass constitutional muster. I have a number of concerns, but I would like to address two if I can with you to see if we can address them. One of them is related to the Senator's question. First, the constitutional question I have is, in our last election, the voters approved Question 1 by over 58 percent, which amended the *Nevada Constitution* to strictly prohibit the state or anyone else discriminating against an individual based on age. This bill would certainly seem to discriminate against people who have reached the age of majority and target those who are not 21 yet. I am curious how we are going to square that up.

Related to that and going back to the Ninth Circuit opinion—and I understand it was remanded back—basically, the Ninth Circuit declared that type of ban required strict scrutiny analysis as opposed to intermediate scrutiny. In light of that concern, how does this type of ban survive strict scrutiny? With those two issues, are we concerned that this proposed solution to the problem we know exists invites a significant number of lawsuits and expensive litigation for this state?

**Assemblywoman Jauregui:**

I will start, and then I will hand it over to my copresenters. There are plenty of places in statute where there is precedent for this, where we set restrictions on age. Right now, when someone becomes an adult at 18, they still cannot legally drink or buy cigarettes, but they can vote. There is precedent in statute already. I will hand it over to my copresenters to answer your other questions.

**Olivia Li:**

I will address the Ninth Circuit case first. That case did apply strict scrutiny, but the levels of scrutiny are no longer the constitutional test the federal courts should use to evaluate gun restrictions. Now, pursuant to *Bruen*, federal courts should apply a text, history, and tradition (THT) test. It is not clear at this stage, because *Bruen* is such a recent opinion, what gun regulations will survive the THT test, how uniformly it will be applied, what history will be considered, and why. It is worth noting that an age restriction in Florida, which covered the purchase of all firearms for people under the age of 21, has been upheld in the Eleventh Circuit by a three-panel judge.

The Ninth Circuit case is not something that governs right now, and in any case, it is going to take quite a long time for courts to come to some consensus on this. I do not think this forecloses the opportunity for lawmakers to try to save lives while they have the opportunity. It is difficult to say how the Supreme Court—which may ultimately have to rule on some of these more fine-grain questions about how specific regulations should come down—would rule. Until then, lawmakers do have a responsibility to do what is in their power to save lives.

**Assemblywoman Hardy:**

My question focuses on section 1, subsection 1, where it says, "A person who is less than 21 years of age shall not handle or have in his or her possession . . .," and then subsection 2 goes on to say, "A person who aids or knowingly permits a person who is less than 21 years of age to violate subsection 1." Would that apply to parents or someone else who has these weapons and takes their child out with them to use those firearms? Would those adults be subject to a misdemeanor and other penalties?

**Olivia Li:**

Yes, Assemblywoman, that does mean people under the age of 21 cannot handle semiautomatic centerfire rifles or semiautomatic shotguns even if the parent supplies that weapon or if the parent is there with the underage person. I will note, this bill does not prohibit parents from engaging in recreational shooting or hunting with their children who may be over the age of 14. They just cannot use those two kinds of guns: the semiautomatic centerfire rifles and semiautomatic shotguns.

**Assemblywoman Bilbray-Axelrod:**

I was just looking back at a text message from my daughter on Friday, October 21, telling me she was in a hard lockdown, locked in a closet, and how scared she was. I am telling her it is going to be okay, but as we know, I had no idea if it was going to be okay. Thank you for bringing this bill.

My question is regarding the storage aspect of the bill. Can you talk to me about the penalties that would come forth if a younger person did take a gun from the house, but did not necessarily use it? I assume it does not have to be used, but I would like to confirm that.

**Assemblywoman Jauregui:**

There are two places in the bill where we touch on that: section 1, subsection 1; and section 1, subsection 5, where it says, "Unless a greater penalty is provided by law, a person is guilty of a misdemeanor . . ." if they negligently leave a firearm out.

**Assemblywoman Cohen:**

Thank you, Assemblywoman Jauregui. I am one of the few people who have been on the dais and heard your story every time you presented a bill and know this is heartfelt. You tear off the scab every time you present one of these bills. In section 1, subsection 5(a) there is the negligent storage provision, and in section 3, subsection 7(g) there is the securely locked container provision. Are there giveaways where people can get storage containers free if they need some help to properly store their weapons?

**Tanya Schardt:**

Generally, locking devices for firearms are available through law enforcement. They are also very affordable. Even safes tend to be less than \$50. This is something that is abundantly available to the general population. Given that it really does save lives, it is money well spent.

**Assemblyman Orentlicher:**

There is one provision on which I would appreciate some clarification. That is section 1, subsection 3(c) where it says, "The injury or death resulted from an accident which was incident to target shooting, sport shooting, or hunting . . ." I am wondering what that is referring back to because, as you have already indicated, they are not supposed to be using these weapons for hunting but supposed to be using other weapons. Does this refer to the enhancement in section 1, subsection 2(b)? There is no antecedent mention of an injury or death. I am having trouble tying that back to what it is referring to.

**Tanya Schardt:**

I think you are correct and that could be removed.

**Senator Stone:**

Assemblywoman Jauregui, I do not believe we have had much of an opportunity to meet since I have come on the scene here. I want to tell you, I am very disturbed by the tragedy you had to experience. I had some dear friends from California who were at the concert. They are still traumatized today. I appreciate your being here today and telling us about this personal experience you had, how painful it has been, and still painful for you to recount today.

We establish certain ages for certain rights within this country. When individuals are 18 years old, they can legally vote, legally sign a contract, and legally enlist into the military. How do we tell an 18-year-old they can put their life on the line for this country to protect the freedoms and liberties we have, yet we will not let them participate in the freedoms and liberties we have that are protected under the Second Amendment in this particular case?

**Assemblywoman Jauregui:**

Senator Stone, that is something that is addressed in the bill. We do allow people who are members of the military to still possess. This does not apply to members of the military. We have had discussions about extending it to members of the military and those who have been honorably discharged if they are under the age of 21.

**Chair Miller:**

We have already hit our half-hour of questions. I will allow a few more questions without dialogue or commentary, but a concise question.

**Assemblywoman Gallant:**

As a follow-up to Assemblywoman Hardy's question, as a parent of two boys and with a husband who takes our boys out responsibly to teach gun safety, how are you going to enforce parents who may allow their children to handle a semiautomatic?

**Olivia Li:**

That is a matter for law enforcement to decide how they want to monitor that and how and whether they would want to enforce and prosecute. Again, this is just a subset of semiautomatic weapons. These are semiautomatic centerfire rifles and semiautomatic shotguns. There are semiautomatic firearms that people under the age of 21, including children who are over 14, could use with parental supervision or parental permission.

**Assemblywoman Hansen:**

It is heart-wrenching for all of us to know the pain that has been felt by many in this room. It goes without saying that we are all here—we may differ in our views—but we all want to find solutions. That is sometimes where we part company. We are sorry for this pain.

As a Blue Star mom with a son who went to the Naval Academy at the age of 18, who is part of the infantry skills team, I read the exemption, but I am not sure I understand how that works. He is older now, but when he was home and he wanted to purchase a semiautomatic shotgun—can a member of the military serving our country in that age frame, 18 to 21, buy an automatic shotgun, participate, and be involved with the semiautomatic weapons in their personal life?

**Assemblywoman Jauregui:**

Section 1, subsection 4 has the provisions that exempt people who are less than 21 years of age and who are members of the Armed Forces of the United States carrying out official duties. That is the portion I was explaining to Senator Stone that we are expanding, so it is not just in their official duties, but also those who are honorably discharged and under the age of 21 as well.

**Senator Scheible:**

Do we have any historical data from jurisdictions that have implemented similar restrictions and whether that has resulted in a decrease in gun violence in those communities?

**Olivia Li:**

There is data on raising the age, I believe. Some federal studies have determined that age restriction certainly decreased suicides and especially decreased suicides in young people. There is data on the fact that people who are younger than 21 commit firearm homicides at a rate three times greater than people who are over 21. Some of these age restrictions are relatively newer in certain states, especially the ones that apply specifically to semiautomatic centerfire rifles. I would not say there is a great body of social science evidence about those in particular. A lot of those laws came out especially after Buffalo, New York, and Uvalde, Texas.

**Chair Miller:**

At this time, I will open the hearing for testimony. There is going to be 30 minutes for support, opposition, and neutral testimonies. When I say 30 minutes, keep in mind we have people in Carson City, Las Vegas, and on the phones. I will allow ten minutes for each location. I am asking all of you to provide your testimony quickly and briefly. I know a lot of you have prepared speeches. If you prepared a speech for two minutes, everyone gets one minute. Everyone will be cut off at one minute. We do want to hear what everyone has to say on both sides of the argument, but we want to hear from as many people as possible as well. Please understand that while you are taking a full minute, that is another person who will not have the opportunity to be heard. Of course, everyone, even if you do have the opportunity to speak, you also have the additional opportunity to submit your written comments to the Committee so we have your full, robust statement. Again, everyone will have one minute, and we will have ten minutes for those in Carson City.

**Ben Tucker, Private Citizen, Sparks, Nevada:**

I am here today to support A.B. 355 because I have experienced the horrors of gun violence. On October 21, 2013, I saw my friend and fellow teacher, Mike Landsberry, die. He was shot in the chest by a 13-year-old student who brought his father's unsecured gun to school. I do not really know how I survived that day. I do know the lasting effects that day has had on my life and my family's life. My son was 11 years old at the time of the shooting. He slept on the floor by my wife's and my bed for three weeks after the shooting. He knows how close I had come to dying that day and refused to sleep in his own bed because he was making sure I was safe. No one should have to go through what I went through.

I am supporting A.B. 355 because I experienced firsthand the effects of what can happen when an adolescent has a gun.

**Marisa Marano, Private Citizen, Henderson, Nevada:**

I am a survivor colead with Nevada Moms Demand Action. I have lived in Las Vegas for 35 years. I am a mother, a social worker, and a small business owner. I am a survivor of the Route 91 mass shooting, where I threw my body over my little sister and her friends to protect them from a madman with a gun. My invisible scars are with me every day. I fear the day my children will also carry invisible scars because their peers have access to guns in Nevada. I am an advocate for "Gun Sense" legislation. I ask you: Does it make sense for

a person under 21 to buy a firearm and not alcohol? Common sense should tell you no. It has become my mission as a survivor to keep Vegas strong. I beg you to support A.B. 355 to raise the minimum age to buy firearms in Nevada to 21. Help us join the 22 other states that have adopted this Gun Sense policy. Help us to keep our children safe and guns out of their hands. Help me to keep my two children alive. These children deserve to live. They do not deserve to die.

**Geena Marano Springmann, Private Citizen, Henderson, Nevada:**

I am a volunteer and survivor with Nevada Moms Demand Action. I am here today to ask you to support A.B. 355. Firearms are the leading cause of death for children and teens in America. Twenty-two other states have adopted this commonsense policy, and we should, too. Some of the most recent mass shootings have been executed by young adults, ages 18 to 21. As a survivor of the Route 91 mass shooting five years ago, I remember running for my life with my sister and my best friend. It is painful to continue to relive the haunting memories of texting my mom, possibly for the last time, saying, There are a lot of bodies, we are running, there is a shooting. I love you.

It is even more upsetting that children and teens are sending those same messages and have this fear instilled in them forever. As an adult, I had the resources and support to navigate the ups and downs of my mental health struggles that stem from the traumatic experience from October 1, 2017. This bill is so important to pass, as children and teenagers barely have their brains fully developed. How can we expect them to make sound choices with these lethal means? We do not have to live like this, and they do not deserve to live like this.

**Linda Cavazos, Private Citizen, Henderson, Nevada:**

I am here today as a Moms Demand Action volunteer and a gun violence survivor. I am here today in support of A.B. 355. As a former high school and university instructor, and also a mental health therapist, I personally observed the significant changes that can occur in young people between the ages of 18 to 20. The prefrontal cortex of the brain responsible for performing reasoning, planning, judgment, and impulse control does not fully develop until the early- to mid-20s.

By Nevada allowing 18- to 20-year-olds to buy and possess long guns, including AR-15s and other assault weapons, we are taking unnecessary risks that can be made more preventable by raising the legal age to purchase semiautomatic shotguns and semiautomatic assault rifles. As a mom, grandparent, and a concerned community advocate, I am asking you to support A.B. 355. I believe the passage of this bill will save lives.

**Jamie Bunnell, Private Citizen, Las Vegas, Nevada:**

I have been a volunteer with Moms Demand Action for five years. I am a mother of five, the proud wife of a Marine Corps veteran, a nurse for 15 years, and a gun owner. Growing up on a farm in a small town in Tennessee, guns were always viewed as a necessary tool, but one that demanded respect and responsibility. Handling such weapons came with the sober expectation that every bullet you fire holds the intention of taking a life. As a mother of five

ranging in age between 23 and 9, I have witnessed firsthand over the years how lax the mindset has become surrounding guns. The tenets of responsible gun ownership have been replaced by carelessness and overconfidence, along with a general lack of self-awareness. Knowing that guns are the leading cause of death of American kids and teens, I ask you to join the nine other states that have adopted this commonsense policy and fully support A.B. 355.

**Jaime Spotleson Brousse, Private Citizen, Henderson, Nevada:**

I am a stay-at-home parent and a volunteer with Moms Demand Action. I am asking for your support of A.B. 355 to raise the minimum age to buy highly dangerous firearms in Nevada to 21. We know guns are the leading cause of death of American kids and teens. Teenagers, seniors in high school, college students, and our young people do not need access to semiautomatic assault weapons and AR-15s. This legislation is commonsense policy, and I urge you to support it.

**Annette Magnus, Executive Director, Battle Born Progress:**

We are in proud support of A.B. 355 because it is commonsense gun legislation, and protecting our communities is the Nevada way. It may shock some of you, but I have purchased these types of weapons, and I believe this is the right bill for Nevada. Our country sets minimum ages for driving, voting, and drinking alcohol to encourage responsible behavior. Also, handgun purchases, as you have heard, are already limited to 21 and older in Nevada. Raising the age of assault weapons aligns with that. Our organization is proud to support Assembly Bill 355, and we thank the Assemblywoman for her work.

**Chair Miller:**

We have less than three minutes left in Carson City. This would be a time to start using ditto.

**Jessica Diss, Private Citizen, Reno, Nevada:**

I am a mother and volunteer with Moms Demand Action. I am here today to voice my support for A.B. 355. As a mother and a human, I am horrified that firearms are now the leading cause of death of American children and teens. I am equally horrified that Nevadans between the ages of 18 and 20, an age group that is shown to be more likely to commit homicides, can purchase a military-style weapon like an AR-15. There is no reason for young adults, whose brains are still developing, to possess such a weapon. Since yesterday, our supporters have sent over 700 email messages to their state lawmakers in support of these bills. The message is clear: Nevadans want gun safety. I urge you to support A.B. 355.

**Lindsey Harmon, Executive Director, Planned Parenthood Votes Nevada:**

On November 27, 2015, a mass shooting happened at Planned Parenthood of the Rocky Mountains in Colorado Springs, Colorado—the same affiliate that oversees the health centers in Las Vegas. In this case, the shooter injured nine and killed three, including patients and first responders on the scene.



In my position with Planned Parenthood, I am regularly threatened with violence against myself and my family. As a result, both Planned Parenthood Votes Nevada and I stand in firm support with any commonsense gun legislation we are hearing about today.

**Christiane Brown, Member, State Executive Committee, Brady United Against Gun Violence Nevada:**

I have been a Nevada resident for 35 years and also a gun owner. How many laws do we have in place that are for the public good that can be misconstrued to infringe upon our constitutional rights—stop signs, TSA [Transportation Security Administration] checks, keeping uranium illegal? All good ideas. No one has the constitutional right to infringe upon another person's safety. Not now, not ever. The *U.S. Constitution* does not allow that, and gun violence, the epidemic, has done just that. The thought haunts me that had Nevada passed A.B. 355 in 2019, or a bill like that to prohibit firearms, semiautomatic weapons, for those under 21, the 19-year-old who crossed over from the Gilroy Garlic Festival shooting to purchase his gun here in Nevada would not have been able to kill 3 and injure 15. But he got his gun here. It is time to stop this lunacy—and that is just what it is. Please support A.B. 355. Protect our kids.

**Chair Miller:**

We will take these last two quickly, and then we are moving to Las Vegas.

**Kennedy McKinney, Intern, Nevada Women's Lobby:**

For the sake of time, we will just say ditto.

**Serena Evans, Policy Director, Nevada Coalition to End Domestic and Sexual Violence:**  
Ditto.

**Chair Miller:**

Perfect. That ten seconds will be added to the opposition. We are starting ten minutes in Las Vegas. Please proceed.

**Leann McAllister, Executive Director, Nevada Chapter, American Academy of Pediatrics:**

We are a professional association for pediatricians in the state who are dedicated to the health of all children. When asked what their No. 1 advocacy priority was for this session, it was gun violence prevention. We are in strong support of this bill.

**Wendy Starkweather, Private Citizen, Henderson, Nevada:**

I have lived in Nevada for nearly 45 years, and I am a volunteer with Moms Demand Action. You have heard the alarming statistics relating to the high rate of homicides committed by young adults ages 18 to 20 and that guns are the leading cause of death of American kids and teens, so I will not focus on that. I am here to ask you all to really comprehend what those statistics mean to the parents and teachers of the school children and teens who tell their stories. Listen very closely to the voices of gun violence survivors and remember they

represent the multitude of victims who can never tell their stories. Please weigh the facts and figures and the forever trauma associated with firearm deaths against the desire of young people to own and possibly use that firearm—

**Chair Miller:**

Your one minute is up.

**Jessica Cantu, Private Citizen, Henderson, Nevada:**

I am a resident of Henderson, Nevada, a dance teacher, a mom to a five-year-old son, and a volunteer with Moms Demand Action. I ask you to support A.B. 355 to raise the minimum age to buy semiautomatic assault rifles to 21 years old in Nevada. With the horrific knowledge that guns are the leading cause of death for kids in our country, we should be enacting every safeguard possible against gun violence. Right now, in Nevada, based solely on their age, an 18-year-old would be denied ordering a beer, denied renting a car, but allowed to purchase a lethal weapon. Please join the other states that have adopted this commonsense policy and raise the minimum age to buy assault weapons to 21 years old.

**Irene Bradley, Private Citizen, Las Vegas, Nevada:**

I am so tired of watching the news and watching our children being slaughtered in schools. I have two teenagers in high school, a junior and a senior. They are terrified. It has to stop. We have to be the ones to make it stop. I ask that you pass A.B. 355. To all of our Assembly and state members, pass it unanimously. Our state deserves it.

**Virginia Belford, Private Citizen, Las Vegas, Nevada:**

When I was a teenager, just 17 years old, I found myself in the middle of a gang shootout just by being in the wrong place at the wrong time. I was absolutely terrified, and I did not get the mental health care I needed until I became an adult. I still carry some of the emotional scars with me at this time. The images I saw are something no child should have to see, and it is burned into my mind. I can only attribute the fact that I am alive—this gang shootout, they were teenagers, but they had handguns, they did not have automatic weapons. If they had had automatic weapons, I might not be here to tell my story. Therefore, I beg you, I beg you to pass this bill because even those of us who live—

**Chair Miller:**

Your one minute is up.

**Neil Gilfillan, Private Citizen, Las Vegas, Nevada:**

I am a veteran opposed to A.B. 355.

**Chair Miller:**

Sir, I am sorry. We are taking support testimony, not opposition testimony.

**Michael Messenger, Private Citizen, Henderson, Nevada:**

I am neutral on the bill, so I am not sure if you want me to speak now.

**Chair Miller:**

We are taking support testimony. Right now, I have to add another minute to the time. Is there anyone in Las Vegas who wishes to testify in support? [There was no one.] We will now move to those waiting on the phone to testify in support.

**Brian Harris, Private Citizen:**

This bill will fall in line with the nine other states with similar policies. As a father, I believe we do have to do better and raise the dangerously low minimum age for buying these firearms. Please support this bill, and thank you for your time.

**Jennifer Pfliegler, Private Citizen, Henderson, Nevada:**

I am asking you to support A.B. 355 to raise the minimum age to buy dangerous firearms to 21 in Nevada. One case that really hit home with me was the July 2019 Gilroy Garlic Festival shooting in which 3 people were killed and 17 were wounded because the 19-year-old gunman killed them and then killed himself. In this case, the killer was unable to legally purchase a gun in California, so he crossed into Nevada to purchase the gun that was used in the shooting. By passing this law, we can help prevent shootings like this happening in our state and nearby states. Please vote to support A.B. 355.

**Paula Luna, Private Citizen, Las Vegas, Nevada:**

I am a constituent of Assembly District 18. I would like to ditto the others in support.

**Lisa Lynn Chapman, Private Citizen, Las Vegas, Nevada:**

I am in support of A.B. 355. Raising the minimum age is a simple, commonsense way to reduce gun violence. This is not a ban, but it balances the need for community safety and the Second Amendment. I encourage you to pass A.B. 355.

**Jeri Burton, Co-Executive Director, Nevada Chapter, National Organization for Women:**

I am calling in support of A.B. 355. With guns behind the leading cause of death for children, we must pass a law so no one under 21 can own a semiautomatic gun. We have a responsibility to do everything we can to reduce youth gun violence, suicide rates, and unintentional shootings. We must do better. We ask you to pass this bill.

**Kimberly Carden, Member, Leadership, Indivisible Northern Nevada:**

I am a 26-year retired Army colonel and a representative for Indivisible Northern Nevada. I support A.B. 355. My testimony is in anticipation of those who oppose A.B. 355, who argue that an 18-year-old soldier is old enough to carry a semiautomatic weapon in order to defend our nation, why not an 18-year-old civilian. My counter to that is there is a stark difference between the physical environment of a military setting and a civilian setting. In a military environment, everything is controlled. You have a chain of command, officers, and soldiers who monitor and control every aspect of your day from the moment you enter the

base. For example, let us say you are going to the weapons range tomorrow. You have an officer and a senior noncommissioned officer (NCO) in charge of the range, a number of safety officers and NCOs, a range control officer, an armorer, and medics. Their role is to—

**Chair Miller:**

Ma'am, your time is up. Next caller.

**Erin Rook, Private Citizen, Las Vegas, Nevada:**

I live in Assembly District 3. I was in high school when the Columbine High School massacre occurred. At the time, it seemed like a rare tragedy, but 25 years later, school shootings are so commonplace that active shooter drills have been born. As an adult, I now worry about my safety in schools, concert venues, and shopping malls. When I first moved to Nevada, I was interested in becoming a substitute teacher until loved ones expressed concern about the risk of gun violence. I ended up working at Fashion Show Mall, which may not have been that much safer considering a mass shooting was narrowly averted during my time there.

By passing a strong minimum age policy like the one in A.B. 355, we can reduce youth gun homicides and suicides and take steps to protect our communities from mass casualty events. I urge you to pass A.B. 355 to keep semiautomatic firearms out of the hands of teenagers.

**Sara Hoffman, Private Citizen:**

I am here today in support of A.B. 355. As legislators, you have a responsibility to your constituents to save lives. I urge you to support this bill.

**John Lott, President, Crime Prevention Research Center:**

I am testifying against the bill. You cannot compare the homicide rate, generally, between 18- to 20-year-olds with those who pass criminal background checks.

**Chair Miller:**

Sir, are you in support or opposition?

**John Lott:**

Opposition.

**Chair Miller:**

We are taking support right now. We ask that you call back. We will be starting opposition in a few minutes.

**Victoria Ruiz, Private Citizen:**

I strongly support A.B. 355 to raise the minimum age to 21 years old for purchasing assault weapons. Firearms are now the leading cause of death for American children and teens. Research shows that individuals aged 18 to 20 years old commit gun homicides at rates nearly three times greater than adults 21 and over, which has already been mentioned.

Assembly Bill 355 could reduce youth gun homicide and suicides, as well as prevent mass shootings. This bill appropriately balances public safety concerns with respect for the Second Amendment by prohibiting access to the deadliest guns, while still allowing access to commonly used hunting firearms. Thank you for allowing me to testify, and I strongly urge you to support A.B. 355 to ensure Nevada is safe for all of us.

**Eric Jeng, Deputy Director, One APIA Nevada:**  
Ditto.

**Clinton Holeman, Private Citizen:**

I am a combat veteran and a gun owner, and I believe, as Ms. Carden said, you cannot compare the military and civilians. I think it is very important that A.B. 355 is passed.

**Donna West, Private Citizen, Las Vegas, Nevada:**

I am a gun owner. Ditto. Please pass A.B. 355.

[[Exhibit C](#) is a compilation of written statements in support of Assembly Bill 355.]

**Chair Miller:**

Having no one else waiting on the phone to testify in support, we will move to opposition testimony in Carson City. The same standard applies: one minute per person, ten minutes each for Carson City, Las Vegas, and phones. Please keep your comments brief, and when you can, ditto is also appreciated.

**Daniel S. Reid, Western Regional Director, National Rifle Association of America:**

We are here in strong opposition today to A.B. 355. This bill is unconstitutional on its face under both the *Nevada Constitution* as well as the *Constitution of the United States*. Article 1, Section 11 of the *Nevada Constitution* is arguably more expansive than the Second Amendment. It goes beyond self-defense to include other lawful purposes, including hunting and target shooting, recreation, et cetera. Also, it was mentioned in Article 1, Section 24 of the Equality of Rights Act—this is age discrimination against those under 21 from owning commonly owned firearms.

We heard a little bit about the Ninth Circuit. That is directly on par to the California case. It is expansive. There are two different carve-outs related to semiautomatic centerfire rifles. That was a straight ban on purchase, not possession. This is more expansive on that front. The court said that failed constitutional muster—

**Chair Miller:**

Your time is up.

**Jake Paiva, Private Citizen, Lyon County, Nevada:**

I am here in opposition to gun bills, Assembly Bill 354, Assembly Bill 355, and Senate Bill 171, that potentially limit my Second Amendment constitutional rights today

and in the future. I mark my journey of becoming a man by the sheer responsibility entrusted in me on how to use guns safely. I participate in hunting events, sports, and otherwise use guns in safe and responsible ways. My observation as a child who grew up with a society that is fearful of guns is that the most vulnerable people in society are the ones making gun laws so they can "feel protected." The ability to defend your family, your children, and yourself at sometimes overreaching government is what makes me feel safe in an "unsafe world." The privilege of living in Nevada is so those rights can be protected, not limited because of today's and society's fears.

Also, people who are going to use guns illegally do not check the rule book to determine what they can and cannot do. They are not worried about the laws passed because they will break them anyway.

**Chair Miller:**

Your one minute is up. Just so everyone knows, we are only taking testimony on A.B. 355.

**Jim DeGraffenreid, National Committeeman, Nevada Republican Party:**

We are in opposition to A.B. 355 on behalf of the Nevada Republican Party. We are opposed to A.B. 355, not because we do not take firearm safety seriously, but because we understand this is not an effective way to reduce gun violence. Assault weapon bans have been tried many times in the past. Multiple reviews by RAND Corporation have, at best, shown that bans have uncertain effects on shootings. The U.S. Department of Justice reported the federal ban on assault weapons failed to reduce the average number of victims per incident. These are full bans for all ages. Banning for those under 21 can be expected to have less of an effect.

To the point which Assemblyman Gray was not allowed to make earlier, it makes no sense for us to say persons under 21 are not mature enough to responsibly use firearms, yet supporters of A.B. 355 regularly say young people are mature enough to make permanent changes to their bodies.

The Second Amendment is a constitutional right for all persons, not just those over 21. Please oppose A.B. 355.

**Bob Russo, Private Citizen, Gardnerville, Nevada:**

I oppose A.B. 355. I just want to mention a couple of statements from the judges who were on that appeals case in California. Judge Ryan D. Nelson of the United States Court of Appeals, Ninth Circuit, said in his opinion that the law infringed on the Second Amendment right to those ages 18 to 21. He said, America would not exist without the heroism of the young adults who fought and died in our Revolutionary Army. Today we reaffirm that our *Constitution* still protects the rights that enabled their sacrifice: the right of young adults to keep and bear arms. Judge Kenneth K. Lee concurred, writing, "We cannot allow good intentions to trump an enumerated and a fundamental right deeply rooted in the history and tradition of this country."

No doubt about it, this bill is unconstitutional, and I ask you to please oppose it.

**William Horne, Private Citizen, Las Vegas, Nevada:**

I oppose A.B. 355. I am a Vietnam veteran and survivor of Vietnam. Respecting the Second Amendment is not the same as obeying it. I swore to uphold the *U.S. Constitution* and defend it. What the Second Amendment says is "A well-regulated Militia being necessary to the security of a free State, the right of the people to keep and bear arms—"Arms" being military weapons—"shall not be infringed." Having a militia is the reason that shall not be infringed. The right to bear arms is a right of self-defense. We have the right to defend ourselves against a single person, against an incited mob, against a foreign invasion. The right to bear arms is fundamental to our *Constitution*, and this bill is a violation of our Second Amendment right to bear arms.

**Kathy Doyle, Secretary, Nevada Federation of Republican Women:**

The Nevada Federation of Republican Women passed a resolution on February 22, 2019, to oppose these restrictive Second Amendment rights. Please vote no on A.B. 355. The Second Amendment of the *U.S. Constitution* recognizes the right of the people to keep and bear arms and forbids the infringement of that right. Again, the Nevada Federation of Republican Women urges you to please vote no on A.B. 355.

**Ryan Shane, Private Citizen, Carson City, Nevada:**

I ask you to please oppose this bill. Ditto on all the rights. If you check the *Bill of Rights*, you will not find the right to buy cigarettes or the right to buy alcohol, but the right to keep and bear arms, as was stated earlier.

I also want to speak to the fact that I am a lifelong Nevadan, and my family has been here since 1870. They fled nations where there was an imbalance between the government's powers and those of the people. This bill further widens the gap between the people who are not in the military or armed forces, law enforcement, or those who need the right to defend themselves.

I also want to speak to the fact that 99 percent of these firearms in public circulation are used lawfully every day. This bill seeks to control their use on 99 percent of the land that is not developed in an urban environment.

**Chair Miller:**

Your time is up.

**Gracie Shane, Private Citizen, Carson City, Nevada:**

I am here to voice my opinion on A.B. 355. It would limit my ability to hunt game with my family. It is harder for me to lift a pump-action shotgun, which is one of the only guns I would be able to shoot if the bill passed. The pump-action recoil is stronger than a semiautomatic shotgun, which the bill would prohibit. This makes it much harder for kids like me to hunt waterfowl or big game. As a Carson City 4-H student sports member,

this bill would limit our experience and safety while participating in club activities. Kids 14 years and older can shoot a shotgun and rifle in 4-H competitions. For some kids in our club, the experience may not even be possible. Kids who are smaller in size or weight may not be able to hold a pump-action or muzzleloader, and the recoil might knock it out of their hands. This would minimize our 4-H community and leave kids out.

**Tracy Shane, Private Citizen, Carson City, Nevada:**

I am also a lifelong Nevada resident. I am asking you to oppose A.B. 355 in its current form. My children do hunt waterfowl and big game. They contribute to our desire to teach our family how to not only safely use firearms, but to respect all human and animal life in doing so. Harvesting game for our family's healthy consumption is incredibly important to us, and also learning to manage the habitat for that game and contributing to the quality of the habitat. Asking my children to use firearms that are inappropriate for their age and dexterity levels, such as a pump-action or side-by-side shotguns during waterfowl hunting is inherently sexist. They are small and not going to be able to take that 40 percent extra weight as a man—

**Chair Miller:**

Your time is up.

**Cindy Martinez, Private Citizen, Sparks, Nevada:**

I am a Marine Corps veteran, a retired Nevada State peace officer, and a National Rifle Association of America (NRA) range safety officer. Every time one of these shootings occurs, it angers me, not because they had access to the firearms, but that they were mentally ill, deranged people whose behavior and shortcomings were not addressed before they got their hands on the weapon of destruction if you want to call it that.

Assembly Bill 355 does nothing to address mental illness. It does not say anything about the destroyed societal influence on families, on broken families, on young men growing up in families with a single mother leading the household who do not model male leadership to these young men. This bill does nothing to do that. In addition, I am troubled by the way it was framed—

**Chair Miller:**

Your time is up. At this point, we are moving to Las Vegas. We are done with opposition in Carson City. Is there anyone in opposition to A.B. 355 in Las Vegas? Please make sure you submit your comments. You can also email or send letters, so we get it on the record. Please proceed in Las Vegas.

**Neil Gilfillan:**

I apologize for speaking out of turn earlier. I am a veteran opposed to A.B. 355. If a person can be sent to war, then they should have the chance to defend themselves against weapons of war at home, too. I would prefer our 82nd Legislature ban all assault rifles from anyone's



possession, but so-called rational thought says that is not going to happen. Removing rights from some will not heal wounds from the past and will be overturned. Life-jeopardizing behavior might stand though. Work hard and do good. Peace.

**Leslie Quinn, Private Citizen, Las Vegas, Nevada:**

I oppose A.B. 355. The Second Amendment protects an individual's right to possess a firearm unconnected with service in the military or age to use for traditionally lawful purposes, such as self-defense within the home or hunting for food. Criminals, regardless of age, will always get weapons to do their nefarious deeds. A Centers for Disease Control and Prevention (CDC) report, dated March 13, 2023, states the primary cause of teenage deaths is injuries sustained by accident. Guns are not the only way to kill a mass number of people. There is biological war, drugs, and fearmongering. I mourn with all who have suffered from any mass shootings, regardless of the shooter's age. Please vote no on A.B. 355.

**Matthew Yealy, Private Citizen, Henderson, Nevada:**

I am a Las Vegas native, NRA lifetime range safety officer, and citizen. Assault rifle by definition is a fully automatic or select-fire weapon. It is not just a centerfire. I also work for a gun shop, the oldest gun shop in town. All new firearms come with a locking mechanism of some kind. Locking secured storage is not defined clearly; it is a vague interpretation.

Suicides are typically done with a handgun, not a rifle or a shotgun. I akin this bill to something like, You know 18- to 21-year-olds, your First Amendment rights you can have, but you can only have speech and religion, but not assembly or press. We will think about giving you redress of grievances. This is a poorly written law. It does not hold up to constitutional muster or state constitutional muster. Please oppose A.B. 355.

**Chair Miller:**

Is there anyone else in Las Vegas in opposition to A.B. 355? [There was no one.] Is there anyone waiting on the phone in opposition?

**Katrin Ivanoff, Private Citizen, Las Vegas, Nevada:**

I am testifying in opposition to this. Everybody who spoke before mentioned it is the No. 1 cause of death, but never mentioned where they got their facts from. I want them to go back and say, if they say that is their opinion or is it a factual statement, because [unintelligible] if we take factual statements that are not factual, we can be sued. Only the person who testified in opposition actually showed where they got the facts from, the CDC. It is not the No. 1 cause of death, according to the CDC. As far as I know, you all swore to protect the *Constitution*—

**Chair Miller:**

Your minute is up. Please submit your comments in writing because the volume was a little low. We want to make sure we have your comments accurate for the record.

**Cyrus Hojjaty, Private Citizen, Las Vegas, Nevada:**

If this law passes, we might as well make it 21 to change our gender, own property, vote, get drafted in the military, attend college, and drag shows, and not to mention drive. I would also like to have some proof as to whether tobacco and drinking ages actually work. If you watch the film *Vegas Vacation*, you will find an underaged person was actually gambling. That did not resolve the problem. I would also be cautious about hearing testimony from billionaire-funded lobby groups.

**Michael Ryan, Private Citizen, Las Vegas, Nevada:**

I am a longtime resident of Nevada, a Marine Corps veteran, and a responsible gun owner. Assembly Bill 355 has no exceptions for hunting or training. Nevada families have a long tradition of teaching kids safe gun handling and hunting as a family activity. Do not harm Nevada families by taking these activities away. The bill represents infringement of a core constitutional right without any indication that it will do anything to reduce gun violence. Please do not support this bill.

**Bruce Parks, Chairman, Washoe County Republican Party:**

We oppose this bill on the grounds that not a single law on the books does anything to make anybody safer. The only thing they do is infringe upon the rights of law-abiding citizens. The statistics put out here today that guns are the leading cause of death for 18 and below are patently false. Once you take out gang-related crimes, that statistic drops down to less than 40 on the list. I want to quote C.S. Lewis. "Of all tyrannies a tyranny sincerely exercised for the good of its victims may be the most oppressive." It would be better to live under robber barons rather than under omnipotent, moral busybodies.

**Norma Scurlock, Private Citizen:**

What I am asking of you today is not to pass A.B. 355. The duty that you swore when you took this office was to the *Nevada Constitution*. Nowhere in the *Constitution* are there age limits on guns. We have great gun safety here in Nevada. I have two daughters who shoot. We will never, ever have an accident because we take gun safety classes. I ditto everything else everyone said. Thank you for your time.

**Lorena Cardenas, Private Citizen:**

It is not up to the states to regulate constitutional rights. This is an abuse of power. Those sitting in support of more government controls do not know the stupid game they are playing. All of this falls in line with all the gun control rhetoric being spread across the country. Do not make it harder for our citizens to protect ourselves by regulating who owns guns and where you are able to protect yourself. By this "Gun Sense," say a hardworking 20-year-old gets carjacked, shot, and killed because he was not able to defend himself with his own gun. What would you say then? Sorry, buddy, you did not make the cutoff. How does that make sense? You are behaving in an un-American and treasonous manner. Your created safe zones might as well be called vulnerable citizen zones. Guns save a lot more lives than they take. It is hypocritical that you are alarmed at the violence in America with young people,

when you have proliferated the loss of morals and the value of life by defending the murder of babies and normalizing mental illness. If Chair Brittney Miller really cared about the safety of teachers, she would have done something—

**Chair Miller:**

Your minute is up. Next caller.

**Chandler Arnold, Private Citizen, Las Vegas, Nevada:**

This bill has a lot of problems, but my time is limited. This bill has nothing to do with the 1 October shooting from six years ago, nor school shootings, nor common sense. It is flatly unconstitutional on its face to both the *U.S. Constitution* and the *Nevada Constitution*. Similar laws have been tossed by the courts, as noted by Senator Hansen and others.

Having read the bill, it would create an additional backdoor safe storage law that would not reduce crime or violence; it would only serve to eliminate shooting sports using those firearms in question and would penalize people for shooting with their kids at the range. The law is convenient to highlight the handful of sensational shootings using semiautomatics and regurgitate pabulum about assault weapons. The facts are the overwhelming majority of shootings of all kinds use handguns, which already require the purchasers to be 21 from an FFL [Federal Firearm License]. Also, the age is not changed because of *Bruen*. The Supreme Court of the United States just told the lower court they actually had to follow it via strict scrutiny and applying text and tradition. As someone who grew up in Las Vegas, if this bill were law when I was growing up, you would have thrown my parents in jail for teaching me gun safety. Oppose A.B. 355.

**Jodi Thornley, Private Citizen:**

I am calling from rural Nevada. I want to say ditto to all those in opposition to A.B. 355. I request you vote no on this bill. It takes multiple minutes to call 911, to get someone to your house if there is an emergency. It is unlawful to take away people's right to defend themselves. Please oppose A.B. 355.

**Alex Rodrigues, Private Citizen, Las Vegas, Nevada:**

I am calling to oppose A.B. 355 because this is strictly against the *Nevada Constitution*, Article 1, Section 11. If 14-year-olds can be trusted to have a sex change with their bodies, why can an 18-year-old not be trusted to protect themselves on the dangerous streets of Las Vegas? That is all I have to say.

**John Lott:**

I have served as the senior advisor for research and statistics for the U.S. Department of Justice. This bill will lead to more deaths. You cannot compare the homicide rates for 18- to 20-year-olds with those who pass criminal background checks. In Nevada, those 18- to 20-year-olds who pass criminal background checks are just as law-abiding as those older than 21. You are going to be preventing self-defense. People 18 to 20 use guns in self-defense. To claim that guns are the leading cause of death to children is false.

It includes, first of all, 18- and 19-year-olds; it includes justifiable homicide. Most of the remaining deaths, as have been pointed out, are gang fights. The *Bruen* decision asked courts to look at what laws were in place in 1791 and 1868. It is very clear this law will not pass constitutional muster. There were no states in any of those periods of time that banned guns based on age. In fact, the opposite is true—

[[Exhibit D](#) is a compilation of written statements in opposition to Assembly Bill 355.]

**Chair Miller:**

Sir, your one minute is up. That concludes opposition testimony. We will move to neutral testimony. I want to caution people: I know sometimes neutral tends to dip in another direction. We need to make sure the testimony stays neutral; not sort of supporting or sort of opposing, but neutral. If it is not, I will have to end the testimony. We will start with ten minutes in every location, one minute per person.

**Richard Nagel, Private Citizen:**

I have more of a question.

**Chair Miller:**

We are not answering questions, sir.

**Richard Nagel:**

What I am saying in neutrality to this is people stated the gun violence is the leading cause of death in the United States. I googled that when I heard it, but I have not been able to find anything on the CDC website or the FBI website to back this up. I wish people, when they make statements, would be required to submit in writing, like they are supposed to, that these statements be upheld. I would appreciate following the rules and paying attention to that, so no one gets a pass. Please look into that.

**Tom Martin, Private Citizen, Dayton, Nevada:**

I am glad the gentleman clarified the terminology because an assault weapon is capable of fully automatic fire or has a selector to switch between fully automatic and semiautomatic. Semiautomatic rifles and shotguns are technically not assault weapons. The other thing is, when it comes to competition, a lot of the competitions have many young people. The AR [ArmaLite]-type weapons are generally a necessity because otherwise, you cannot keep up with the stuff that an old scutter like me shoots.

**Chair Miller:**

That was pretty good for neutral. Is there anyone else in Carson City having neutral testimony? [There was no one.] Is there anyone in Las Vegas with neutral testimony?

**Michael Messenger:**

I am here to make three basic points. First, legislative efforts to reduce the types and availability of guns to troubled individuals may be steps in the right direction but are not

adequate to solve the rapidly escalating gun control crisis and the related dramatic increase in teenage suicides. Worse, these efforts spur what we have just witnessed in the first 45 minutes of people fighting each other on gun control and not thinking about the root causes of the problem, which in my judgment are depression, unresolved anger, copycat behaviors for shooters that are encouraged by mainstream and social media, and a variety of other factors in our society. The solution is to think about politics as the art of the possible. Nevada legislators should work at the local level to encourage the growth of community-wide efforts to provide plans to increase the level of mental health resources available to thousands of depressed, alienated, isolated teenagers and young adults. Research shows—

**Chair Miller:**

Your one minute is up. Again, I appreciate these textbook examples of neutral. Is there anyone else in Las Vegas who would like to testify in neutral? [There was no one.] Is there anyone on the phone who would like to testify in neutral?

**Bridget Oka, Private Citizen, Las Vegas, Nevada:**

Ditto to the man who went before. I think we are missing the mark. I think everyone's objections are probably good. I cannot disagree with any of them, but we are sort of missing the mark on this.

**Katrin Ivanoff:**

I want to express my understanding to the people about gun violence. I want to urge them to think about how this gun violence stops and reassuring everyone by another person with a gun just with good intentions. I want to add an amendment. If you are going to be voting yes on this, please add an amendment to include if 21 is the age to purchase guns, then that should be the age to be deciding if you are going to be able to get transgender surgery. That should be the age for voting. Please add that. If you are not developing in your brain to make the decision to possess a firearm, you are not developing in your brain to make a decision to mutilate your body, and you are definitely not old enough—

**Chair Miller:**

Ma'am, your one minute is up.

**Lorena Cardenas:**

I know this is a hot-button issue, but our legislators have a responsibility to be unbiased. I do not believe Chair Brittney Miller is doing that by constantly shutting down opinions that she does not favor.

**Chair Miller:**

Okay, next caller. I know everyone in this room and those watching know it has been consistent, it has been timed, and it has been fair. Are there any other callers?

**Cyrus Hojjaty:**

I ditto everyone else.

**Chair Miller:**

Having no other callers, I will welcome the bill sponsor for any final remarks.

**Assemblywoman Jauregui:**

Thank you for letting me present Assembly Bill 355 and share my story. Just like I know it is hard to share, I know it is equally hard to hear. You heard the opposition say it is not the state's job to regulate firearms. However, Senate Bill 175 of the 78th Session did just that. Senate Bill 175 of the 78th Session established state control over regulating firearms. That bill said we have the sole responsibility of regulating firearms. No one else. It is our job.

You also heard the opposition say that guns are not the leading cause of death of children. That is false. Right now, guns are the No. 1 cause of death of our children, killing 19,000 children every single year. Six of the last deadliest mass shootings in the last five years, some of which took place in our children's schools, were committed by people under 21.

Chair and Committee, I believe we can protect second graders and the Second Amendment at the same time.

**Chair Miller:**

I will close the hearing on Assembly Bill 355. Our next bill is Assembly Bill 354. It is presented by Assemblywoman Sandra Jauregui; Olivia Li, legal counsel with Every Town for Gun Safety; Tanya Schardt, Senior Counsel and Director of State and Federal Policy with Brady United Against Gun Violence; and David Pucino, deputy chief counsel with Giffords Law Center to Prevent Gun Violence. I will give you a moment to get settled, and please proceed when you are ready. I will open the hearing for Assembly Bill 354.

**Assembly Bill 354: Revises provisions relating to firearms. (BDR 15-251)**

**Assemblywoman Sandra Jauregui, Assembly District No. 41:**

I will keep my remarks brief since I already shared my personal remarks. I am also here today to present Assembly Bill 354, which is designed to protect our election workers and our right to vote without fear or intimidation. No one should fear going to the polling booth to cast their vote or sign up to do their civic duty to support democracy in action by being an election worker because someone with a gun is targeting or threatening the most fundamental American right—the right to vote. Additionally, A.B. 354 prohibits people from bringing firearms to polling locations and tightens our law prohibiting ghost guns so the sellers of these unmarked, untraceable guns cannot skirt it on a technicality.

Madam Chair, with your permission, I would like to turn it over to Tanya Schardt, followed by Olivia Li, and then David Pucino, who is joining us on Zoom.

**Tanya Schardt, Senior Counsel and Director, State and Federal Policy, Brady United  
Against Gun Violence:**

Thank you for allowing me to speak in support of A.B. 354. Allowing firearms at polling stations is voter intimidation, plain and simple. The presence of guns at or around polling places poses a danger to the process of fair and free elections simply because of the inherent threat to voters' emotional and physical well-being. We all saw the images of armed far-right extremists standing and watching a ballot drop box in Arizona's largest county, intimidating voters, and causing concern around the state of violence at the polls. Nevadans have experienced voter intimidation firsthand, as we saw with the angry mobs posted outside of Carson County counting centers in 2020, and more recently with reports of voter suppression during the midterm elections in 2022.

Voter intimidation is not only dangerous, but also unlawful, and the most dangerous form is armed intimidation, which further contributes to the growing gun violence epidemic in our nation. It threatens one of our most fundamental rights in democracy in democracy's most sensitive location: the voting booth.

The rate of firearm ownership has grown exponentially alongside deepening ideological divides. This potent combination has led to proliferation and increased threat of extremist militia organizations nationwide that continue to use firearms in threatening and intimidating ways, including near or at polling locations or outside recount locations. Armed voter intimidation is a reality that public officials must assume will continue and must take action on to protect their constituents. I will note that in a recent Supreme Court of the United States decision in *Bruen* [*NY State Rifle & Pistol Ass'n v. Bruen*], the majority opinion specifically notes the constitutionality of laws prohibiting the possession of firearms in certain sensitive locations and identifies polling places as one of those locations. Proactive steps like A.B. 354 must be taken to ensure Nevadans can feel safe when they go to the ballot box.

**Olivia Li, Legal Counsel, Every Town for Gun Safety:**

I work in Nevada. This bill, A.B. 354, does two critical things. It protects the democratic process in Nevada by keeping guns away from polling places, ballot boxes, and counting centers. It also ensures the state will be able to enforce its ghost guns law, but I am here to talk about the first topic.

Voting is a fundamental constitutional right. Every American should be able to vote free from intimidation, and every American should be able to have their vote counted fairly. We have seen over the last several years how firearms erode peace, order, and fairness in our democratic processes. Before the pandemic, armed demonstrations were already on the rise, often involving white supremacy groups. Between May and December of 2020, there were at least 85 incidents of armed demonstrations at state capitols. During the 2020 General Election, armed protesters gathered outside vote tabulation centers in Nevada, a state that was targeted by stop-the-count efforts. Former Clark County Registrar of Voters Joe Gloria

told the press that year, "I could tell you that my wife and my mother are very concerned for me . . . I am concerned for the safety of my staff." Mr. Gloria had asked the Nevada Assembly to ban guns in polling places back in 2017.

The year 2021 started with the insurrection in Washington, D.C., where armed protestors gathered, motivated by severe misinformation about voter fraud. These continuing widespread lies motivate violence to this day and fray our democratic structures.

The Brennan Center for Justice has found that after 2020, nearly one-third of election workers feel unsafe because of their job, and nearly 20 percent of them said it was because of threats to their lives. The unrest and incivility of the 2020 election pushed many election officials into resignation. Nevada lost ten top election officials in ten counties. There is no reason to think that without lawmaker action, future elections will be more peaceful. Armed vigilantes stood outside ballot boxes in neighboring Arizona during the 2022 midterms.

Prohibiting guns at polling places and counting centers is a broadly recommended policy meant to safeguard our voters, our poll workers, and our election officials. Every Town for Gun Safety urges you to pass A.B. 354.

**David Pucino, Deputy Chief Counsel, Giffords Law Center to Prevent Gun Violence:**

Giffords Law Center to Prevent Gun Violence is the gun violence prevention organization founded by former Congresswoman and gun violence survivor, Gabby Giffords. I am going to speak in support of A.B. 354, and I will specifically be addressing section 2 of the bill, which is about the problem of ghost guns.

Ghost guns are untraceable firearms that are sold in an unfinished form so they can evade laws that require serialization, recordkeeping and, most importantly, background checks. They can be completed into functional form in as few as 20 minutes. In recent years, the number of ghost guns seized in connection with crime has skyrocketed. According to the ATF [Bureau of Alcohol, Tobacco, Firearms and Explosives], U.S. Department of Justice, records in 2017, there were 1,600, and in 2021, there were over 19,000. Those numbers are likely a gross underreporting of the actual number seized in connection with crime.

In 2021, Nevada enacted a law restricting the sale of the unregulated, nearly complete parts, which are called unfinished frames and unfinished receivers, that are used to make those guns. Assembly Bill 354 will clarify and update the definitions contained within that legislation in light of a few recent developments. One of these developments is that the ATF has itself enacted some regulations to address the ghost gun problem and has expanded federal definitions to include some of these parts. Another development is that the ghost gun industry has continued to "innovate," one might say, which means finding new ways to skirt our laws. This definition will end those evasions and make sure people who are prohibited from possessing a gun are not able to obtain a ghost gun.



**Assemblywoman Jauregui:**

We are ready for questions.

**Chair Miller:**

Our first question is from Assemblyman Gray.

**Assemblyman Gray:**

Would you be willing to strike section 1 and only prosecute people with malicious intent?

**Assemblywoman Jauregui:**

I am working on an amendment to the bill that will address section 1. We are not striking it in its entirety, but we will be making some changes.

**Senator Nguyen:**

Does this conflict with concealed carry weapons (CCW) or open carry laws?

**Tanya Schardt:**

It will create a sensitive place, irrespective of whether or not you would otherwise be permitted to carry a concealed firearm because you have a concealed carry permit. You would be precluded from carrying a firearm at the polling location.

**Senator Stone:**

With the potential passage of this bill, it is obviously going to get a lot of media attention that our polling places are basically going to be firearm free. This may tip off a mentally unstable person who is reacting to the intense division that we seem to have in this country at this time. I think it could make the polling place dangerous, to be an attraction to someone who wants to do some damage. There are not enough public safety officials to monitor every polling place. My concern is related to the last question. Why not allow people who have lawfully gotten a CCW from a sheriff following all the safety protocols to make sure, if there is an active shooter at a polling place, at least we have some ancillary help to public safety that may or may not be there to protect the voting public?

**Tanya Schardt:**

First of all, this does create exceptions for law enforcement and for security. What we know is more guns in public does not actually make us safer, so I do not think one should assume that allowing people to carry firearms at a polling location would actually improve the safety of those there. I think it actually heightens the risk of unlawful activity and increases the danger. I want to reiterate again, the *Bruen* court identified specifically that this is a sensitive place that historically has been deemed a location where firearms should not be permitted.

**Assemblywoman Hardy:**

This is a perfect follow-up to Senator Stone when we are discussing polling places. I know in Clark County a lot of those places are malls and grocery stores. I am assuming that would be included. If we are talking about a CCW going there, not even voting but going to the

mall, would they be in violation? Also, following up again, we are advertising and basically putting out there that these are gun-free zones, so someone who is intent on committing a violent act, they now know there are people who are vulnerable in those places.

**Assemblywoman Jauregui:**

As I have had discussions on this bill with many of my colleagues, some of the suggestions that came and that will be addressed in the amendment are the use of signage so people know firearms are prohibited within sensitive locations, a sensitive location being a polling site. The bill, as written, does exempt things like vehicles. If they do come across the sign, they can leave the gun in their vehicle. Under section 1, subsection 2(c), it gives protection for vehicles.

**Assemblyman Yurek:**

I have been questioning the validity of the policy we are trying to impose here. I am thinking in the broader context and maybe you can address it. It ties to what Senator Stone was saying earlier. It seems like, as we have increased the number and locations of the places we will call the gun-free zones—we all know what we are referring to—these are places like schools, parks, playgrounds, hospitals, and places like that. As we do that, if we look in the news with the horrible stories we have been referring to during the last hearing and this one, it seems those have become the very targets and places where people are engaging in this horrific activity. Tying to what Senator Stone was asking, are we concerned that in our effort to make these places safer by creating a law that says no guns can be here, would it then potentially fall in line with these other gun-free zones that have targeted themselves as places where people can engage in violent activity without the potential of someone being there to fend that off?

**Olivia Li:**

There is no evidence that gun-free zones of the type Ms. Schardt was speaking of and the Supreme Court identified as sensitive locations attract mass shootings. In fact, fewer than 10 percent of mass shootings occur in locations we know of as gun-free zones. Most of them occur in places where firearms are permitted.

**Senator Hansen:**

How is this going to be enforced? You have tens of thousands of Americans who are CCW holders. What is the enforcement mechanism for 100 yards?

**Tanya Schardt:**

I think the hope would be by establishing the law, those CCW permit holders would comply with the law and simply not bring their firearms to the polling places. If they were to do so, law enforcement would be notified, and they would be arrested.

**Senator Krasner:**

My question has to do with section 1, subsection 1, "Except as otherwise provided in subsection 2, a person shall not possess or cause a firearm to be present in, or within

100 yards of the entrance of, a place the person knows or reasonably should know is an election site." If someone is legally carrying a firearm, they have a CCW permit, and last year Raley's was not an election site, but this year I am going to go do my grocery shopping, and lo and behold, Raley's is an election site. Is there anything regarding intent, or am I now in violation of the law?

**Tanya Schardt:**

I actually think the language "the person knows or reasonably should know" establishes they have to have knowledge or should have known this was an election site. It creates an opportunity for that person to be able to say, I had no idea this was an election site, and this was a mistake. Further, I believe there will be an amendment to add signage to locations so it is very explicit and clear the locations are polling places.

**Assemblywoman Hansen:**

In regard to the conversation that has been had regarding a CCW person coming into the mall or grocery store and they are carrying their concealed weapon and have their permit, and then they realize they cannot have it—I believe Assemblywoman Jauregui said they could go put it in their car. If it is about safety, Every Town research and policy has an article from March 2022 that says gun thefts from cars are the largest source of stolen guns. Are we concerned we are replacing one worry with a substantially greater worry?

**Olivia Li:**

With that statistic, that research was done mostly on guns that are stored insecurely. Our organization advocates for secure storage practices and secure storage regulation in all 50 states. I know the south has a particular problem with firearms being stolen from cars, and it is why we are pushing legislation there. If you are going to put your gun in your car, make sure you store the ammunition separately, you lock it up, and you keep it out of view from someone who is passing your window. If someone wants to leave their firearm in their car, that is fine. They should absolutely do it with the utmost safety precautions.

**Assemblywoman La Rue Hatch:**

Thank you for bringing these important bills and trying to keep us safe while we are voting, which I think is fundamental to our democracy. My question is on the ballot boxes versus the polling places. I know polling places have a lot of signage, so I appreciate your point about signage. Do you happen to know where we might find ballot boxes and how often a ballot box is completely separate from a polling place? I know in Washoe County, they are often in the same place.

**Assemblywoman Jauregui:**

I cannot personally answer that. I know we have partner organizations here, and I know we have the Clark County registrars here who are going to be testifying. That question might be better directed to them.

**Chair Miller:**

Assemblywoman Jauregui, are those from the registrar's office a part of your presentation? [Assemblywoman Jauregui responded nonverbally.] So, they are just testifying. Mark Wlaschin is here from the Office of the Secretary of State.

**Mark Wlaschin, Deputy for Elections, Office of the Secretary of State:**

In regard to the presence of the drop boxes, you are right. A number of our counties do have them colocated with our polling locations across the state. There is a lot of ongoing discussion, too, about the need for additional ones, in some cases stand-alone. We currently have some that are stand-alone and not part of other polling locations. Right now, that is a minority of the total, but we do anticipate in the coming election cycles to potentially have more that are stand-alone, secured locations throughout the communities to be able to facilitate voters dropping off their ballots.

**Chair Miller:**

I would like to clarify. You are saying there are currently some that are separate from an actual polling place. Is that by any chance specific to whether or not it is in our larger counties, such as Clark and Washoe, and maybe the rurals do not? Does that come into any of the decision-making of where those ballot boxes are?

**Mark Wlaschin:**

Yes, it does. A number of the rurals will have a ballot drop box secured outside of a county courthouse, for example, or those sorts of locations. Larger counties currently have them colocated in the other polling locations.

**Chair Miller:**

We have a question from Senator Dondero Loop, which is related to this, so Mr. Wlaschin, this may be for you as well.

**Senator Dondero Loop:**

A lot of our polling places are schools, community centers, county government buildings, or city buildings. Those are already gun-free zones. I would assume—and you are going to have to answer yes or no and then give me more information—people are already adhering to this. Those are gun-free zones, so they are not walking in there with guns now. Is that correct?

**Mark Wlaschin:**

The policy in place is if the location does not currently allow firearms and it is a polling location, then that continues on while it is a polling location. Ultimately, if it is a privately owned location that does allow the carry of a firearm into that location and it is used as a polling location, then guns would be allowed.

**Senator Dondero Loop:**

If I go to my neighborhood school to vote and I have a CCW, I cannot carry into that school. Is that correct?

**Mark Wlaschin:**

That is correct.

**Chair Miller:**

I know we have in legislation the number of drop boxes and polling places per county. You made it sound like you are anticipating the number of drop boxes that would be separate from an existing polling place is going to be expanded upon.

**Mark Wlaschin:**

Yes. There is in statute the requirement for minimum numbers. As we look not only to the 2024 election cycle, but over the next five to ten years, we are identifying an increased use in mail ballots. If voters continue to use more mail ballots, we want to make sure they have the opportunity to drop them off independently from the in-person voting locations. It is something we are aware of and we are tracking very closely to make sure we meet the needs of the electorate within the confines, of course, of our statutes. It is something we are watching.

**Chair Miller:**

Thank you for your willingness to jump up impromptu and always being prepared with excellent answers. We do have a few more questions.

**Assemblywoman Gallant:**

I have a question about the definitions for frames and receivers. It seems like it differs from the ATF definition. Can you describe what part of the firearm needs to be serialized? I ask because there are a lot of people who have hobbies where they like to modify their parts. It is not clear what people need to have serialized and marked. We need clarity on that to make sure law-abiding citizens are not breaking the law unintentionally.

**David Pucino:**

I completely agree, and I appreciate that question. Consistent with federal regulations, it is the frame or the receiver that will bear the serial number. The frame is generally the same part in the case of handguns. The receiver is that part in case of a long gun.

**Senator Ohrenschall:**

I have been troubled by the uptick in threats, intimidation, and harassment of other voters and election officials at polling places. Literature I have read says it has grown recently. Does anyone have any information about states, counties, and cities that have enacted state laws or ordinances similar to this and whether there has been a reduction in those threats, intimidation, and harassment of voters and election officials?

**Tanya Schardt:**

I do not have that specific data. What I can tell you is Arizona, California, Colorado, Washington, D.C., Florida, Georgia, Hawaii, Louisiana, Mississippi, Missouri, Nebraska, New Jersey, New York, Ohio, South Carolina, Texas, Virginia, and Washington all have laws regulating the carrying of firearms at polling places.

**Chair Miller:**

Seeing no further questions, we will move into support testimony. I appreciate everyone understanding what we are asking when it comes to timing. It will be the same procedure again, asking everyone to keep it to one minute. We will have 30 minutes for support, 30 minutes for opposition, and 30 minutes for neutral. We will rotate between Carson City, Las Vegas, and the phones. Ten minutes for support of A.B. 354 in Carson City begins now.

**Emily Persaud-Zamora, Executive Director, Silver State Voices:**

Silver State Voices leads the Let Nevadans Vote Coalition. We are in strong support of A.B. 354. Through our election protection work, we oversee the 866-OUR-VOTE national hotline. It is a nonpartisan hotline that Republicans, nonpartisans, Democrats, and folks from all political spectrums can call. One caller in the 2022 election called our hotline and advised they felt intimidated because another voter wore a shirt that said, "If you take my guns, I will shoot you." I can only imagine how uncomfortable the caller would feel about an actual firearm on-site.

Part of our work and vision is helping to recruit poll workers. Unfortunately, physical safety is still a top concern for poll workers. This bill will go a long way in assuring safety and recruitment efforts for poll workers, who are mostly temporary workers.

**Jennifer Willett, Nevada Grassroots Manager, All Voting is Local:**

All Voting is Local is an organization whose mission is to fight for policies and legislative priorities that expand voter access. The presence of guns at polling places can create an intimidating environment that may discourage voters from exercising their right to vote. Due to time, one example in the 2020 election, Washoe County poll monitors reported people were standing outside and pointing guns at the polling place, which frightened voters and workers. Such incidents undermine the democratic process and erode trust in the election system. We encourage you to support A.B. 354.

**Annette Magnus, Executive Director, Battle Born Progress:**

We stand in strong support of A.B. 354. This bill will help us ensure all ideologies can participate or work in election sites safely, keeping our elections and voters safe. It is the Nevada way. As an employer who sends her staff out to do election protection work each election, I have seen these threats and experienced them firsthand, both at election departments and polling locations. You should not need a gun to vote.

The other portion of the bill will also help in making us safer with the clarification of the definition around ghost guns. Please support A.B. 354.

**Christiane Brown, Member, State Executive Director, Brady United Against Gun Violence Nevada:**

We are in strong support of A.B. 354. Voting, the opportunity to voice our opinions in a peaceful way, is the very essence of our democracy. However, in recent years a minority of Americans who thrive on whipping up disagreement, hatred, and fear rather than finding common ground have chosen to position themselves outside voting locations brandishing firearms. They are not there for democracy, they are not there for patriotism—their intent is to threaten, intimidate, and create an atmosphere of fear to deter voters. This is sadly why A.B. 354 is necessary. Those who love to cite their Second Amendment rights in opposition to gun violence legislation should know armed extremists are showing up at polling places for one reason: to create an atmosphere of fear. The Fifteenth, Nineteenth, and Twenty-sixth Amendments are allowed to be exercised, and those are our right to vote. Assembly Bill 354 is necessary to protect those rights.

**Christine Saunders, Policy Director, Progressive Leadership Alliance of Nevada:**

We are in support of A.B. 354. At Progressive Leadership Alliance of Nevada, we believe our democracy is most vibrant the more people who are participating in it, yet allowing firearms at polling locations can make voters feel threatened or intimidated and unlikely to wait and stand in line. We must ensure voting is a positive and safe experience so everyone's voice can be heard in our political process. We urge your support.

**Serena Evans, Policy Director, Nevada Coalition to End Domestic and Sexual Violence:**

I want to specifically put on record support for the section addressing ghost guns. Doing a quick Google search for ghost guns, I found article after article detailing chilling stories of men murdering their children and wives and taking their own lives. These articles noted how all of these individuals had one thing in common: they had documented histories of domestic violence, and all had convictions or protection orders issued against them prohibiting them from owning or buying firearms. However, due to easily accessible ghost guns, they are able to obtain illegal firearms and inflict horrendous acts of malicious and intentional violence.

While I am here, I do want to remind you that Nevada continuously ranks in the top ten states for women murdered by men, and we urge commonsense gun legislation.

**Briana Escamilla, Director, Regional Organizing, Planned Parenthood Votes Nevada:**

For the sake of time, I will just say we echo the sentiments of our partners, and we believe all Nevadans deserve the right to exercise their right to vote without fear of armed intimidation.

**Jamie Bunnell, Private Citizen, Las Vegas, Nevada:**

I am a gun owner, the mother of five, and the proud spouse of a Marine Corps veteran. I am a volunteer with Nevada Moms Demand Action. As a gun owner, I believe there is a threshold of responsibility that must be met in order to possess a firearm whose purpose is taking away life. It is essential to our democracy, the democracy my husband fought to

preserve with nine years of service, that all eligible Nevadans are able to vote, volunteer, and work at a polling place without the threat of armed intimidation. Please vote to support A.B. 354.

**Jaime Spotleson Brousse, Private Citizen, Henderson, Nevada:**

I am a stay-at-home parent, and I like to bring my two little boys, who are five and eight, to the polls with me on Election Day to show them the power of voting. We deserve to feel and be safe while doing so. Assembly Bill 354 would also fix Nevada's ghost guns law so people who are a danger to themselves or others cannot build untraceable firearms without going through a background check.

**Jessica Diss, Private Citizen, Reno, Nevada:**

I am a volunteer with Nevada Moms Demand Action. I am here today to voice my support for A.B. 354. Guns have no place in polling locations where citizens exercise their core right and responsibility of our participatory democracy. Guns in polling locations, even with a CCW, only serve to intimidate voters. In the last several national elections, all eyes have been on Nevada. Every Nevada vote matters. Nevada is a leader on so many voter protection efforts; we can and should be a leader in this, too.

**Marisa Marano, Private Citizen, Henderson, Nevada:**

I am with Moms Demand Action. I am a clinical social worker where I work with children who have witnessed domestic violence and physical abuse by the hands of their parents who cannot pass a background check. These parents utilize ghost guns that kill their children or traumatize them for the rest of their lives. My agency and my fellow social workers continue to provide mental health services to these children every day.

I am also a survivor of the Route 91 mass shooting, where my sister and I ran for our lives, trampling over bodies, and making our way to safety. My invisible scars are with me every day. The fact that others can carry invisible guns make my scars visible. As a mother, a social worker, and U.S. citizen, I should not have to feel panic or distress at voting polls. I should be able to teach my children to vote without the fear of being shot. My right to feel safe is larger than their right to carry an invisible gun. I beg you today to help them feel safe. Help me protect my children, our children, and our citizens. Please support A.B. 354 to fix Nevada's ghost gun law and ensure people with dangerous histories cannot create their own untraceable firearms.

**Jeffrey S. Rogan, representing Clark County:**

Given the provisions of section 1 of A.B. 354, Clark County is in support of this bill and thanks Assemblywoman Jauregui for bringing it forward.

**Geena Marano Springmann, Private Citizen, Henderson, Nevada:**

I am a volunteer with Moms Demand Action. I am here to ask you to support A.B. 354. As a gun violence survivor, it is terrifying to imagine the ease of which a future perpetrator could plan their next attack with ghost guns. We cannot wait for federal action to begin



saving lives in Nevada. Additionally, when we vote, we should all be free of intimidation with guns. It makes me feel uneasy to have a visual reminder of what a firearm can do and a reminder of what I went through each time I want to exercise an essential role in our country, such as voting. Please vote to support A.B. 354.

**Chair Miller:**

We have one minute left for Carson City.

**Linda Cavazos, Private Citizen, Henderson, Nevada:**

I volunteer with Moms Demand Action and am here in support of A.B. 354. I remember going with mom, dad, and older siblings when they voted at our neighborhood schools on Election Day. They were proud, excited, sometimes nervous, but I never, ever saw them scared. It was a time of anticipation as election results came in, and I could not wait to join them when I was of age. Our society has drastically changed now. I hear from entire families who say they have given up the tradition and the excitement of voting in person because they are fearful of intimidation and possible violence. Nothing represents that fear more than the presence of guns at polling places. Guns intimidate, guns incite possible altercations, and guns do not belong where people are voting. Voting is the foundation of our democracy and should not be hindered by the presence of guns. Please support A.B. 354.

**Chair Miller:**

Our time is up, so I will let the other two people state their name and give a ditto.

**Donald Gallimore, Sr., Second Vice President, Reno Sparks National Association for the Advancement of Colored People:**

Ditto. We support this bill.

**Paul Catha, Political Director, Culinary Workers Union Local 226:**

Ditto.

**Chair Miller:**

With that, we will move to support testimony in Las Vegas.

**Jessica Cantu, Private Citizen, Henderson, Nevada:**

I am a mom and a volunteer with Moms Demand Action. I am here to ask you to support A.B. 354 to fix Nevada's ghost gun laws and ensure people with dangerous histories cannot create their own untraceable firearms without a background check. In addition, A.B. 354 would ban guns at polling places. While voter intimidation is a crime in every state and the Supreme Court of the United States acknowledges the mere presence of firearms can be intimidating, it is common sense to specify that guns are not allowed at the polls. Washington, D.C., and six other states have made it illegal to bring guns to the polls, yet they are not explicitly banned in Nevada at our polling places, where I vote and bring my son to vote with me. Please fix this by voting to support A.B. 354.

**Wendy Starkweather, Private Citizen, Henderson, Nevada:**

I am a volunteer with Moms Demand Action. I testify in support of A.B. 354. With your support, the bill will ensure that Nevada's current ghost gun law uses clear and well-defined terms so it can be fully enforced. With full enforcement, the law can provide the safeguards needed to keep these untraceable and unserialized firearms out of the hands of people with dangerous histories who wish to elude the background check process. Additionally, the bill will respond to the legitimate concern—and even fear—expressed by Nevada poll workers, election officials, and ordinary citizens like those you have heard from today. The process of voting at election sites is a fundamental right that is essential to our democracy and not to be undermined by the intimidating presence and threat of guns. Please vote to support A.B. 354.

**Neil Gilfillan, Private Citizen, Las Vegas, Nevada:**

I do support A.B. 354. It is an attempt to do something, especially concerning ghost guns and seems constitutional. Money will likely be wasted to get a Supreme Court ruling, but better wasted money than humans. As a past election worker, it seems polling sites should be protected by police patrols, just as demonstrations are. Peace and good health.

**Leann McAllister, Executive Director, Nevada Chapter, American Academy of Pediatrics:**

We are in support of this bill. It meets the American Academy of Pediatrics advocacy priority to strengthen background checks.

**Aria Flores, Engagement Director, Chispa Nevada:**

I am also here on behalf of Let Nevadans Vote coalition. We are in support of A.B. 354. Voting is a constitutional right, and voters should be protected from intimidation while exercising their right to vote. This is a matter of federal law, which prohibits any form of intimidation or threats that would interfere with a person's right to vote. Guns, like any other weapon, do not belong at the polls. They serve no purpose but to intimidate law-abiding voters and poll workers and may suppress the voices of those who are waiting in line to cast their ballots. By passing A.B. 354, we can create a safe and secure environment for everyone involved in the electoral process.

Personally, I have been on the front lines during early voting days and on Election Day as an observer and volunteer. I should not have to worry about my safety while participating in my civic duty. We need to prevent gun violence and create a safe environment for our people, our community, and our democracy. I encourage you to support A.B. 354.

**Anne Lawton, Private Citizen, Las Vegas, Nevada:**

I am with Brady Nevada, and I am here in support of A.B. 354. I grew up in a time when my mother was a stay-at-home mom and did not work outside the home, with one exception: she worked as a poll worker for every election for about 20 years. She was proud to do her civic duty, and it also gave her a little bit of what she called her "pin money." I could not imagine

her doing so today in an environment where she would have felt intimidated and in fear. I urge you to support A.B. 354, and ditto to all the other supporters.

**Chair Miller:**

Is there anyone else in Las Vegas who would like to testify in support? [There was no one.]  
Is there anyone waiting on the phone to testify in support?

**Victoria Ruiz, Private Citizen:**

I am here to urge you to vote in favor of A.B. 354. In recent years, we have witnessed the rising incidence of voter intimidation, violence, and hundreds of deaths caused by reckless gun owners. As a community, we cannot allow this type of behavior to continue, and we must take action to protect our right to vote without fear of violence or intimidation. Voting is one of the most fundamental rights we have as citizens to impact change on issues that directly affect our communities, and it is imperative that voters are free to cast ballots without any threat of harm or intimidation, whether it be from someone carrying a firearm or engaging in violent behavior. Allowing guns at polling locations does not promote election security and only serves to intimidate voters. We cannot allow Nevada to be home to any form of voter suppression. I urge you to take action by supporting A.B. 354 to ensure our polling locations are safe and secure for all voters.

**Paula Luna, Private Citizen, Las Vegas, Nevada:**

I would like to ditto all those who have spoken before me.

**Daela Gibson, Private Citizen, Reno, Nevada:**

I will ditto in support of this bill.

**Jennifer Pfliegler, Private Citizen, Henderson, Nevada:**

I am a volunteer with Moms Demand Action. I am asking for the Assembly's support of A.B. 354 to fix Nevada's ghost gun laws and ensure people with dangerous histories cannot create their own untraceable firearms without the safeguard of a background check. In addition, A.B. 354 would ban guns at polling places. I already find it stressful enough going to the polls to vote with our current divisive political climate. I also feel sympathy for the poll workers who are doing their best. Please vote to support A.B. 354.

**Jeri Burton, Co-Executive Director, Nevada Chapter, National Organization for Women:**

I am also a volunteer with Moms Demand Action. I am calling in support of A.B. 354 because we must be sure it is safe to cast our votes. We know there have been attempts of voter intimidation and keeping guns away from polling locations is important. If you cannot have political signs near polling places or campaign for a candidate, we certainly should not be able to intimidate voters or poll workers with guns. Ditto to what Serena Evans said about ghost guns, violence against women, and untraceable firearms.

**Erin Rook, Private Citizen, Las Vegas, Nevada:**

While gun violence prevention measures can be contentious and politicized, A.B. 354 offers protections every Nevadan should be able to get behind. Many Second Amendment advocates like to argue the problem is not guns but rather access to guns by criminals. This bill would address the criminal use of firearms by explicitly barring them from election locations and clarifying the regulation for untraceable ghost guns. No law-abiding gun owner should take issue with these measures.

Every Nevadan has the right to cast their vote without fear of intimidation. It is disingenuous though to suggest the people who show up armed to "monitor" polling places are there to protect me when they are often the same people who think my mere existence as a transgender person is a threat to their safety. This is vigilante intimidation, plain and simple. Similarly, every victim of a gun crime deserves justice. This is difficult to accomplish if the weapons cannot be traced. Assembly Bill 354 helps ensure these rights are protected. I urge you to support this important bill.

**Kimberly Carden, Member, Leadership, Indivisible Northern Nevada:**

I am a 26-year retired Army colonel and a representative for Indivisible Northern Nevada. I support A.B. 354 and ditto all the previous comments.

**Donna West, Private Citizen, Las Vegas, Nevada:**

In the 2022 election, I was a poll observer at Nellis Crossing in my district. A person entered that voter location wearing a weapon. Those around him moved away, and some left. Did they get a chance to exercise their right to vote? We cannot wear a political shirt in a polling location. Why should someone be able to bring a gun? We place election signs 100 feet from the polling location. We can certainly place No Gun signs at 100 yards. Please pass A.B. 354.

**Alvin Chan, Program Manager, Native Voters Alliance Nevada:**

We are in support of A.B. 354. I echo all the sentiments my colleagues have said before. I would like to add that people of color already vote at a lower rate than their white peers. Voter intimidation does not need to be another reason people of color do not make it to the polls.

**Lata Nott, Senior Legal Counsel, Voting Rights, Campaign Legal Center, Washington, D.C.:**

Campaign Legal Center is a nonpartisan organization that works to advance and protect American democracy. I am testifying in support of A.B. 354. As for firearms at election sites, they instill fear in voters and may deter them from exercising their fundamental, constitutional right. They also create a distracting and dangerous environment for election workers, who are a necessity for free, fair, and secure elections, but more and more are on the receiving end of harassing messages and conduct. Courts have long recognized that election sites are sensitive places where the right to bear arms should be prohibited. Nevada should

follow the lead of the ten states that have already passed laws prohibiting guns at election sites. We urge you to support A.B. 354, as dedicated election workers and voters deserve polling places that are free from guns.

**Eric Jeng, Deputy Director, One APIA Nevada:**

All voters in Nevada deserve to exercise their freedom to vote without intimidation or suppression. We are in full support of this bill and ditto to all the other points.

[[Exhibit E](#) is a compilation of written statements in support of Assembly Bill 354.]

**Chair Miller:**

That is the end of our 30 minutes for support. We will move to opposition testimony for A.B. 354 in Carson City. Again, one minute per person.

**Richard Nagel, Private Citizen:**

I was a poll worker in the last election, and we had three instances of people getting out of control, and one person was throwing things. It took five minutes for the sheriff's department to arrive. Again, if you make this a gun-free zone, what do you think is going to happen? When I was a kid, I believed monsters were under the bed. As an adult, I know they are on the streets, and we have to protect ourselves from the monsters. We need some way to protect ourselves. People with CCWs are a great asset because they have gone through the background checks already; they have gone through all the security processes. Something like that would be advised to allow those people there. Again, the weapons are concealed, and they are not there to intimidate anyone. It is just in case something happens. If you make these gun-free zones, which they already are pretty much—

**Chair Miller:**

Your one minute is up.

**Daniel S. Reid, Western Regional Director, National Rifle Association of America:**

We can all agree we do not want election interference, intimidation, or obstruction of any kind, and I appreciate the Assemblymember's robust discussion on this and willingness to work on some parts. However, our objection comes to section 1, subsection 1. We feel it is too broad. Polling locations do include drop boxes, and you have heard there is going to continue to be an increase in those. That 100-yard barrier where there does not require intent for you to be subject to criminal charges is problematic. We heard from the proponents that it will be up to prosecutorial discretion, and we do not want inequitable justice under the law, where someone might simply be traversing through a public area and get hooked up with criminal charges. The last point is on the frames and receivers. The ATF has moved into this space on both home-built firearms as well as frames and receiver definitions. We feel this differs from the federal definition and could lead to confusion and judicial interpretation differences that could be problematic for Nevada citizens.

**Jim DeGraffenreid, National Committeeman, Nevada Republican Party:**

I am in opposition to A.B. 354 on behalf of the Nevada Republican Party. One of the most common features of mass shootings is they often take place in gun-free zones because the mentally ill individuals who commit these acts target locations where they will not be challenged. As the digest of the bill points out, Nevada already has a long list of gun-free zones. This bill does nothing but add one more. If the voter intimidation referred to by the sponsor were an issue in Nevada, it would be swiftly and easily dealt with by law enforcement. *Nevada Revised Statutes* (NRS) 293.710 thoroughly defines the crime of intimidation of voters, both at polling places and elsewhere, so banning law-abiding citizens from exercising their constitutional rights adds no protection beyond existing law.

Finally, contrary to what was misstated in the presentation, a detailed study by the Crime Prevention Research Center, most recently updated in July 2019, shows that 98 percent of mass shootings since 1950 did, in fact, occur in gun-free zones. Facts matter, and we ask this Committee to oppose Assembly Bill 354.

**Thomas Morley, representing Nevada Firearms Coalition:**

With respect for your time, ditto.

**Cindy Martinez, Private Citizen, Sparks, Nevada:**

I am a Marine Corps veteran, a retired Nevada State peace officer, and a National Rifle Association of America (NRA) range safety officer. Ditto on opposition testimony. Further, I find curious justification in support of this bill. For those afraid to go to the polls, Assembly Bill 321 of the 81st Session provided universal mail ballots, which I understand everyone can exercise their right to vote without having to go to the polls. This bill is crafted in the name of safety but is clearly written and intended as further incremental infringements of the Second Amendment. Please vote no on A.B. 354.

**Steven W. Hirsch, Private Citizen, Washoe Valley, Nevada:**

I oppose this bill. According to everytownlaw.org, voter intimidation is already a federal law, the law of the 50 states, and the District of Columbia. You will impose the Fourth Amendment, which protects citizens from unreasonable search and seizure by the federal government, especially if I am lawfully carrying concealed, whether it is a purchased firearm or a ghost gun. I understand the perceived good you are all trying to accomplish. I respect that, I do. Removing the ability for a man, or more importantly, a woman, to defend themselves and their children at all times with a concealed carry firearm, even when voting, is not only anti-Second Amendment, but it puts targets on everyone's backs, as well as targets on the backs of 73,000 Nevada college females when they try to vote.

**Pat Horgan, Private Citizen, Reno, Nevada:**

I am here to testify in opposition to A.B. 354. It seems to me you are passing a law to control homicidal psychopaths. If such laws worked, thou shalt not kill should cover the whole thing. Also, you are competing on the honor system for compliance to this law. People with or without concealed weapons carry permits can carry into these places. You are kind of on

the honor system for compliance. Only the scrupulously law-abiding will pay any attention, thereby eliminating the last line of resistance from the unlawfully armed. Brandishing firearms at polling places or anywhere else is already against the law.

**Chair Miller:**

Is there anyone else in Carson City who would like to testify in opposition to A.B. 354? [There was no one.] We will move to Las Vegas for those wanting to testify in opposition.

**Leslie Quinn, Private Citizen, Las Vegas, Nevada:**

I oppose A.B. 354. March 7, 2023, an innocent child was killed from shots fired from another apartment in Las Vegas. The gunman has not been found. Assembly Bill 354 does nothing but make law-abiding citizens vulnerable to criminals who do not care about what is legal or illegal. Criminals, hate, and evil are all around us. We cannot allow fear to infringe on Nevadans' constitutional rights and freedom. We need harsher laws against criminals and offenders. If there is no data showing gun-free zones stop mass shootings, how does creating voting sites as gun-free zones have any benefit?

Assembly Bill 354 would create more voter fear and create voters in a fishbowl for criminals to harm. This would also add additional cost to the elections department for checking voters for guns at a voting site within 300 feet or 100 yards of a voting site. Please oppose A.B. 354.

**Matthew Yealy, Private Citizen, Henderson, Nevada:**

One of the previous speakers talked about pointing weapons at a polling place up north. That is already illegal. Were the police called or was anything actually done about this, or is it hearsay to invoke fear? Owning and possessing a firearm is not a criminal offense. Naked fear does not negate a constitutional right.

The question I have about this bill, honestly, is about section 1, subsection 1(d), "The otherwise lawful possession of a firearm in a residence, in a business or on private property that is located within 100 yards of an entrance to an election site." If the election site is at a grocery store, does that contradict each other? To the legislator who asked about firearms on school district property, NRS 202.265 already clearly states you cannot have it on the property without being a peace officer, security guard, or with written permission from the person in charge.

**Chair Miller:**

Your one minute is up. Is there anyone in Las Vegas who would like to testify in opposition? [There was no one.] Is there anyone on the phone who would like to testify in opposition?

**Michael Findlay, Director, Government Relations, National Shooting Sports Foundation, Newtown Connecticut:**

The National Shooting Sports Foundation is the trade association for firearm manufacturers, retailers, and ranges. We also own the SHOT Show in Las Vegas with over 80,000 people in

attendance. We do over \$200 million in direct revenue, over 60,000 people—heads in beds. We are in opposition to this bill. With my limited time, I want to point to the definitions. This was a little bit poorly written. It differs from the federal definition from ATF. It really puts into question as to what part of modern firearms need to be serialized or unserialized. It would make potential criminals out of law-abiding citizens for doing grip swaps, receiver swaps, handguard swaps, and things of that nature. It is very unclear. I would implore you to look at the AFT definition and the illustrations outlined.

**Wiz Rouzard, Private Citizen, Las Vegas, Nevada:**

I am calling in my own personal endeavor as a family man who has three kids and loves to exercise my Second Amendment and be a law-abiding citizen. I urge you to oppose this bill. It is pretty alarming that when we hear these comments about feelings of being fearful, it reminds one of the Jim Crow era where a lot of these laws were on the premise of feelings and fear, for African Americans just being present, African Americans drinking from the same water fountain or going to the same school. In this case, this bill looks to segregate and implement other types of segregation-type culture by saying an individual who exercises their Second Amendment is, by nature, fearful. I oppose this bill, and I urge everyone to oppose this bill and vote no. More importantly, it disregards *mens rea*, a guilty mind. In other words, it says by having a gun, you are guilty and you are not presumed innocent. I think that is appalling.

**Cyrus Hojjaty, Private Citizen, Las Vegas, Nevada:**

I remember attending a town hall in 2019 with the Assemblywoman and Congressman Eric Swalwell. We have admitted there is more than just gun control. There is the fact we have high levels of income inequality, greater use of drugs, decline of family, cultural change, mass media, as well as other factors such as open borders, that really deter people to engage in these horrible incidents. It is really the anger that is the problem. If we want to do something like this, we should expand to other means. Also, when did we engineer a society where the use of having a gun would be so minimal? Have you ever thought about that?

**Jason Tingle, Private Citizen, Carson City, Nevada:**

I am in opposition to A.B. 354. I would like to remind everyone there is no such thing as a traceable or untraceable firearm. They do not have homing beacons that let you know and beep, and they do not have a GPS on them so you can track them down. Eighty percent or greater of firearms are stolen or trafficked. What that means is someone uses it, they find the firearm, they trace it back to John Smith in Nevada, and they find out John Smith reported it stolen five years earlier. Congratulations. You just made a giant circle and did not trace it to the killer or the person who perpetrated the crime. That is not going to do any good. We have a fundamental and constitutional right to build our own firearms if we choose. That is a fact. The average response time is well over five minutes for the police to arrive. Are you going to protect me at the polling places if one of these crazies does show up? I am a CCW instructor. I can guarantee you, all my people are good law-abiding citizens who will protect another in the face of danger. If you are not willing to protect me, who do I go to for protection if I am not allowed to protect myself?



**Chair Miller:**

Sir, your one minute is up.

**Michael Ryan, Private Citizen, Las Vegas, Nevada:**

I am a longtime resident of Nevada, a Marine Corps veteran, and a responsible gun owner with a concealed weapons permit. Assembly Bill 354 adds polling places to a long list of gun-free zones in Nevada. It is no accident that most mass shootings occur in gun-free zones because perpetrators look for places where they know they will meet little or no resistance. This bill represents infringement of a core constitutional right without any indication it will do anything to reduce gun violence. Please, do not support this bill.

**Norma Scurlock, Private Citizen:**

I am opposed to A.B. 354. I would like you to do your duty that you swore to uphold the *Constitution of the United States* and stop trying to change it. Just because you have a fear of something, why should my rights be infringed upon? I have worked at poll places. I feel safer if there is someone there with a weapon. I would love to know there were people around protecting us all. I ditto everything everyone else said.

**Chandler Arnold, Private Citizen, Las Vegas, Nevada:**

This is another slightly unconstitutional bill and one that violates the Nevada single subject rule. This bill is impractical, unenforceable, and attempts to solve a problem that, quite frankly, does not exist. If people are being harassed at polling locations, electioneering, brandishing, assault and harassment laws already all exist to address it. Their lack of use clearly shows how little this harassment actually occurs. This bill requires Nevada residents to sacrifice their Second Amendment rights in order to exercise their right to vote. The ballot drop box location in NRS 293.026 is vague and could technically be extended to any mailbox given the recent implementation of mail-in voting here in Nevada. The frame or receiver rule is even more unconstitutional than last time this was tried, especially the laughable, identifiable fire control cavity, even if not indexed or machined. Such definitions could literally mean anything. Further, the ill-defined ghost guns are not representative of any statistical way for being used in crime. The ATF numbers cited by the Brady representative are for firearms seized in relation to a crime—any crime, not used in a crime. Oppose A.B. 354.

**Alex Rodrigues, Private Citizen, Las Vegas, Nevada:**

I am here to speak on behalf of the Libertarian Party. I am here to oppose A.B. 354. I think this is an issue we need to leave with the property owners who are hosting the polling places. If people feel unsafe about carrying weapons, they can go to a property that is going to ban the weapons. If people want to go to a place where people are allowed to carry it, that should be their own business. If it is owned by the taxpayers, the Second Amendment needs to be enforced if it is in a public place like a public park or a public community center. People should be allowed to carry their weapons by the Second Amendment. That is just the way it is.

[[Exhibit F](#) is a compilation of written statements in opposition to [Assembly Bill 354](#).]

**Chair Miller:**

That concludes our testimony by phone for opposition. I will open neutral testimony for [A.B. 354](#). Is there anyone in Carson City or Las Vegas who would like to testify in neutral?

**Michael Messenger, Private Citizen, Henderson, Nevada:**

I am neutral on this bill because I believe society's most important responsibility is to ensure our children can learn in a safe and productive environment in school without the threat of being randomly killed. In my judgment, protecting people at the polls is a lower priority than protecting kids in our schools. What I think the Legislature should do instead is lead the fight to increase public awareness of successful efforts across the country to reduce the rate of gun violence in schools using a variety of innovative approaches. I strongly support the efforts of Moms Demand Action to increase public awareness and the successful efforts to reduce gun violence across this nation because I think we need to take this to the community. You cannot solve this by passing laws at the state level. More details on a variety of innovative approaches to actually reduce gun violence by attacking the causes of these mass shootings and what motivates them is provided to this community under separate cover. [No documentation was received.]

**Chair Miller:**

Seeing no one else in Las Vegas, is there anyone on the phone wishing to provide neutral testimony? [There was no one.] Assemblywoman Jauregui is back to make some final remarks on the bill.

**Assemblywoman Jauregui:**

We have worked hard in this building to make voting free, fair, and easy. Now we also need to do the work to protect it from intimidation. This bill allows Nevadans to exercise their most fundamental right—their right for their voice to be heard without fear. Redefining frames and receivers helps keep us safe from the unserialized and untraceable firearms that can be bought online and assembled at home by people who cannot pass a background check. Like [Assembly Bill 355](#), [Assembly Bill 354](#) is a commonsense policy that will help keep our children and our families safe.

**Chair Miller:**

I will close the hearing on [Assembly Bill 354](#). With that, we as a joint Committee are going to take a quick 15-minute break. When we come back, we have one additional bill to hear. We will see you all back at 5:20 p.m.

[The meeting was recessed at 5:06 p.m. The meeting was reconvened at 5:27 p.m.]

**Chair Miller:**

Before we hear our next bill, for the record I want to clarify to our Assembly members and to the public, this next bill hearing will serve as the Assembly's hearing on the bill according

to Rule No. 50 of the Assembly Standing Rules authorizing committees to hold joint hearings for the purpose of holding public hearings or considering any proposed or pending legislation. I know the agenda from the Assembly said it was informational, but this does serve as the official joint hearing between the Assembly and the Senate. Senator Scheible will take over for the Senate bill.

[Senator Scheible assumed the Chair.]

**Chair Scheible:**

We have one Senate bill on the agenda this evening, Senate Bill 171. I will open the hearing for Senate Bill 171.

**Senate Bill 171: Revises provisions governing firearms. (BDR 15-649)**

**Senator Dallas Harris, Senate District No. 11:**

I cannot tell you how honored I am to present Senate Bill 171 to you all today. Before I do a quick run through of the bill, I have two copresenters with me, Tanya Schardt with Brady United Against Gun Violence, and Ari Freilich from Giffords Law Center to Prevent Gun Violence. You may have heard from both of them earlier today. I also want to say how much of an honor it is to share the space with Assemblywoman Jauregui, who has been doing this work for too long, unfortunately. While I have never been a victim of gun violence myself, at 37 I find that to be mere luck. In this day and age, we have people who are surviving one mass shooting, just to die in another one. We have veterans who are surviving their time overseas just to come home and die in mass shootings. That is just to say we have to do something.

Senate Bill 171 is a fairly simple bill. We will begin with section 1. If you have been convicted of committing or attempting to commit a hate crime involving violence, do we want you to continue to be able to carry a gun? I submit the answer is, Heck no. In section 1, subsection 2(f), if you have been convicted of committing or attempting to commit any hate crime in the last ten years, should you be able to own a gun? Definitely not.

There are definitions under section 1, subsection 3(c). A hate crime has not changed. This bill does not expand what a hate crime is, how a court determines what a hate crime is, or when a hate crime is committed. Let us not have that argument today. But we make sure that not only are we including hate crimes under our state definitions, but also catching those federal crimes that are substantially similar, too. Lastly, we define a hate crime involving violence so it is explicitly clear what we are talking about when we mean a hate crime involving violence.

There should not be as much discussion on this bill as there has been. To me, this is a very simple bill that will save lives. We all know if you have committed domestic violence, you should not have a gun. Why? Because it is likely you are going to use that gun against your

victim at some time in the future. We know that. Water is wet, folks. This bill expands it to the exact same logical conclusion. I will turn it over to my copresenters at this time for a few words, and then we will stand for questions.

**Tanya Schardt, Senior Counsel and Director, State and Federal Policy, Brady United Against Gun Violence:**

Thank you so much for allowing me to speak today in support of S.B. 171. Unfortunately, hate crimes, which are motivated in whole or in part by offenders biased against a race, religion, disability, sexual orientation, and gender identity, are on the rise in this country. In 2020, hate crimes reached their highest levels in more than a decade and the FBI [Federal Bureau of Investigation] has noted the significant risk of racially motivated violent extremism. Some of the deadliest mass shootings in this country have been hate crimes: at a Walmart in El Paso, Texas; a gay club in Colorado Springs, Colorado; spas in Atlanta, Georgia; a grocery store in Buffalo, New York; a church in Charleston, South Carolina; a temple in Oak Creek, Wisconsin; a synagogue in Poway, California. This list goes on and on. But this is just part of the story. Shockingly, each year over 10,300 people are victims of hate crimes involving a firearm. We have to accept that if individuals with a prior hate crime misdemeanor conviction are at an increased risk for future violence in firearm-related crimes, the distinction between being convicted of a misdemeanor or a felony may not be entirely reflective of the crime committed or the potential danger to society.

Slowing the growth of hate-based gun crimes requires action at the state level. Approximately 47 states have enacted hate crime laws, but the strength, breadth, and applicability of these laws vary greatly. Twenty-eight states still allow individuals convicted of misdemeanor hate crimes to possess firearms, including Nevada. It is time for Nevada to take action.

This bill is a commonsense gun violence prevention measure that will enact a temporary prohibition on the purchase of firearms for someone whose actions may not be deliberately violent but are rooted in hate. Further, there is no better predictor of future violence than past violence, and individuals who exercise violence on the basis of hate present a clear danger to society. It is time to ensure that those who have been convicted of violent hate crimes are prohibited from purchasing and possessing firearms. Absent action, hate can quickly turn lethal, destroying families and communities in an instant. I urge you to pass S.B. 171.

**Senator Harris:**

The next copresenter is on Zoom to give some opening remarks.

**Ari Freilich, State Policy Director, Giffords Law Center to Prevent Gun Violence:**

Giffords Law Center to Prevent Gun Violence is the constituent organization led by former Congresswoman, gun owner, and gun violence survivor, Gabby Giffords. Two years ago, we published a report titled, "How American Gun Laws Fuel Armed Hate," which documented

the need for legislation, just like this bill, to strengthen protections against a rising tide of armed, violent hate crime perpetration nationwide. I am here to voice our strong support for this bill.

Nevada's gun safety laws are currently built around some basic consensus views that we can effectively promote law-abiding, responsible individuals' ability to access firearms for legitimate self-defense, hunting, and recreation purposes, while at the same time intervening to protect human life and safety from specific individuals who are determined, pursuant to court due process, not to be law-abiding and not responsible after they perpetrated serious acts of criminal violence or abuse. Accordingly, as the sponsor noted, Nevada now generally permanently disqualifies people from accessing firearms if they have been convicted of most felonies, domestic violence, or stalking misdemeanors. But hate crime offenses remain a glaring safety gap.

Under existing Nevada hate crime law, Nevada directs courts to impose longer prison sentences for certain misdemeanor offenses like violent assault and battery if the prosecutors prove beyond a reasonable doubt that hate crime motivation was the primary cause of the offense and if the offender would not have perpetrated that crime but for the victim's race, religion, identity, or other protected characteristic. Under existing Nevada and federal law, people convicted of these same extended prison-term hate crime offenses generally remain eligible to keep and access guns, including assault weapons, at all times, including people convicted of violent offenses involving, for example, the intentional infliction of bodily injury, use of physical force to intimidate, brandishing or discharging a firearm in a manner calculated to intimidate and threaten a victim, or making other credible criminal threats of violence.

To say that again, Nevada law today allows a violent hate group member who was convicted yesterday of intentionally violently injuring someone in a hate crime attack they would not have perpetrated or it is proven it would not have been perpetrated but for that person's race, religion, et cetera—or maybe they brandished or discharged a firearm intending to threaten that victim—they can go out tomorrow and purchase, keep, and openly carry in public spaces assault weapons and any other firearm. That offender would likely fail a firearm background check today in California, Oregon, and in neighboring Idaho, but not in Nevada. That is not the right balance for public safety. The right of all people to be safe, alive, and free from violence and intimidation because of who we are, where we come from, and how we pray, is essential to the free exercise of all other rights.

I want to emphasize again, as the sponsor noted, this does not need to be a controversial effort. Next door in California, the Disarm Hate Act passed in 2017 with zero no votes and zero recorded opposition in the legislature—truly bipartisan and unanimous. As I mentioned, other neighboring states that we do not often look to for a stronger gun safety law inspiration, like Idaho, actually already broadly classify nearly all hate crimes as felonies in all cases, which triggers state and federal firearm disqualifications.

This bill is especially needed because extremists and hate groups so often use firearms as tools of violence and intimidation, experts in analyzing hate crime risk will have effectively and exhaustively documented the fact that hate crime offenders tend to escalate the severity of their conduct until they feel their message is heard. They may start with speech, they rise to broken windows, and then they escalate to violence and more. These patterns of risk and escalating violent behavior underscore the need to ensure individuals who have already demonstrated propensity to escalate bigotry into criminal, convicted, hate-motivated conduct and violence are prevented from possessing or acquiring weapons designed to extinguish a human life.

**Senator Harris:**

That concludes our bill presentation. We are happy to stand for questions from the Committees.

**Chair Scheible:**

Are there any questions from members?

**Assemblywoman Hansen:**

In Nevada, what other misdemeanors do we suspend certain rights for?

**Senator Harris:**

One example that was raised is domestic violence. It is not, in fact, a felony in all cases. For reasons I think are clear, we have decided that might not be a misdemeanor that we want to allow folks to have guns. I will also note hate crimes are not just misdemeanors, they are gross misdemeanors. Personally, I am not a fan of bumping everything up to a felony. Sometimes we have a tendency to give out felonies like candy. The answer may not necessarily be to raise it to the level of a felony when really all we are trying to get at is making sure they are not able to access guns.

**Assemblywoman Hansen:**

Domestic violence is a gross misdemeanor, as I recall. Is a gross misdemeanor and a felony the ones we suspend gun rights for currently?

**Senator Harris:**

I am not going to commit that it is the full list. I do not have all of those offenses in front of me, but I know for sure it is at least those two instances. This would also be felonies that are not necessarily violent. We just said all felonies without any tie to some likelihood of using a weapon to harm someone in the future.

**Chair Scheible:**

We do not have our Legal Counsel here at the moment, but we can definitely follow up.

**Assemblywoman Hansen:**

I am sorry. I know domestic violence is a gross misdemeanor; I was curious if there were any other misdemeanor categories that suspended a gun right.

**Bradley A. Wilkinson, Committee Counsel:**

If you look on page 2, line 22, stalking is also a disqualifying offense, which could be a misdemeanor.

**Chair Scheible:**

Any other questions?

**Assemblyman Yurek:**

You alluded to this in your response to Assemblywoman Hansen. I will be honest; my concern is that we might unintentionally include some nonviolent issues where people are expressing often horrible hate speech or something like that. In the interest of protecting the First Amendment rights—which I have experienced as a law enforcement officer, horrible hate speeches that I wanted to shut down but realized I could not because people have a right to have whatever opinions they have—maybe a better approach to this would be to classify these sort of hate crimes as felonies and then address it through that as a convicted felon not being able to possess a firearm.

**Senator Harris:**

Personally, I can say I am not a fan of making everything a felony. Felonies also carry other losses of rights, like being able to serve on a jury and, in some states, being able to vote. I do not think that is the appropriate answer. As to your First Amendment concerns, that really goes to the idea of what a hate crime is. You will have to look at *Nevada Revised Statutes* (NRS) 207.185 for the definition of a hate crime. We protect free speech in this state and in this country. Nothing in this bill would change that.

**Assemblywoman Gallant:**

How did you come up with the ten-year time frame for this? Is it referenced anywhere else as the standard?

**Senator Harris:**

I am going to call my Zoom friend and have him talk a little bit about why he felt ten years was a good answer for this. I will say ahead of his response that we wanted to make it clear we did not think it was necessary and proper if the hate crime is nonviolent to take your gun away forever. We needed to find what we felt might be some cooling off period. I will let Mr. Freilich speak more to the ten years specifically.

**Ari Freilich:**

As a quick answer, that is exactly what was passed in California as part of the Disarm Hate Act in 2017. It is a similar time frame, cooling off period we have seen in other states for similar violent misdemeanor disqualifications, trying to balance the need to provide a real

cooling off period for people who have demonstrated significant risks or perpetration of violence, particularly with deadly weapons, but also recognizing when that conduct was serious and criminal—again, not the speech—but criminal, serious threats, harassment, stalking, and those kinds of offenses, providing some kind of period for that to expire at the end of ten years. It also was to give the person a chance to restore their full access to firearms.

**Assemblywoman Gallant:**

We have been hearing some cases in the Assembly Committee on Judiciary about the process of getting things removed from people's records. It is intense and there are a lot of steps. What would the process look like if someone were charged with a hate crime and could not purchase a gun for ten years? Is there something the person could do in order to gain their Second Amendment right back?

**Senator Harris:**

It is not the intent of this legislation to require a process that would be similar to getting your record sealed. Again, I will go back to Mr. Freilich. How I believe this would work is it would be through the background check process. Individuals would not have to take any additional steps. If it had been ten years, they would no longer be a prohibited person.

**Ari Freilich:**

That is correct. It would be an automatic expiration with a background check disqualifier after ten years.

**Chair Scheible:**

We could have our Legal Counsel clarify if every conviction comes with a conviction date. We would be able to calculate backwards from that date whether or not it had been ten years.

**Bradley Wilkinson:**

Yes, that is correct.

**Assemblywoman La Rue Hatch:**

I teach in a very diverse school, and my students are targets for a lot of reasons, including hate crimes. I want to touch a little bit on my colleague's concerns about free speech versus hate crime. As I am reading this, a person has to be convicted of a hate crime. I would imagine that is an extensive process. It is more than someone saying something racist. Could you walk us through what it takes to get a hate crime conviction?

**Senator Harris:**

I do not practice law in this area, but it is my understanding it is extremely difficult proving the type of intent you need in order to actually charge someone under this statute. In some



ways, that is for good reason. It is not that we have a proliferation of people being prosecuted for hate crimes. The numbers are probably lower than they should be because the bar is so high.

**Assemblyman Gray:**

On page 4, line 3 of the bill, how does the definition of hate crime apply to NRS 200.571, subsection 1, paragraph (a), subparagraphs (1) through (4), which is harassment? It mentions nothing about hate crimes and it is only the use of words. That is going to be a First Amendment violation and you are going to take someone's constitutional rights away for expressing themselves.

**Senator Harris:**

This bill does not touch the definition of hate crimes. I know a lot of folks have a philosophical view about what a hate crime should or should not be. That is not this bill.

**Assemblyman Gray:**

That is what I am saying. In that definition, nowhere in the current verbiage does it mention that harassment I cited is a hate crime. You are inadvertently adding it to a hate crime.

**Tanya Schardt:**

It is not a hate crime unless there is a determination, which is in NRS 207.185, that it was incentivized by someone's actual or perceived race, color, religion, national origin, physical or mental disability, sexual orientation, or gender identity or expression. That is what removes it from being simply harassment into being a hate crime of harassment.

**Senator Harris:**

I would hope you would not get so close that you would be worried—not you necessarily, but any person this would apply to. There is not really a sense that by expressing yourself or expressing displeasure with a certain person you are going to be convicted of a hate crime. These are crimes that are clearly motivated and have to be proven in a court of law to be tied to a limited circumstance of cases, whether it be race, religion, or sexual orientation. This is not something that people should feel they might violate on any given day.

**Assemblyman Gray:**

Understood, and I agree with you. I am worried it would be expanded to be beyond hate crimes. Under NRS 200.571, subsection 1, paragraph (a), subparagraphs (1), (3) and (4) all fall under a conviction for harassment, which would make you ineligible according to the blue language in the new law.

**Senator Harris:**

I see what you are saying on page 4 of the bill, in section 1, subsection 3, paragraph (d). It is not the entire statute of NRS 200.571.

**Assemblyman Gray:**

There is no mention of violence in there; it is strictly your words get you in trouble and you wind up with a conviction and lose your constitutional rights.

**Ari Freilich:**

I just want to read the definition of the criminal harassment statute in NRS 200.571. There may be some confusion because it is different from civil harassment. This is criminal harassment, which is essentially no criminal threats. The First Amendment and other principles would not allow us to put someone in jail for speech alone. The criminal harassment statute says the person is guilty of harassment if, without lawful authority, they knowingly threaten, "(1) To cause bodily injury in the future to the person threatened or to any other person; (2) To cause physical damage to the property of another person; (3) To subject the person threatened or any other person to physical confinement or restraint; or (4) To do any act which is intended to substantially harm the person threatened or any other person with respect to his or her physical or mental health or safety."

The references to certain subparagraphs of this statute are to describe hate crime and violence, to refer to those that cause bodily injury and threats to inflict bodily injury. Those would be permanent disqualifiers. The others involving threats to damage property and damage to physical or mental health would be a ten-year prohibitor because those are criminal threats, perhaps separate from more attenuated to physical injury.

**Senator Hansen:**

Senator Harris and I have had extensive conversations on these issues because we have very fundamental differences on this issue. I do not think there should be different classes of victims when the acts against the individual are the same. For example, if someone came into the building and did something against me that would qualify as a gross misdemeanor and the motive behind it is greed—in other words they are going to steal my wallet and take my money—versus if they come in and do the exact same act and their motive is they hate my religion, why in one case am I less valuable of a victim than in the other case?

**Senator Harris:**

You always put the fun in fundamental disagreement, and I appreciate that. I am trying to stay away from having the hate crime discussion because we are going to have that *ad infinitum*.

**Assemblyman Hansen:**

Not really, because we are actually putting it into law right here, so we need to have the discussion. This is a major change. While we laugh about some of these things, the reality is we are punishing people, not only for the act of violence, but we are also punishing them for thoughts we find repugnant.

**Senator Harris:**

Senator Hansen, the fundamental point here is you probably only have to worry about being robbed or beaten up out of greed or anger. That is the difference. That is why we do this, because some people will get beat up because they mess around with someone else's wife.

**Senator Hansen:**

It is currently a crime to beat somebody up. The motive is typically not something you add additional punishments to because you disagree with the thoughts behind it, whether it is greed, jealousy, or whatever the human passion may be.

**Senator Harris:**

Understood, Senator Hansen, and I personally believe in the United States of America, the right thing to do is add an additional punishment if you are assaulting someone for an immutable characteristic versus they wronged you in some way. Those are two very fundamental things, and we must do whatever we can to discourage that type of behavior so every American can walk around this earth and only be worried about being robbed as opposed to getting beat up for their skin color or their sexual orientation or their religion. I guarantee you, sir, if someone came and inflicted violence on your family because of your religious beliefs, you, too, would be protected under this bill. I want you to remember that you often think of other scenarios because that is not a threat you live under every day. That is not the case for some other people in this country, and we have to do whatever we can to ensure people can feel safe in their skin because they cannot change that. We do not have a free country, we simply cannot have a free America, if people are afraid they might face a crime because of who they are.

**Senator Hansen:**

Agreed, but I would point out—and this goes back to an argument Senator Harris and I have regularly sitting next to each other on the floor—we just had a hate crime in Tennessee that involved an attack on Christian people because they were Christians by someone who found that fundamentally wrong because they disagreed with it. To me, that is a clear hate crime, so it is a two-way street. That one is a little out of the ordinary. In my opinion, no matter what the motive of the individual was, it is the act of murdering someone that should be punished. I know we are getting out in the weeds a little bit, but I think we are drifting off to where we are starting to do something that is not only a violation of several things, but mainly we are going into the mindset of human beings and those punishing thoughts we find repugnant. I think we should be punishing physical acts that people do irrespective of those sorts of things. I just wanted to get that on the record.

**Senator Dondero Loop:**

I do not have a question; I have a comment just from listening to this conversation. Am I wrong when I think about crimes against the elderly, or over 65—I do not believe Senator Hansen is there yet, but some of us might be—are they similar in a way? If someone did

something to someone over 65, they would have a more severe penalty, just like if they did something to someone who had a different religion, skin color, et cetera. Am I wrong? I am not an attorney, I just thought about that while I was sitting here.

**Senator Harris:**

You are correct in that there is nothing new about changing what type of punishment we provide based upon who the crime is committed towards. Not just elderly people, but we have wholly different punishments for committing sexual violence against children. This is a scheme that we operate in frequently—and for good reason—because some behavior needs to be deterred at a higher level than some other behavior. The best way we can do that as a society is by assigning different punishments to that behavior. Yes, you are correct.

**Assemblywoman Cohen:**

We also have special enhancements for crimes against the disabled, as well, correct?

**Senator Harris:**

Yes, that is absolutely correct. I am sure there are probably a couple of other categories we could think of.

**Chair Scheible:**

Are there any other questions? [There were none.] I would like to follow up on Assemblywoman Cohen's question and also clarify for the record that some of these protected classes we are talking about—crimes against a person over 65, crimes against someone who is disabled—those are enhanced simply by the characteristic of the victim, whereas the hate crimes we are talking about require additional proof that it was motivated by hatred toward that class of people.

There could actually be a factual scenario where someone is committing a crime against a person over 65 that may or may not qualify as a hate crime, and the things a judge would look at would be when the person attacked the person over 65, are they saying words that are indicative that they hate people who are elderly. Are they calling them by certain names? Are they also choosing to do this in a place where a lot of other people over 65 will receive a message that they are disliked because of their age? That is distinct from simply committing a crime against someone who belongs to a particular class.

I want to clarify and make sure the bill, No. 1, is intended to do this. And No. 2, does this restrict the prohibition to those crimes where you actually have to prove the motivation, not just the ones where the victim happens to belong to a particular class?

**Senator Harris:**

That is a valuable insight, and you are, in fact, correct. No one would be subject to this legislation simply because the crime they committed was against a person of color, or someone who identifies as LGBTQ, or someone who holds a particular religious belief. There is that additional step where it has to be proven it was motivated by that characteristic.

That second step is not applicable when you are committing a crime against someone over 65 or committing a crime against someone with a disability. Just by virtue of doing that, you have committed the harsher crime already.

**Chair Scheible:**

That leads into my second question about why you chose to bring this bill. Is the purpose—because I see a couple of things that could be the purpose—to escalate the punishment for hate crimes? Is the motivation to prevent people from committing hate crimes? Or is the motivation to prevent a group of people who we can identify as being at a higher risk of committing violence with a gun from having that gun and, therefore, is the goal to reduce gun violence and reduce victimization in our community by people who should not have access to guns?

**Senator Harris:**

It is the third one.

**Chair Scheible:**

Even though we are talking a lot about punishment and whether or not people are being punished equally, that is actually not the purpose of the bill. It is not to change the punishment scheme for hate crimes, but to serve a public policy purpose in preventing gun violence.

**Senator Harris:**

This is not about trying to further punish anyone just because they committed a hate crime. It is, in fact, about keeping the Nevada population as safe as possible by taking guns away from the people who are most likely to use them against someone else.

**Chair Scheible:**

By that nature, there is a logical nexus between the crimes we are zeroing in on to focus on and the policy. It is not random. There is a reason we are choosing these particular crimes.

**Senator Harris:**

Absolutely, yes. There is a clear nexus here. I believe the data shows, again, as I mentioned earlier, similar to those who commit domestic violence, if you commit a hate crime, it is likely you will use a gun at some point to perpetuate that crime. If we can do something to keep people safer in a targeted manner that makes sense, we should do it.

**Chair Scheible:**

I agree with you. Did that inspire any other questions from members? [There were none.] That concludes the bill presentation. We will move on to testimony in support, limited to one minute per person, but you are always more than welcome and encouraged to submit testimony in writing. I will repeat my usual admonishment—I personally read everything that is submitted to us, and I encourage the Committee to do the same. We will start with in-person testimony in Carson City.

**Elliot Malin, representing Anti-Defamation League:**

Founded in 1913, the Anti-Defamation League is a leading anti-hate and civil rights organization whose mission is to stop the defamation of the Jewish people and to secure justice and fair treatment to all.

Today is the first day of Passover. Last night was the first night. We are going into the second night. I am currently missing a Passover seder to be here because this bill is important to us. It is not lost to me that we are hearing this on Passover, a holiday about our liberation and our right to live peacefully as who we are.

Anti-Defamation League researchers found that guns have been the murder weapon for the majority of extremist-related killings in every year since 2014. The law needs to take into account the specific risk factors that increase the likelihood of individuals engaging in future violence, including whether someone has committed a hate crime. Year after year, antisemitism is the fastest growing violent hate crime. Jews around our country and in our state have to attend synagogue with armed guards because we are fearful for our lives because people like to come in and kill us. Our synagogue in Reno has been firebombed twice.

**Chair Scheible:**

You are at one minute.

**LC Rapert, Deputy Director, Silver State Equality:**

Silver State Equality is Nevada's statewide LGBTQ+ civil rights organization. We are here today to offer our enthusiastic support of this vital safety measure that will prevent firearms from getting into the hands of individuals who have been convicted of or attempting to commit a hate crime.

According to demographics collected by the FBI, 15.6 percent of reported hate crimes were committed based on a person's sexual orientation. In the same year, 3.6 percent of reported hate crimes were committed based upon a person's gender identity or expression, which was up from 2.5 percent the previous year. We have seen attacks on the trans community across the country. This bill will protect these vulnerable Nevadans and save the lives of people from all walks of life and every corner of the state. I urge you to support this very important piece of legislation.

**Briana Escamilla, Director, Regional Organizing, Planned Parenthood Votes Nevada:**

We are in support of S.B. 171 because allowing people who have been convicted of hate crimes to possess firearms poses a grave risk to our public safety, especially for marginalized communities. Nevada is one of the most diverse states in the nation, and it is so important that all of our communities feel safe from gun violence based on their identities.

On a personal note, as a queer woman of color, I think about hate crimes all the time. When I am walking down the street with my wife, I am scared. When I am in a queer space, I am scared about the possibility of an active shooter. When I am the only person of color in a room, I make sure I know where the exits are. This is my reality, and it is the reality of a lot of Nevadans. This bill would make me feel safer in my state.

**Christine Saunders, Policy Director, Progressive Leadership Alliance of Nevada:**

We are here in support of S.B. 171. Over the past decade, our nation's rhetoric has shown an increase in racist, antisemitic, homophobic, and other hateful comments and actions. We have seen hate-motivated attacks in Colorado at Club Q, Texas at an El Paso Walmart, and in Georgia at a number of local spas, just to name a few. We cannot allow people who are at risk of greater violence to continue to own firearms and to pose a threat to our communities. We urge your support of this bill.

**Annette Magnus, Executive Director, Battle Born Progress:**

We are here today firmly in support of S.B. 171. This bill is a vital safety measure that will help us in protecting Nevada's most vulnerable populations. Nevada is a diverse state and passing proposed legislation like S.B. 171 reflects the values of the community by taking a strong stance against those who would commit acts of hate. This bill sends a clear message: these actions will not be tolerated in Nevada because hate is not the Nevada way.

I am tired of seeing attacks on my trans family, my Black and Asian family, my LGBTQ+ family, and so many others. I want to personally thank my senator, Senator Dallas Harris, for taking up this measure and for working with us for over two years on this critical policy. Please support S.B. 171.

**Christiane Brown, Member, State Executive Committee, Brady United Against Gun Violence Nevada:**

I want to thank you all for the opportunity to speak today in strong support of S.B. 171. Just to clarify, this is not removing the ability to purchase a firearm based on a thought. This is not a precrime bill. This bill prohibits firearms from being sold to people convicted of a hate crime, a very high bar for conviction, which requires proof of attacks being motivated by that hatred, not a thought crime. That does need to be clarified.

In an average year, more than 10,300 people convicted of hate crimes used a firearm in that act. That is where the firearms come in. That is more than 28 people each day. We speak in strong support of this bill. It is time for people to be safe being who they are in their community, and that is the Nevada way.

**Linda Cavazos, Private Citizen, Henderson, Nevada:**

I am a Nevada Moms Demand Action volunteer and also a gun violence survivor supporting S.B. 171. In my capacity as a teacher and a mental health provider, I have seen the heartrending and long-lasting effects of hate-fueled harassment, assault, public humiliation, and intimidation, frequently with a firearm, against but not just including my Black, Latino,

LGBTQ, Asian American, Pacific Islander, Jewish, and Muslim clients and students. The youngest was six years old, attacked for her ethnic hairstyle, and the oldest was 86, a Jewish, disabled gentleman. Can the convicted perpetrators of the above hate crimes still buy and possess a gun? The disturbing answer is yes because they were classified as misdemeanors, not felonies. Senate Bill 171 addresses this gap in our present laws. I ask you to please support this bill. No matter the classification, guns and hate crimes are a lethal combination, leading only to more heartbreak and shattered lives and communities.

**Geena Marano Springmann, Private Citizen, Henderson, Nevada:**

I am a volunteer with Moms Demand Action. As a social worker in Clark County, my clients are targeted daily because of who they are for their identities and their religion. As a gun violence survivor, I know the unfortunate fear of being targeted and how it becomes lethal and life altering when a gun is involved. As a Jewish woman, I fear the idea that someone who threatens and attacks my community can later have access to a deadly weapon in order to wreak more havoc. Each time I am in my temple, the first thing our rabbi points out are the immediate exits in case we are next on the long, unfortunate list of synagogues targeted. This bill is personal to me and important to pass to help prevent future tragedies. Please disarm hate.

**Marisa Marano, Private Citizen, Henderson, Nevada:**

I am a survivor colead for Moms Demand Action, a clinical social worker, and mother. I want to first apologize to those of the LGBTQIA+ community in this room whom the opposition has expressed hatred toward today. Hate should not be intertwined with a Gun Sense discussion. This is the exact reason why we should pass S.B. 171. This bill will prohibit people who have committed hate crime misdemeanors from possessing guns. In the United States, more than 28 hate crimes are committed per day. More than 28 per day will suffer from the same nightmare I experienced the night I had to lay on top of my little sister and her friends to protect them from a mad man with several guns. I tell myself, that is what big sisters are supposed to do. But the truth is, like my sister says, it is your job as leaders of our state to protect us from mad men or women with several guns. Please support S.B. 171. Our lives depend on it, and disarm hate.

**Chair Scheible:**

Seeing no one else in Carson City to give support testimony, we will move to Las Vegas for support.

**Ariana Saunders, Private Citizen, Las Vegas, Nevada:**

I am a volunteer with Moms Demand Action. I am here today to ask you to support S.B. 171 to prohibit people who have committed hate crime misdemeanors from possessing guns. As you just heard, in the U.S., more than 28 hate crimes that involve a gun are committed every day. As a Black woman and a mother, that directly impacts me, my community, and my family. The sense of safety we all deserve to live with is increasingly harder to reach when we know Black people are six times more likely to die by gun homicide, and they are victims of nearly half of all race-based hate crimes. Nearly 75 percent of homicides committed



against trans people are with a gun. It is clear that hate and guns are a fatal combination. Senate Bill 171 can dismantle that combination and help restore a sense of safety that those unfairly targeted by hate deserve. Please remember, the word ally is a verb. Please take action to keep the members of your community and your constituents safe by showing them you will not tolerate hate and you will do what it takes to disarm hate in our communities. Pass S.B. 171 and disarm hate.

**Wendy Starkweather, Private Citizen, Henderson, Nevada:**

I am a volunteer with Moms Demand Action. I am here today in support of S.B. 171. It is a commonsense measure that will prohibit people who have already committed hate crime misdemeanors from possessing or purchasing guns. You have heard the statistics, and you have also heard hate crimes literally target people in minority communities. I am afraid for those communities and the people of them who have communicated their fears today. This bill will help ensure people with a proven history of violently expressing their hateful views cannot access firearms. The bill will also strengthen the current law to ensure a person convicted of the crime of battery that results in domestic violence will be unable to purchase a firearm. It is clear to me that Nevada's vulnerable communities will be safer with the passage of S.B. 171. Please support this bill and disarm hate.

**Jessica Cantu, Private Citizen, Henderson, Nevada:**

I am a volunteer with Moms Demand Action. I ask you to support S.B. 171 to prohibit people who have committed hate crime misdemeanors from possessing guns. It is your duty as lawmakers to ensure individuals who have proven themselves dangerous to others, who threaten the safety and the very lives of their fellow Americans, do not have legal access to lethal weapons. Please keep guns out of dangerous hands by supporting this bill.

**Nicole Solovey, Private Citizen, Las Vegas, Nevada:**

I am a volunteer with Nevada Moms Demand Action. I am also a management consultant and a mother. I am here today to ask you to support S.B. 171 to prohibit people who have committed hate crime misdemeanors from possessing guns. A misdemeanor hate crime could include intentional infliction of bodily injury, use of force to intimidate, brandishing or discharging a firearm in a threatening manner, and credible threats of violence. Hate crimes have been on the rise, specifically antisemitic hate crimes. As a Jewish person and the mother of two young, Jewish children, unfortunately, I know we can be targeted. Everyone deserves to be safe knowing that people with a proven history of hate motivated violence do not have access to firearms. Please support S.B. 171 and disarm hate.

**Neil Gilfillan, Private Citizen, Las Vegas, Nevada:**

I am in support of S.B. 171. A person who has known violent hate but comes to understand and subdue that evil within them will not have need for such a weapon. Wanting one demonstrates they have not yet conquered their ego, so they are still a risk.

**Adonna Frankel, Private Citizen, Las Vegas, Nevada:**

I am Jewish. Previously, I went to one synagogue and there were armed guards in the parking lot. Last week I went to a Purim carnival in Summerlin, Nevada, and everyone had to go through metal detectors. Last night I went to a Passover seder in Henderson and there were two police cars with all their lights flashing at the closest intersection. It is not a problem that is going away, and it does not just affect the Jewish community. I hope our Legislature can pass this bill and make our communities safer.

**Chair Scheible:**

Seeing no one else in Las Vegas, we will go to the phones for testimony in support of S.B. 171.

**Jennifer Pfliegler, Private Citizen, Henderson, Nevada:**

I am a volunteer with Nevada Moms Demand Action. I am asking you to support S.B. 171, which prohibits people who have committed hate crime misdemeanors from possessing guns. In the United States, more than 28 hate crimes involving a gun are committed every day. These hate crimes target minority communities and can be deadly. It is personal when family and friends who fall into various minority populations are at risk of being the victim of a hate crime. I urge you to please vote to support S.B. 171 and disarm hate.

**Rudy Zamora, Private Citizen, Las Vegas, Nevada:**

As a gun owner, I am asking you to support this measure. My Latino and Asian family are asking you to disarm hate because we cannot keep having your thoughts and prayers after every incident that our communities face. Please support this measure and disarm hate.

**Eric Jeng, Deputy Director, One APIA Nevada:**

Last month, the FBI released hate crime statistics for 2021, citing 740 citizens attacked people of Asian descent across the country, up from 249 a year earlier, and the most reported in three decades. Asians make up 12.5 percent of the state's population. On the other hand, Stop AAPI Hate, a nonprofit group that began tracking hate crimes against Asian American Pacific Islanders during the pandemic has tallied more than 11,000 complaints of experiences allegedly involving hate since 2020. As the third-most multiverse state in the nation, we thank Senator Harris for sponsoring S.B. 171 to disarm hate. It is about safety, it is about security, and it will save lives in our community.

**Erin Rook, Private Citizen, Las Vegas, Nevada:**

I live in Assembly District 3. As a queer and transgender person, I am in daily fear of bias-motivated violence. Why? Because I have heard the story of too many victims, both as a journalist reporting on hate crimes and as a friend and loved one of multiple people who have been assaulted simply for existing. And it is getting worse. In a speech at a recent Conservative Political Action Conference, Michael Knowles said, "Transgenderism must be eradicated from public life entirely." Just two days ago, his *DailyWire* colleague, Matt Walsh, delivered a public talk at New Mexico State titled, "Genocide: How the Trans Agenda Destroys Human Life and Common Sense." While these comments may dance on

the line between free speech and intimidation, I have seen how they can inspire others to violent harassment. After publishing a critical review of Walsh's documentary, *What Is A Woman*, I found myself in the crosshairs of its followers, who sent me messages like the following: Hey, I hope somebody will beat you, not to death but to disability. That way other people can continue to beat you.

According to the National Institute of Justice, hate crimes motivated by bias related to sexual orientation or gender identity are more likely to be violent. While not all crimes can be prevented, prohibiting those with a history of bias-motivated violence and intimidation from possessing firearms is a commonsense measure to prevent future harm to those targeted by hate. Please support S.B. 171.

**Jeri Burton, Co-Executive Director, Nevada Chapter, National Organization for Women:**

I have also been a volunteer for Nevada Moms Demand Action. I am calling in support of S.B. 171 because no one convicted of a hate crime should be allowed to buy a gun, period. We need to disarm hate. Please vote for S.B. 171.

**Daela Gibson, Private Citizen, Reno, Nevada:**

I am a constituent of Senate District 14 and Assembly District 32. I ditto in support of this bill.

**Nick Marquart, Private Citizen:**

I want to thank you for the time to provide support testimony of S.B. 171. I am a gun owner, and I support everyone's right to have a gun, whether it is mine or anyone else's, but I am also a cisgender white man. What that means is, I will not be the target of any type of hate crime, but the issue with this is, as a safety professional in my day job, I use a methodology called the Hierarchy of Controls. That is what we use to reduce risk. When we know a hazard exists, the first and best effective method we have to control that risk is to eliminate the hazard. When we have someone using a gun to commit a hate crime, we prove that any group is at risk except for people who look like me. This is not something I have had to worry about. By disallowing the purchase of a gun and performing the strong risk mitigation efforts we have, that is removing guns from the hands of people who are most likely to use them, we are saving communities that I love and people that I cherish in my life. Thank you for your time, and please vote yes on S.B. 171.

**Sy Bernabei, Private Citizen, Las Vegas, Nevada:**

I am with Gender Justice Nevada and am calling in support of S.B. 171. I am often threatened online just for being an open LGBTQ+ creator. Last week, I reported 24 threats. One of the most recent ones said, Bullets will solve transgenderism. That person was reported, but I am sure at some point he will try to commit a hate crime. If he does, do you really think that person should be able to get hold of a gun? The mentality of the people who commit hate crimes is not the same as someone who robs someone for their money. Hate crimes are usually more deadly, bloody, and heinous, and usually a combination of verbal

threats against that community. People who are killed in our community are often stalked, pistol-whipped, tortured, sexually assaulted, attacked with acid, and burned alive. That does not happen when someone just robs you for your money. There is a huge difference, and those kinds of people who commit hate crimes should not have access to guns. Again, I support S.B. 171.

**Kimberly Carden, Member, Leadership, Indivisible Northern Nevada:**

I am a resident of Assembly District 31 and Senate District 14. I am a representative for Indivisible Northern Nevada. I ditto in support of this bill.

[[Exhibit G](#) is a compilation of written statements in support of Senate Bill 171.]

**Chair Scheible:**

Having concluded support testimony, we will move to testimony in opposition, starting with those in Carson City.

**Daniel S. Reid, Western Regional Director, National Rifle Association of America:**

I want to start by thanking Senator Harris for the in-depth conversation on this bill. Our opposition stems from the expansion of additional misdemeanor crimes that act as a firearm prohibition. We feel this legislation is overly broad, and the goals include a lot of nonviolent misdemeanor offenses if you look at the definition of hate crime under NRS 207.185. Crimes include disturbing a meeting, nuisance in a public building, and posting of bills, signs, or posters. That is of concern to us. Imagine someone who shows up at a school because they object to the content that is being portrayed there. They may find themselves in this situation. We do not want to have a person in that type of situation. There are more than two dozen offenses listed under NRS 207.185. There is also some core precedent on misdemeanor crimes that do not involve violence. I feel this could fall into that category where it could be unconstitutional.

Just a note on the California bill, there is definitely a clear line of distinction. The California bill included two different categories. One involved force or threat of force. The other was destruction of property with the intent to intimidate someone from exercising their constitutional right. Both of those carry a ten-year prohibition, where in this bill it is a lifetime prohibition for those crimes. The lesser crimes I mentioned, such as unlawful assembly, are the ten-year prohibition. We have some concerns with that. I am in opposition. Thank you for indulging me.

**Chair Scheible:**

I would not normally put someone on the spot, but you did offer to answer questions previously. I just want to see if any members of the Committee have any questions.

**Assemblywoman Cohen:**

If those amendments are made to make it like the California bill, would you be in support?

**Daniel Reid:**

Obviously, any sort of language on a position I may agree upon, I am going to need to see it first. This bill in particular, in some respects, does not seem to be so comprehensive, but when you dig into the definitions of what constitutes a hate crime and all the enumerated offenses that are there, that is where it becomes more problematic. I can tell you in California, we were neutral on the bill.

**Senator Krasner:**

Mr. Reid, if the crimes under NRS 207.185 you said are listed that are nonviolent, such as unlawful assembly, are removed from the bill, then would you be in support?

**Daniel Reid:**

Again, this is really technical. Like the other bills we have heard today, they are of a hyper-technical nature. We heard some subject matter on the definition of frames and receivers and how that can be perceived and the criminal ramifications of what that could lead to for a Nevadan who thinks they are in compliance with the law. When we start to get into matters of rights and someone being able to exercise those and whether they could inadvertently be in violation, I think it is important to dig in and look at the language. I would be happy to have continued discussions, and I am happy to continue discussions with the sponsor.

**Chair Scheible:**

We will continue on with opposition testimony.

**Jim DeGraffenreid, National Committeeman, Nevada Republican Party:**

We are in opposition to S.B. 171 on behalf of the Nevada Republican Party. We are opposed to this bill because of its overreach and subjectivity. Senate Bill 171 proposes to revoke Nevadans' rights to purchase or own a firearm from ten years to forever, but only if they have committed a so-called hate crime. Who decides what a hate crime is? During a recent hearing on Senate Bill 227, the clearly vague and subjective definitions of hate crimes and hate speech leave Nevada's laws wide open for redefining speech someone does not like as a hate crime. If a crime has been committed, it matters not what way. Criminal behavior should be punished consistently regardless of what motivated the crime. To deny anyone their constitutionally guaranteed rights based on someone else's subjective opinion of what they may have been thinking is a travesty. We urge these Committees to not continue down the slippery slope of unequal justice with S.B. 171.

**Janine Hansen, State President, Independent American Party:**

A hate crime can be actual or perceived, according to the bill. Senate Bill 171 is most egregious. It makes even attempting to commit a hate crime a gross misdemeanor, which takes away a person's right to purchase, own, or have in their possession a firearm, denying them the right to keep and bear arms. Hate crimes are totally subjective, subject to political interpretation and, therefore, very dangerous. For instance, a 19-year-old woman was arrested in Utah for hate crimes for stepping on a Blue Lives Matter sign in the presence of a

deputy sheriff. If not for the hate crime loophole, the woman would clearly be protected under the First Amendment. If there is a violent crime committed, it is already against the law, and we should not put dangerous, subjective hate crimes into our gun law statutes. Hate crimes provide for unequal justice.

During the Protection of Marriage campaign, I was repeatedly threatened and had to have a bodyguard with me continually. However, a crime against me would never be considered a hate crime. Please oppose this bill and unequal justice under the law.

**Bob Russo, Private Citizen, Gardnerville, Nevada:**

I oppose Senate Bill 171. Personally, I find this bill to be quite vague when it comes to defining violent hate crimes. If someone is guilty of a violent hate crime because their actions or speech was perceived by someone as a threat, that may not have been the intention or the case at all. As we know, past emotional traumas—and we all have them—can be misinterpreted as a threat when objectively that is not the case. Will someone be charged with a violent hate crime because they peacefully assemble outside an abortion clinic with a sign that supports life? I have concerns that this bill becoming law could be used to target political opponents or people others may disagree with politically. In other words, it can be used as a political weapon to deter the free speech or dialogue of people that other people or groups disagree with. It also infringes upon a person's right to self-defense. I ask you to please oppose this bill.

**Cindy Martinez, Private Citizen, Sparks, Nevada:**

I am a Marine Corps veteran, a retired POST-certified [Peace Officer's Standards and Training] Nevada peace officer, and a certified National Rifle Association of America (NRA) range safety officer. Ditto on opposed testimony. I am Spanish and multiethnic by descent. I am a conservative, a senior citizen, a law enforcement professional, and one of the increasingly persecuted Catholics. I carry a gun to mass on Sunday. We are balkanized, and this bill is an effort to protect everyone from everything, everywhere, all the time, which is impossible.

Senate Bill 171 does nothing to cure what is inherent and abhorrent human nature, and that is evil. To quote Thomas Jefferson, "I prefer dangerous freedom over peaceful slavery." I perceive this, too, to be crafted in the name of safety but clearly written and intended as further incremental infringements of the Second Amendment. Please vote no on S.B. 171.

**Casey Rodgers, Private Citizen, Minden, Nevada:**

First, I want to say, do you know where the increase in hate is coming from? It is coming from propagandists. Now, I would like to ask some questions. Is forced masking a two-year-old and holding his arms down to restrict his breathing of oxygen as he gets on an airplane while he screams, cries, and wails around a hate crime? Is leaving an eight-month-old baby or pulling one apart out of someone's womb a hate crime? Is coercion to feed one's family by putting bioweapon gene therapy into their arms a hate crime? It is ludicrous to think that you can stop hate. Do you think I would not hate someone who did

these things to people? It is the closest thing that just happened to our entire country and our entire globe. You are saying you think you can control hate. One thing a neighbor told me once—because I was gunless and alone in my house with three children—Do you know there are dangerous people out there willing to come into your home and hurt you and your kids? I said, I did not even think of it that way. She said, Maybe you should have a weapon to defend yourself. That is the whole point. It is there for our safety when we believe that is the safe way to live. I oppose this bill.

**Shawn Meehan, Private Citizen, Reno, Nevada:**

The sponsor claimed these types of crimes have a higher bar for conviction, but I was shocked at a story I found from *Newsweek* in November. The San Diego Attorney General's Office reported Roger Witthoeft was convicted of a misdemeanor battery violating a victim's civil rights for slapping the man and telling him to go back to his country. Certainly, offensive and wrong, but he would be falling under this law. The Southern Poverty Law Center is being sued for slander for overly aggressive labeling hate. They are the go-to group that routinely brands mainstream conservative Christians as hate groups, placing them on a map equal with chapters of the Ku Klux Klan. A federal judge refused to dismiss the lawsuit against them. What hate speech is defined as is changing, folks. How about we stop labeling and dividing each other and admit that murder and assault and hate are bad. If I assault Senator Hansen, whether I want his wallet or I do not like him because of his faith, those are both hate in my mind and in my heart.

Our society needs to learn that people looking to commit violence have already cleared the mental hurdle of giving a crap about laws. They do not know the laws, and they are already ready to break some to commit violence before this one even exists. Intolerance and violence in our society will only be resolved when our society learns to encourage love, not forced tolerance and division. Dividing and labeling people is hate.

**Steven W. Hirsch, Private Citizen, Washoe Valley, Nevada:**

I oppose this bill. My great-grandfather fled Germany as a Jew, and I am myself a veteran. Listen closely as to why I oppose this bill. The bill is composed of three very separate issues: owning a firearm after domestic violence, mentally ill, and hate crimes: three very separate things. It should be separated into three separate bills. My issue is, what is considered mentally ill? Being disqualified from owning firearms—according to the *OhioBar.org* by the way—the law recognizes that mental illness can limit the mental capacity of a person to act responsibly. Now that mental health professionals have come to recognize post-traumatic stress disorder (PTSD) as a mental illness and a personality disorder, the law also recognizes that PTSD can diminish a person's mental capacity. This means the law may treat the person diagnosed with PTSD as having a mental illness. You can see why this is an issue for veterans. There are 19.2 million veterans in Nevada. The Nevada Department of Veteran Services says about 7 percent have PTSD, so 1.3 million Nevada veterans would be criminalized for having fought for rights that allowed this bill to come forward and their patriotism brought about their PTSD. I oppose this bill.

**Julie Burke, Private Citizen, Reno, Nevada:**

First of all, I hear so many people talking about their victim stories and how they are targeted. It seems like everyone has one. I, too, have my story. I was threatened by an LGBT person. I have a young family member who was also threatened by another minority group. Lastly, I grew up in a severely domestically violent home. In our home, we did have guns because back then everyone had guns. The difference, I guess, was in those days when something happened involving a gun, you blamed the person. I also wonder if someone drives a car, as they have, into a group of people and kill them, why do we not blame the car or want to take away cars? I think it is just another way to whittle away at our gun rights. It is also disturbing and sad that the real issues get ignored. As the previous gentleman said, there is no desire to address mental health and the mental health prescription drugs that are involved in these events more often than not. As for the discussion getting caught up in a hate crime, if one does not have to worry about getting charged with harassment—

**Chair Scheible:**

Your one minute is up, could you please wrap it up?

**Julie Burke:**

Being ex-law enforcement, I can tell you that well-meaning laws and wording can be manipulated so well-meaning citizens are caught up in that net and have their guns taken away.

**Barbara Jones, Private Citizen:**

I am also opposed to the bill and agree with pretty much what people have said. I would just say, I am not a gun owner, I do not like guns, and I do not want to have one, but we are living in a dangerous time. Hatred is not the answer. It is safer to have people with guns who are going to protect us when someone comes after us when we are receiving hate. Who is going to protect us? I hope someone is around who has a gun who will protect me. They have offered to. Look at the cities that have the strongest anti-gun laws. They have the most crime and hate. Hatred is not the answer; love is. This is a good time of year to think about that.

**Chair Scheible:**

Seeing no one else wishing to testify in opposition in Carson City, we will move to Las Vegas.

**Leslie Quinn, Private Citizen, Las Vegas, Nevada:**

I oppose S.B. 171. I oppose hate crimes, especially in the expression of another person, yet the President of the United States calls fellow Americans domestic terrorists because of the MAGA [Make America Great Again] acronym. Parents standing up for their children at school board meetings are called hate crimes. During the 2022 election campaigns, Nevadans received hate mailers, trash commercials, YouTube and social media venues spewing lies and hate against Republican candidates. Many did not feel safe with the aggressiveness shown at election polls because of the lies being perpetuated by the



opposite party. How do Nevadans know if a person is attempting to commit a hate crime with so much hypocrisy being evidenced by our own leadership? Please do not take away our Second Amendment constitutional rights. Senate Bill 171 will not disarm hate; it will only take away Second Amendment constitutional rights from law-abiding citizens. Criminals will always get weapons to carry out nefarious acts of crime.

**Matthew Yealy, Private Citizen, Henderson, Nevada:**

I am a lifetime NRA member, gun shop employee, and range safety instructor. I oppose this bill because it could be construed as overly vague. When it references NRS 200.571, the different subsections and paragraphs, it says something about mental health. That means someone could get offended by something someone else says, file a complaint, and have a misdemeanor for violating their mental health. The First Amendment protects us against that. This needs to be narrowed down a little bit tighter than what is currently here. In its current form, I do oppose it.

There have been references to California. Please try to keep in mind we are not them—stop emulating California. People are leaving there in droves because of the things they do like this in the legislature.

**Chair Scheible:**

Seeing no one else in Las Vegas, we will move to the phone for testimony in opposition to S.B. 171.

**Cyrus Hojjaty, Private Citizen, Las Vegas, Nevada:**

All these claims of hate and white supremacists are pretty vague. If someone defends a legitimate interest of European Americans, the fact that they are being discriminated, is that hatred? Is the Anti-Defamation League a credible organization? Because many people who they claim are hateful, I have interviewed and met with on a regular basis, and they have no criminal record. Maybe it is the fact that whites are constantly being told they have to be guilty, and diversity is being forced on them. Even in Europe, this mass propaganda is leading to massive frustration. Will we enforce hate against attacks against white people, because I know Black on white crime is several times higher than the other way around. What about straight people? Did you know that much of the crime against Asians are coming from Blacks? Did you know other races, particularly from Muslim countries, are far more likely to be antisemitic? What about hatred against fat people? In the Charlottesville incident, they used a car to drive over people—

**Chair Scheible:**

Your one minute is up, if you could please wrap it up.

**Cyrus Hojjaty:**

Okay. Diversity has issues, and God bless European Americans.

**Wiz Rouzard, Private Citizen, Las Vegas, Nevada:**

I dislike hate and I dislike crimes. Yes, these two words are independent in their own right. This bill is hypocritical to the fundamental belief of what many in the room have advocated when discussing criminal justice reform. This seeks to deprive an individual of their constitutional right to defend themselves, despite them serving their time, and in this case, for perhaps something they said toward a group they may have disliked, which is a nonviolent offense. Senator Hansen and Assemblyman Gray are correct in pointing out what this bill is intended to do and the expansion of the definition of a hate crime.

Let me just say what Martin Luther King, Jr. said, "Darkness cannot drive out darkness; only light can do that. Hate cannot drive out hate; only love can do that." Hate multiplies hate, violence multiplies violence, and toughness multiplies toughness. In the descending spiral of destruction we saw during the COVID-19 lockdown, people were spewing hate, whether from the unvaccinated to the vaccinated, from those wearing masks to those who did not want masks. We saw blue lives matter versus Black lives matter, and in this case, Republican versus Democrat. This devolving behavior is plaguing our society, and with a vote in support of this bill, it will continue that downward spiral. I urge you to vote no on this bill, protect constitutional rights, be principled, do the right thing, and ensure our society's principles and freedoms are preserved, not the subjective weaponization of an institutional government toward another group.

**Katrin Ivanoff, Private Citizen, Las Vegas, Nevada:**

When seconds matter, police are minutes away. There is a reason we all want the right to protect ourselves. You cannot protect us from everything. We should be able to protect ourselves when we can. I ditto everything everyone has said. This bill does not do anything to address the root of the problem. It is not going to help if you put law-abiding citizens in a position where they cannot protect themselves. Please do not make new tragedies appear by voting for this bill. Please leave us the constitutional right to bear arms and have the chance to protect ourselves, our loved ones, and probably people we do not even know in the situation.

**Michael Ryan, Private Citizen, Las Vegas, Nevada:**

I am a longtime resident of Nevada, a Marine Corps veteran, and a responsible gun owner. Senate Bill 171 would revoke Nevadans' rights to purchase or own any firearm for ten years to life if convicted of a so-called hate crime. To take away a person's constitutionally guaranteed rights based on someone's subjective opinion of what they may have been thinking is a travesty. This bill represents infringement of a core constitutional right without any indication it will do anything to reduce gun violence. Please do not support S.B. 171.

**Chandler Arnold, Private Citizen, Las Vegas, Nevada:**

While this bill may have good intentions on its face, the reality is quite different, and the ban of firearms for ten years for a nonviolent misdemeanor—not a felony, yes a gross misdemeanor—but a much lower bar obviously in the eyes of the law in terms of punishing someone. A misdemeanor that can be entirely subjective except that it is a hate crime and

with a wide definition and could be for something as innocuous as misgendering someone. Despite the protesting otherwise, that is the direction things are heading in this country. There was recently a law in California before it was thrown out in the courts that did just that. The ever-expanding list of what constitutes a hate crime negatively shows this bill is not about public safety but about restricting rights. The very mention of gender identity or expression, an incredibly recent term, shows how the definition of hate crime continues to expand. The deferment to laws in other states is also incredibly questionable and undemocratic. This bill also has nothing to do with mass shootings, domestic violence, or protecting anyone from violence. In fact, if that was the concern, then why are people not currently convicted of a hate crime involving violence allowed to keep their firearms under section 2 of this bill? Oppose S.B. 171.

**Alex Rodrigues, Private Citizen, Las Vegas, Nevada:**

I am speaking on behalf of the Libertarian Party of Nevada. I oppose S.B. 171. Once again, the only hate crime, according to the *Nevada Constitution*, Article 1, Section 11, is the crime that actually happens with the firing of a gun that shoots with intention. If this is passed, we will take it to an upper court and have it struck down. Maybe people will take violent crime seriously and make our communities safer by actually having county district attorneys and judges who actually do their jobs and prosecute the criminals who actually commit a crime by way of hurting victims.

**Celes Parks, Private Citizen, Henderson, Nevada:**

I oppose S.B. 171. I am a law-abiding citizen, and S.B. 171 is a direct infringement upon our rights as Americans. We have always had guns. It is the godless morality in this country that has changed and increased the violence in this country, not the actual guns themselves. I also question the gun control advocates who show no concern for the children who are being brutally murdered in the womb. Please oppose S.B. 171.

**John Carlo, Private Citizen, Las Vegas, Nevada:**

I am representing the confederacy, the old part of Las Vegas. We need to stand up for the Second Amendment. You guys are not focusing on protecting real human lives. We do have a bad district attorney. I know many of the Democrats do not like the district attorney's office. It is a mess. I do ditto the Libertarian Party. I agree with that. This is crazy. We will always stand up for our guns. I would love to see this challenged in court by the Supremacy Clause.

**Susan Proffitt, Private Citizen, Las Vegas, Nevada:**

I am the vice president of the Republican Club, but I am speaking for myself. I am against the gun bill today and the crimes against me at the polls and the Clark County Registrar of Voters (ROV). You need to hear this story to understand that what we heard earlier is not accurate. We are afraid to go back to the ROV without a body guard. Political parties need to be added to the list of people being discriminated against by Democrats today. I was discriminated against by the previous Chair, as were several others waiting to object to the

last bill. I would like to know why you refuse to put police at the ROV and the polls to protect the observers and the voters. We are the ones being abused. I no longer feel safe in the Clark County ROV, and I cannot return inside the ballot centers without a bodyguard.

In fact, I asked Victoria Seaman if I could borrow hers the other day, after Joe Gloria, Lorena Petrillo, and Dan Kulin intimidated, harassed, abused, and in one instance, physically attacked me with a forklift and shoved a load of tables within six inches of our toes, and later Joe Gloria implicated the Las Vegas Metropolitan Police Department when he claimed it did not happen. Well, it did, and there were witnesses. It is very hard for me to listen to misinformation given by the Democrats who claim they are the ones being abused when it is us. Our Nevada government has allowed this to continue by not doing anything about it.

**Chair Scheible:**

Your one minute is up, so if you could please wrap it up.

**Susan Proffitt:**

This bill and others clearly give your party the power to abuse and disarm us, but no one can act hateful toward you. It was so severe, I seriously—

**Chair Scheible:**

You are at your one minute.

**Susan Proffitt:**

You know what? Forget it. You do not want to hear it. You are not going to do anything about it, so I yield my time.

**Jessica Ansel, Private Citizen:**

I oppose S.B. 171. This is just another attempt to swipe away our rights as Americans. I speak up not just for protecting myself, but to protect my children, my grandchildren, and the rest of our future generations. I ditto all those who opposed ahead of me. You can have the remainder of my time. God bless America.

**Bridget Oka, Private Citizen, Las Vegas, Nevada:**

This bill I find very scary because I believe it does try to focus on a particular demographic or group of people to take away their Second Amendment. It is like attempting to commit a hate crime for actual or perceived race, color, or religion. What I am afraid of is, it is going to target people who are considered politically incorrect. If there is a group who is going to pray across the street from an abortion clinic, they will be rounded up and charged with this. I think in the end, it is going to make people afraid to disagree with a political party in fear of having their Second Amendment taken away and labeled. I ask that you oppose S.B. 171.

**Daniel Raspin, Private Citizen:**

I am a retired colonel and was the deputy commander for the Nevada Army National Guard. I am registered as a nonpartisan voter. I have also served Nevada as the associate state

director for the Bureau of Land Management. Since 1985, I have been face-to-face with mainstream citizens all across Nevada. Nevada is made up of good people; Nevada is made up of bad people; and Nevada has a lot of people in between. No matter what laws you pass, the good ones are going to stay good, the bad ones are going to stay bad, and the ones in between are going to move up and down the line.

Passing S.B. 171 is an absolute waste of time. Senate Bill 171 is blatantly unconstitutional. It is going to detract from the ability of the public servants, like me, to collect the bad ones, to protect the good ones, and stand beside all the ones in between. Giving special deference to one set of people only polarizes and aggravates the people who are left out. You will do more harm to hate crime victims than you will help. Senate Bill 171 puts a target on the backs of the very people you are trying to protect. Also, some of them fall in the categories—

**Chair Scheible:**

You have reached a minute if you could wrap it up.

**Daniel Raspin:**

I explained this to my grandson. The only thing he came up with, and it fits, is he said, We are going to end up with only the bad guys who will have guns, the bad guys are going to know the good guys do not have guns, and it is going to go downhill in a hurry.

**Lorena Cardenas, Private Citizen:**

Again, you are infringing. I, as a parent, have been labeled a domestic terrorist for disagreeing with my government, and I, too, have been threatened with bodily harm by a man dressed as a woman. What constitutes a hate crime? Am I disagreeing with that radical ideology to offer sex changes to minors be deemed as hateful? Would you be able to twist my views to fit your narrative and restrict me from defending myself with the Second Amendment? Of course it is, and because of that, I have already been called a domestic terrorist by default. It is very scary that I would not be able to defend myself like every other citizen has a right to do. I, myself, feel very hated and discriminated against for being a conservative and a Christian, much like the six people in the Christian school massacred in Tennessee by a transgender woman. The *U.S. Constitution* is the law of the land, and you are not above it. Stop trying to change America and what it stands for by proposing more government overreach to moderate everyone's behavior.

[[Exhibit H](#) is a compilation of written statements in opposition to Senate Bill 171.]

**Chair Scheible:**

Having no other callers waiting to provide opposition testimony, we will move to neutral testimony. Anyone wishing to give neutral testimony is invited to the table in Carson City and Las Vegas. I do not see anyone coming to either table, so we will go ahead and move to

the phone for neutral testimony on S.B. 171. [There were no callers.] In that case, we have concluded testimony on S.B. 171. I will invite the sponsor and presenters back to the table to make closing remarks and clarifying comments.

**Senator Harris:**

I first want to mention the elephant in the room. Yes, Ms. Hansen and I did coordinate our outfits this morning. You have to find common ground when you can. Frankly, I think we are both killing it.

Assemblywoman Hansen, I want to follow up on your question earlier. I was notified there is another misdemeanor, domestic battery, where we take people's guns away after they have committed that crime. That is just a misdemeanor, not a gross misdemeanor.

I would like to level set what we are talking about here and what your vote, either yes or no, would mean. We heard a lot of testimony about people driving cars into people and we do not take their cars away. Guess what? Reckless driving with substantial bodily injury is a felony. We take your gun away.

Mr. Hansen, if I were to sign a check in your name without your permission, that is a felony. My gun gets taken away. If I stalk any of you on the Internet, that is a felony. My gun gets taken away. Although we have legalized marijuana in this state, if anyone gets caught with more than an ounce, it is a felony. The gun is gone. Senator Nguyen, if I stole your catalytic converter and got busted in possession of three catalytic converters, that is a felony. My guns get taken away.

What that means today, and when this vote comes before you, if you vote no, then you are saying if someone is convicted of a hate crime, they deserve to continue to have their Second Amendment right more than someone who forges a check. Because this is Nevada, and casinos are a big part of our economy, if I have an unpaid casino marker, that is a felony. My guns get taken away. We need to be real here about whether it makes sense to take people's guns away for all of those things I just mentioned but allow people who are convicted of hate crimes to continue to possess and purchase guns. That is the decision before us today. Whether we like the definition of hate crimes or not, we have a yes or no choice here.

I will close by saying we also heard a lot of testimony about the subjectivity of hate crimes. Our criminal justice system is meant to remove subjectivity from the equation. You can feel someone committed a hate crime against you all day, but until a district attorney or some other prosecutor and a judge and jury convict you, after you are entitled to your defense and to face your accuser, in what we all think is probably the best criminal system in the world, that is when you will potentially have your gun taken away. This is not about anyone's feelings. My feelings get hurt all the time. That does not mean a crime has been committed. We have due process; nothing will take that away.

**Chair Scheible:**

That brings us to the conclusion of our hearing on S.B. 171. I will close the hearing and pass the gavel back to Assemblywoman Miller.

[Assemblywoman Miller reassumed the Chair.]

**Chair Miller:**

We have one item left on the agenda and that would be public comment. Public comment is to make public comment to those issues under the purview of this Committee, but not at all related to the actual three bills we heard tonight. That is what testimony was for. Is there anyone in Carson City, Las Vegas, or over the phone who would like to provide public comment? [Public comment was heard.]

With that, I will close public comment. I do want to thank the members for your consistent attention, and of course, thank the public for being able to express your opinions passionately on all sides of the argument, but still, for the most part, respectfully, and also, for the neutral testimony we heard that was indeed actually neutral.

Tomorrow I will see Assembly Committee on Judiciary members at 9 a.m., and the Senate Committee on Judiciary convenes at 1 p.m. This meeting is adjourned [at 7:24 p.m.].

RESPECTFULLY SUBMITTED:

RESPECTFULLY SUBMITTED:

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Garrett Tamagni  
Recording Secretary

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Lori McCleary  
Transcribing Secretary

APPROVED BY:

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Assemblywoman Brittney Miller, Chair

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

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Senator Melanie Scheible, Chair

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

## **EXHIBITS**

[Exhibit A](#) is the Agenda.

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

[Exhibit C](#) is a compilation of written statements and emails in support of Assembly Bill 355.

[Exhibit D](#) is a compilation of written statements and emails in opposition to Assembly Bill 355.

[Exhibit E](#) is a compilation of written statements and emails in support of Assembly Bill 354.

[Exhibit F](#) is a compilation of written statements and emails in opposition to Assembly Bill 354.

[Exhibit G](#) is a compilation of written statements and emails in support of Senate Bill 171.

[Exhibit H](#) is a compilation of written statements and emails in opposition to Senate Bill 171.