

**MINUTES OF THE
SENATE COMMITTEE ON JUDICIARY**

**Eighty-second Session
March 28, 2023**

The Senate Committee on Judiciary was called to order by Chair Melanie Scheible at 1:02 p.m. on Tuesday, March 28, 2023, in Room 2135 of the Legislative Building, Carson City, Nevada. The meeting was videoconferenced to Room 4412E of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada. [Exhibit A](#) is the Agenda. [Exhibit B](#) is the Attendance Roster. All exhibits are available and on file in the Research Library of the Legislative Counsel Bureau.

COMMITTEE MEMBERS PRESENT:

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

GUEST LEGISLATORS PRESENT:

Senator Pat Spearman, Senatorial District No. 1

STAFF MEMBERS PRESENT:

Patrick Guinan, Policy Analyst
Karly O'Krent, Counsel
Kelsey DeLozier, Counsel
Pat Devereux, Committee Secretary

OTHERS PRESENT:

Elliot Malin, National Anti-Defamation League
The Reverend Robert Bush, President, National Action Network, Las Vegas
Jshauntae Marshall, 1865 No Racism in Schools, Las Vegas; Chair, National Action Network, Las Vegas

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Alexander Marks, Nevada State Education Association
Marlene Lockard, Service Employees International Union Local 1107
Annette Magnus, Executive Director, Battle Born Progress
Bishop Derek Rimson, Chair, Political Action and Social Justice Subcommittee,
NAACP; Religious Adviser, National Action Network
Jeri Burton, Co-Executive Director, National Organization for Women, Nevada
Chapter
Kamilah Bywaters, President, Las Vegas Alliance of Black Educators; Chair,
Education Committee, National Action Network, Las Vegas Chapter
Teri Graf-Pulvino
Ken Pulvino
Janine Hansen, State Chair, Independent American Party of Nevada
Lisa Partee
Kasey Rogers
Lynn Chapman, State Vice President, Nevada Families for Freedom
Bob Russo
Joy Trushenski
Susan Ruch
Julie Burke
Cyrus Hojjaty
Jim DeGraffenreid, Chair, Nevada Republican Party
Athar Haseebullah, Executive Director, American Civil Liberties Union of Nevada
Erica Roth, Washoe County Public Defender's Office
John J. Piro, Clark County Public Defender's Office
Yesenia Moya
Brigid Duffy, Nevada District Attorneys Association; Director, Juvenile Division,
Clark County District Attorney's Office
Jagada Chambers
Nick Shepack, Fines and Fees Justice Center
Jonathan Norman, Nevada Coalition of Legal Service Providers
Jeff Rogan, Clark County
Elizabeth Florez, Director, Washoe County Department of Juvenile Services
Christopher Reis, Las Vegas Metropolitan Police Department
John Carlo

CHAIR SCHEIBLE:

We will open the hearing on Senate Bill (S.B.) 227.

SENATE BILL 227: Revises provisions relating to crimes. (BDR 15-17)

SENATOR PAT SPEARMAN (Senatorial District No. 1):

Senate Bill 227 creates the crime of intimidation as it relates to the use of symbols of hate. I will start by giving some background information not contained in the bill to make clear to the Committee why the bill is needed and what problem it is intended to solve. Senate Bill 227 was drafted with the background information included in its preamble, some history to help the Committee to understand the power of symbols to intimidate and terrify.

I will tell a personal story for additional background on why S.B. 227 is needed. In 1969, my sister and I were among the first 15 students to integrate a high school in Alabama. I was a brand-new freshman. Riding the bus that first day, I noticed there were hardly any other students. I thought, "Wow, this is going to be pretty cool. We do not have to fight for seats," only to realize later there were hardly any people on the bus because of integration.

When we arrived at the high school, we saw Ku Klux Klan (KKK) members in full regalia standing in front of the door blocking our admittance. Everybody else stayed on the bus, but I got off and went straight toward the door and said, "Excuse me," and the KKK members moved.

That was one of many times I would experience hateful acts and speech as a result of being the first to integrate that high school. I was often called the N-word. A lot of people said we should not be there. People often said or did things that were familiar to them from the legacy of slavery.

I was threatened by the principal with expulsion because I was suspended a few times when I would not let people call me the N-word or teachers use some type of slang that sounded like the N-word instead of properly pronouncing "Negro." The last time I was in the principal's office, he said, "Well, you are one of them troublemakers from up the road, and things like that do not happen down here. So, I think what I am just going to have to do is suspend you for the rest of the school year." I said, "OK, I will grab my books." The principal said, "You like that?" and I said, "Yes, sir." He was kind of puzzled, so I added, "You know, I have been trying to figure out how I could go to Montgomery and work with the NAACP on a lot of these issues about integration and racial justice, and you just gave me the opportunity to do that. So, thank you, sir." And I grabbed my books. He said, "Wait, wait, wait, wait!" Now he did not want to suspend me.

I give you that background story to show there are some symbols of hate you do not have to define because historically they mean the same thing today as they did in 1855, 1860 or even 1969.

Section 1 of S.B. 227 creates the crime of intimidation when a person paints, draws or otherwise places a symbol of hate on public property or in plain view of the public with the intent to threaten, intimidate or deprive a person of any rights secured under our State or federal constitutions or to retaliate against a person for exercising any such right.

Section 1 also defines “symbol of hate” as an image or object that expresses animus on the basis of race, color, religion, ancestry, disability, sexual orientation, national origin or gender. Section 1 also sets forth penalties for committing intimidation: a misdemeanor for first offense to a Category D felony for third or subsequent offenses. The penalties can be imposed in addition to any others a court may impose related to the same conduct.

A victim of intimidation is not precluded by S.B. 227 from seeking any available legal remedy. Section 8 adds intimidation to the list of crimes for which a victim may bring civil action. Section 1 makes it clear the bill is in no way intended to prohibit a person from exercising his or her constitutionally guaranteed free speech.

Section 2 makes clear how the law will interpret an act of intimidation deemed to have occurred. Section 3 authorizes persons who believe they are victims of intimidation to seek an order of protection from a court in the same way a victim of harassment or stalking would. Several sections of the bill add intimidation to existing law in relation to orders for protection.

Section 10 addresses what happens when a child commits an act of intimidation and is found delinquent by a juvenile court. It is vitally important we teach our children not to hate. In that school in Alabama, I became good friends with one of my white classmates. When I corrected the Alabama history teacher for saying the combined words of Negro and the N-word, my friend came up to me later and said, “You know, I did not know that. All of my life that's what I heard my parents and grandparents say. That is what we say in our house, and I had no idea” it was wrong. I shared with her what that meant to me and anyone else of my ancestry.

The reason I tell that story is because children are not born to hate and discriminate; it is learned behavior. If you learn behavior, you can probably unlearn it. It takes time, but you can do it.

That is why in addition to the common punishment of suspending a child's driver's license or delaying the date on which a child can apply for a license, the bill requires the juvenile court to order a child who commits intimidation to participate in an educational program designed to reduce prejudice and promote empathy. The program does not have to be established. It is already available through the Southern Poverty Law Center and the 1865 No Racism in Schools campaign (1865).

Sections 14 and 15 of S.B. 227 provide for the early termination of rental agreements by a victim of intimidation in the same way a victim of harassment and stalking is allowed to terminate such an agreement.

In my life, I have experienced a lot of intimidation like that described in the bill. You do not have to tell me what it is—I can smell it. I know when intimidation is being covered up, and I understand when it is intentional. I know that in a court of law you have to justify all of that. However, in my experience, when people want to intimidate and pursue hatred based upon any of the aforementioned categories, they have the ability to do so. In many cases, they have learned how to disguise it. The bill is intended to discourage people from intimidation by using symbols of hate.

ELLIOT MALIN (National Anti-Defamation League):

I could never have the same experience as Senator Spearman, but I had one that was similar when we moved into our house and found swastikas in our neighborhood. When I was in college, I lived in the Jewish fraternity house, where golf balls painted with swastikas were thrown at the house.

Unfortunately, this is a reality in Nevada, in our communities, in our Country and around the world as anti-Semitism has grown. It is one of the fastest-growing and most widespread hate crimes in America.

Senator Spearman and I want to make sure we are clear on what swastikas mean—because they can have a legitimate purpose. The Asian Pacific Islander community—specifically those who practice Hinduism, Buddhism and

shamanism—use the swastika as a symbol of peace. We want to ensure that is and will continue to be protected.

When we talk about the swastika, we mean the Nazi swastika, which is different than the one used as a symbol of peace. We thank the Senator for agreeing to our proposed amendment ([Exhibit C](#)) to better define that, to ensure that we mean the Nazi swastika and are not targeting those who use it for legitimate purposes. The Anti-Defamation League speaks out against anti-Semitism, but we also speak out against all hate and hate symbols and how they are used.

THE REVEREND ROBERT BUSH (President, National Action Network, Las Vegas):
The National Action Network is the leading civil rights organization in the Country and in Las Vegas. I represent a large part of the communities that need S.B. 227 to become law.

I am a graduate of Rancho High School. My family has lived in North Las Vegas off Cheyenne Avenue and Civic Center Drive since 1970. We moved there when Blacks were not supposed to live anywhere but the west side of Las Vegas. We had riots in our schools, and there was always the threat of running into a white mob when walking home from school. That was about 50 years ago.

Approximately one and a half to two years ago, National Action Network, Las Vegas, got three individual calls about a noose set up on a construction project being built by Madison Square Garden Entertainment called The Sphere. The next day after the noose was taken down, swastikas were put up around the bathrooms. Every time Madison Square Garden had them painted over, they would reappear the next day. I thought to myself, "Certainly there's gotta be laws against this egregious act of intimidation," only to find out, to my surprise, Nevada has none.

It is amazing we are still dealing with systemic racism and Nevada does not have more laws to protect people. It is sad in these modern times there is still a need to address the problem of racists who use nooses as a means of threat and intimidation. We cannot ignore the truth: there are people who would like to take this State back to the 1960s.

To hang a noose—a symbol of lynching and killing somebody because of the color of his or her skin—shows hatred and bigotry. The noose is not just a symbol of hatred; it is a threat of violence and should be treated as such. To Black people, a rope represents a threat to human life. When the person who hung the noose is found, that needs to be dealt with by authorities.

Sadly, the federal government has relinquished its responsibility to protect the civil rights of citizens by relying on states to investigate hate crimes. Although there are limitations and challenges in bringing successful hate crime prosecutions, each case must be taken seriously by this Legislature and the State. There must be vindication, as with the instance of the three individuals run off a construction job by a noose. There must be vindication and rights for victims when prosecution is warranted by the facts and the law.

Blacks on the job site of The Sphere have had their lives and psychological makeup changed forever. It would be irresponsible in your duties as Legislators or Nevadans to ignore this is happening. We cannot just sweep it under the carpet. The National Action Network and its community leaders in the State should have no tolerance for nooses, swastikas or any other symbols of hate that attempt to intimidate anyone.

Senate Bill 227 will strengthen Nevada's hate crime statutes. Perhaps no other symbol more than the noose, even a burning cross, depicts the horrors of racial violence perpetrated against African Americans and others. The noose epitomizes the essence of discrimination. It was the murder implement for the lynching of Black people for the color of their skin. As the NAACP said in its November 2008 "State of Emergency Report,"

The hangman's noose is a symbol of the racist, segregation-era violence enacted on blacks. ... [It is] an unmistakable symbol of violence and terror that whites used to demonstrate their hatred for blacks. Last February, President Bush agreed: "For generations of African Americans, the noose was more than a tool of murder; it was a tool of intimidation that conveyed a sense of powerlessness to millions."

President George W. Bush called the lynching of Blacks by Whites a shameful chapter in American history and denounced noose displays as a symbol of gross injustice.

Sadly, the hangman's noose has appeared at the last two major construction sites Las Vegas claims to be proud of: Resorts World Las Vegas and the multibillion-dollar music entertainment facility, The Sphere. The nooses were hung as an attempt to intimidate Black, Indigenous and People of Color. To fear nooses is to fear for their lives.

The history of noose displays shows they are intended to create a pervasive fear in potential victims. These types of displays can be criminalized under *Virginia v. Black*, 538 U.S. 343 (2003), in which the Supreme Court condemned KKK cross burning as a hate crime. State Legislators must be careful to include the intent to criminalize intimidation language in statute.

National Action Network President The Reverend Al Sharpton established a policy of free speech under the rationale of *Virginia v. Black*. The Court ruled a state could criminalize cross burning carried out with the intent of intimidating any person or groups of persons. The justices reasoned cross burnings constitute true threats unprotected by the First Amendment. In her majority opinion in *Virginia v. Black*, Justice Sandra Day O'Connor defined true threats as "those statements where the speaker means to communicate a serious expression of an intent to commit an act of unlawful violence to a particular individual or group of individuals." She noted the history of cross burning in this Country showed it is often intimidating and intended to create fear in victims, who are the target of violence.

The First Amendment does not protect all forms of speech—let me say that again, the First Amendment does not protect all forms of speech. U.S. Supreme Court Justice Oliver Wendell Holmes famously expressed this principle in 1919, when he said, "The most stringent protection of free speech would not protect a man falsely shouting fire in a theater and causing a panic."

The bill is not asking prosecutors to throw charges up against the wall in the hope they stick. We are asking prosecutors to show a noose or swastika was not put up as a piece of art, but as a form of intimidation and bias. The incidents are designed to intimidate victims and members of the victims' communities, leaving them feeling isolated, vulnerable and unprotected by law. A failure to address this unique crime could cause an isolated incident to explode into widespread community tension.

Growing up in Las Vegas, one of the first descriptions I learned about it was the “Mississippi of the West.” That is a term people still use to describe our great City. It is time for us to show the Country that term no longer applies to Las Vegas or our State. A failure to enact S.B. 227 will throw dung in the face of those who do not want to see this State stuck in a time warp.

The Reverend Dr. Martin Luther King, Jr., said, “In the end, we will remember not the words of our enemies but the silence of our friends.” Let me say it like this: please do not come to us for a vote and then not speak to our needs. You are on the center stage. We need all Legislators who believe that racism and intimidation by race is a crime to step forward and support this bill.

SENATOR SPEARMAN:

The proposed amendment, [Exhibit C](#), adds language intended to clarify that, for the purpose of prohibitions prescribed by section 1, the term “Nazi swastika” means the official emblem of the National Socialist German Workers’ Party. It does not include ancient swastika symbols that are associated with Hinduism, Buddhism or Jainism.

The proposed amendment, [Exhibit C](#), removes the provisions in section 1 that prohibit a person from placing or displaying a symbol of hate on public property or in plain view of the public with a provision that prohibits such conduct “on the property of a school, college campus, place of worship, cemetery or place of employment.”

SENATOR NGUYEN:

My questions refer to sections 10, 11 and 12 that deal with juvenile offenders. There are several specific provisions here, including taking away a teen’s driver’s license. Are there other *Nevada Revised Statutes* (NRS) concerning juvenile offenses in which driver’s licenses may be revoked?

SENATOR SPEARMAN:

I am not familiar with any other license revoking NRS. There is a law requiring juvenile offenders to achieve and maintain a certain grade-point average and not skip classes at school. If children do not do that, they are denied the privilege of getting a driver’s license.

SENATOR NGUYEN:

I am familiar with NRS concerning truancy, firearms, graffiti and DUI offenses for which juveniles lose their ability to get a driver's license. There may be others in NRS.

There are obviously other penalties for juveniles in addition to the driver's license revocation. We should treat children differently. They are learning, and the bill's penalties could be a potential learning experience. Are there specific types of punishment prescribed in statute for other juvenile delinquent acts?

SENATOR SPEARMAN:

I do not know about that throughout the entire NRS. However, one of the things we discussed was making sure people of all ages who perpetrate this type of hate crime get the message it will not be tolerated in Nevada. I know that there are many other things in statute that deal with juvenile punishments.

SENATOR NGUYEN:

I have a question about the second provision of the proposed amendment, [Exhibit C](#), regarding places posting hate symbols is prohibited. I assume you wanted to have more specificity. Is that why you feel public locations are potentially covered in other criminal statutes? If someone put a noose in your neighbor's yard, would that be covered by the bill?

SENATOR SPEARMAN:

That is correct. The proposed amendment, [Exhibit C](#), is a result of meetings with several different community groups, legal experts and Legislative Counsel Bureau legal staff. We want to ensure its language was tight enough so someone does not misuse this statute by arresting or citing anyone exercising his or her constitutional right to protest. We wanted to make sure the bill was drafted with great specificity so people would understand its intent and what we expect in the future.

SENATOR DONDERO LOOP:

I need some clarification on section 10 of the bill. We have fewer teens driving now. Some people think kids can get an Uber ride anywhere or can take the bus. However, if you live in Spring Creek and are going to Elko for work, you cannot just jump on a city bus. I worry about stipulations that take things away from kids, prohibiting them from working or getting to school because their

parents are not around. When we take things like driving privileges away from kids, we deny them responsibilities.

Sometimes we legislate things assuming kids live in a city like Reno or Las Vegas. Maybe in Hawthorne a teen whose license has been revoked can walk to school. However, if he or she has no means to get to work or to school every day or a means to access sports practice or whatever, we have to give that child more discretionary time. Are any programs being considered to help teens with that?

SENATOR SPEARMAN:

As per section 10, subsection 3:

If the juvenile court finds that a suspension or delay in the issuance of the driver's license of a child pursuant to this section would cause or is causing severe or undue hardship to the child or his or her immediate family and that the child is otherwise eligible to receive a driver's license, the juvenile court may order the Department of Motor Vehicles to issue a restricted driver's license to the child pursuant to NRS 483.490.

The idea was to make sure that option was available to the courts. It would be the judge's decision to make; based upon what we have in statute, we hope judges would take subsection 3 into consideration.

SENATOR DONDERO LOOP:

My daughter did not drive until she was the age of 17 because she simply did not want to. Increasing numbers of teens have other transportation options. What kind of programs are available to youths experiencing this?

SENATOR SPEARMAN:

There are programs already in use by the Southern Poverty Law Center and 1865 Las Vegas.

JSHAUNTAE MARSHALL (1865 No Racism in Schools, Las Vegas; Chair, National Action Network, Las Vegas):

The Southern Poverty Law Center's Center For Racial Justice in Education has the Learning for Justice Standards program. Many other organizations are dedicated to racial sensitivity training for all ages.

SENATOR DONDERO LOOP:

Is there something in S.B. 227 directing kids in that direction, or must it be mandated by judges?

SENATOR SPEARMAN:

That is up to the juvenile courts.

SENATOR DONDERO LOOP:

I want to make sure we are not disciplining kids without giving them information as to why using hate symbols is wrong. Otherwise, the consequences could fall upon deaf ears.

SENATOR SPEARMAN:

I agree. There are similar programs for adults whereby people are directed to go to anger management, Alcoholics Anonymous and those sorts of groups. It would be wonderful if we could mandate parents to attend programs with their children because hate is a learned behavior.

SENATOR STONE:

The childhood racism you experienced is horrific, Senator Spearman. My family has also been the victim of hate crimes the likes of which have never been seen in the world in the past 85 years.

Twenty-five percent of my family—my great-grandparents, grandparents, great uncle and aunts and cousins—were not only the victims of hate crimes but marched into the ovens and gas chambers of the Auschwitz concentration camp. They are gone; I never got a chance to meet that part of my family.

I hate 100 percent what the swastika represents today. While I believe our First Amendment rights are not absolute—Justice Holmes made that clear—free speech is a right enshrined in our Constitution. Millions of Americans have given the ultimate sacrifice to ensure free speech must be protected. We do not like the message when hate speech is coupled with violence; that is the exception. Throw the book at the perpetrators and put them in jail for as long as you can.

My concern with S.B. 227 is the definition of intimidation and symbols of hate. They are too subjective, vague and broad. If I wear a U.S. flag lapel pin, am I offending a group that relates to former National Football League (NFL) player Colin Kaepernick, who feels the flag may represent racism and oppression? Can

I be sued if I repeatedly go to an event wearing my flag lapel pin? If I wore an Israeli flag lapel pin representing pride in my Jewish heritage, will this anger Palestinians who think the alleged apartheid issues in Israel are offensive? If a person proudly wears the LGBTQ+ pride flag, can a religious person sue if he or she feels intimidated by constant meetings with the individual?

Some NFL players refused to wear a pride jersey during warmups. Can they be sued for not wearing them? If they wear uniforms with the No. 88, that represents the eighth letter of the alphabet, H. Eighty-eight is now a hateful number as it refers to "Heil, Hitler." The 88 Ranch Market is in southern Nevada. Can it be sued because it may be allegedly Nazi-related?

Bubba Wallace is a top African-American NASCAR driver who was assigned a garage to park his stock car. Something described as a noose appeared in the garage and officials thought it might have been a racist symbol. However, the FBI later concluded all the garages have pull ropes to pull the doors open and closed. Could Mr. Wallace, NASCAR or the owner of the racetrack have been sued under this bill, fueling racial tensions?

Section 1, subsection 5, states, "Nothing in this section shall be construed to prohibit a person from engaging in any constitutionally protected exercise of free speech." Yet, the bill does just that. Legislators take an oath to protect and defend the U.S. Constitution, whether or not we like what it says. The bill chips away at rights protected under the Constitution by allowing a party to file a lawsuit if the political sign of an opponent triggers intimidation, thereby quelling free speech. Chipping away at those rights is alarming to me and other people; I call it death by 100 slices. Are we going to find ourselves in an America where we cannot say what we want to say because we fear it is going to offend somebody?

SENATOR SPEARMAN:

I am glad you began by saying many Americans who have served in the military paid the ultimate sacrifice. For 29 years, I served in the U.S. Army and defended everyone's right to free speech.

The examples you gave are recent—quote—history. Regarding Colin Kaepernick, I did not understand why people took offense at him kneeling during "The Star-Spangled Banner." I have participated in memorial services for soldiers,

airmen and other servicemembers killed in combat at which we kneel as a sign of respect. As an ordained minister, when I pray in public I usually kneel.

I did not understand when you said a U.S. flag lapel pin may be offensive to some people. I do not know that we classify that as hate speech, which is one of the things we are dealing with in the proposed amendment, [Exhibit C](#).

Many people have never experienced the kind of vitriol and hatred you described. I feel for your parents because when I was based in Germany, it was in a former concentration camp. People in my company could not figure out why there was a putrid smell whenever we turned on the hot water. The day before we got on the buses to go back to camp, we were told the base was a former concentration camp. What we thought were just mounds of dirt contained human remains. I am acutely aware of those types of things.

Unfortunately, when we talk about symbols of hate, the symbols themselves were neutral until they were co-opted by hate groups. We are going to tighten the bill's language to reflect that. When we think about what someone's free speech could be what comes to mind is the absolute horror and nausea I felt when I saw people attacking the Capitol on January 6, 2021, talking about this is America. "That ain't America." Given all the years I served in the military and my friends who are buried in Arlington National Cemetery or someplace else, that is not what we served for. Patriotism has been bastardized so people who want to justify hate can co-opt something like the American flag. There is a difference between offending and then putting forth a symbol that historically has been used to say, "Do that and this is what happens to you."

I was in Petersburg, Virginia, before I was commissioned. I was running on a public road and a group of white guys in a pickup truck passed by me and started yelling offensive names. They turned around and came back. They began to tell me what they would do to me sexually if they caught me. I found a ditch and belly-crawled for about four blocks through dirt, stickers and muddy water until I got close enough to my sister's house that I could leave the ditch and go inside.

The words those men said are in the dictionary, but I was clear about what they really meant. I did not need someone to tell me, "Oh, that is hate speech" because I experienced enough of that when I was in Alabama. My life was

threatened because I would not let people call me the N-word. I have been there, done that. I know what it looks like, and I know what it smells like.

Senate Bill 227 defines what real hate speech is about. There are folks who have experienced that who are crystal clear about what it means when someone says something. Dr. King was an ordained minister and pastor. When bigots burned a cross in his front yard, he knew exactly what that meant. Historically, those of us who have experienced hate speech in real life and did not simply read about it, we know, yeah, we know.

SENATOR STONE:

I have similar stories from being one of the few Jewish kids in my entire school system. My dad sat me down and explained, "Not everybody likes Jewish people. You may be picked on, you may be kicked, you may be hit—and you need to walk away if somebody is calling you names like kike." I was called a "kike" on numerous occasions during school. In high school, those were the only times I ever got into fights. It was not because I picked the fight after somebody called me a kike but because my father taught me to walk away. You have heard the old saying, "Sticks and stones may break my bones, but names will never hurt me." My dad told me, "Always try to walk away. But if somebody strikes you or throws something at you, you are to defend yourself." I did defend myself, not only against one person, not only against two people, but sometimes against three people. Sometimes I won, and sometimes I lost. Those students should have been reprimanded and arrested by police.

Senator Spearman, we share commonalities in our life histories. I want to make sure the terms you use in your bill, especially "symbols of hate," are narrowed, along with the definition of intimidation. We want to make sure the symbols we believe are noncontroversial today yet could become controversial tomorrow are not going to get somebody innocently arrested for a felony for exemplifying or portraying their Constitutional rights of expression.

MR. MALIN:

I had the same experiences as Senator Stone in high school. I had somebody tell me I needed to go take a shower. They did not mean I was dirty; they meant I needed to be killed for being Jewish. A fellow student told me, "Hey, you need to go read *Mein Kampf*," Adolph Hitler's manifesto on how he developed his anti-Semitism, which stemmed from the protocols of the elders of Zion. In this State, we have people who preach those protocols. It is a rampant problem.

The Anti-Defamation League's "Audit on Anti-Semitism" has been compiled annually since 1979. This year, it found a 36 percent increase in anti-Semitism nationwide; Nevada is not immune to that. It has only been about a year since the hostage crisis in the Colleyville, Texas, synagogue. I empathize with you, Senator Stone, because I have lived it as well. I am committed to working with Senator Spearman and her partners to tighten the bill's language.

SENATOR HANSEN:

It has been interesting to see the evolution of this in my lifetime. I remember when the American Civil Liberties Union (ACLU) defended the right of the Nazi party to march in Skokie, Illinois, in a predominantly Jewish neighborhood in 1977. The ACLU's defense obviously was not that they believed in Nazism, but because they recognized in America, people have the right of free speech. That includes marching in certain areas for causes the ACLU absolutely hates because that right is protected by the First Amendment.

The majority of ACLU members may be Jewish, like Noam Chomsky, who said, "If you're in favor of freedom of speech, that means you are in favor of free speech precisely for views you despise." Joseph Goebbels, Hitler's minister of propaganda, was in favor of freedom of speech for views he liked.

The comment that Colin Kaepernick was kneeling out of respect for the American flag is absolute nonsense. He was not doing that; to Mr. Kaepernick, the flag is a symbol of slavery, which was true when slavery still existed. Under that flag, Jim Crow segregation and all the issues we have been addressing today occurred. Legislators recite the Pledge of Allegiance to the flag every day. The idea that could be considered a symbol of hate is painfully inaccurate.

There is vagueness in S.B. 227. For example, let us say I put up a yard sign saying marriage should only be between a man and a woman. Would that be considered something that intimidates somebody or causes a person to feel threatened? If that person tore down that sign or threatened to tear it down, would that be retaliation against me for exercising my constitutional right?

I agree with Senator Stone that "any symbol, image or object that expresses animus" is extremely vague. Still, I understand the bill's intent. I am deeply sorry for what happened to Senator Spearman while growing up in the Deep South and for Mr. Malin's experiences with anti-Semitism. However, the bill goes way beyond just nooses or swastikas.

There is a significant movement among the American Jewish community about the correct attitude toward Israel since it is officially defined by the Palestinian movement as an apartheid state. No one answered my colleague's question about somebody wearing a pro-Israeli flag offending someone of Palestinian descent. Looking at the whole Middle East situation, could that not also be considered a symbol of hate?

MR. MALIN:

Senator Hansen, we addressed your question when we worked on tightening up the bill's language with the coalition of partners to make sure we protect First Amendment liberties for everybody.

I have lived in Israel and am a Zionist. That does not mean I look at the Palestinian flag as a symbol of hate. Palestinian Americans have as much right to display their flag as do Israelis and Jewish Americans to display the Israeli flag. The same is true for anybody with a national heritage from outside the United States to display their home country flag.

Definitions must be met when we talk about apartheid; that is not what this bill is about. There are definitions for apartheid some people say are inaccurate.

SENATOR HANSEN:

However, the bill does say "intent to cause a person to feel threatened or intimidated"—simply to feel that way. Either an Israeli-American supporter of Israel like yourself or a Palestinian supporter could easily feel intimidated by people who are pro-Israeli or pro-Palestinian. Under the bill's definitions, would that be something I could pursue as an example of intimidation?

MR. MALIN:

The way I read the bill it is the intent to intimidate. Just because I wear or display something does not mean I intend to intimidate.

SENATOR HANSEN:

There has been a series of fake hate crimes in which people who put up nooses, swastikas or KKK symbols are Black people or Nazi sympathizers. They got the whole Country stirred up thinking those were horrible situations. When officers did investigations, it turned out it was an internal thing. Is there a way to punish people who abuse that free speech privilege?

SENATOR SPEARMAN:

I think that is already codified in State law. If you make a claim and officials find out it is false, punishment is codified.

SENATOR HANSEN:

I did not say Mr. Kaepernick was disrespecting the flag. As a veteran, I had no problem with him kneeling, but a lot of people did. What is funny is some of the same people who had a problem with him kneeling in protest are the same people who had no problem whatsoever perpetrating racism. So, I get it.

Mr. Kaepernick had every right to kneel and oppose the U.S. flag, exercising his constitutional right of free speech. For the people on the opposite side of that thinking, I see the drift in the bill saying essentially, if you support the American flag, in some cases you could be intimidating somebody. Even something as simple as my putting up a sign saying marriage is between a man and a woman, never between same sexes, could be considered an act of intimidation or threat, making somebody feel uncomfortable at the least.

SENATOR SPEARMAN:

I agree with you. I am Black, a woman and a member the LGBTQ+ community. You have to be Donald Duck to be more marginalized. I was attacked when I introduced the Marriage Equality Bill, S.J.R. No. 13 of the 77th Session. I was not intimidated because I have been through that stuff before and I got steel on. Every time I see attempted intimidation, I fight.

This bill has nothing to do with that. It has everything to do with racist things that have happened recently. If we do not shut it down, it is going to continue.

SENATOR HANSEN:

Senator Spearman, please understand we are on the same page. I feel intimidated when I propound my traditional views on marriage. There are people here who are openly hostile to and much upset by my views. People like me are, in effect, being intimidated and even threatened by people who believe marriage between the same sex is perfectly acceptable. The Supreme Court has said so, but that does not change my right to say it is wrong. I want to make sure we both understand intimidation can go more than one direction.

SENATOR SPEARMAN:

Section 2 of the proposed amendment, [Exhibit C](#), states:

Remove the provisions in section 1 of the bill which prohibit a person from placing or displaying a symbol of hate “on public property or in plain view of the public” with provisions which instead prohibit such conduct specifically “on the property of a school, college campus, place of worship, cemetery or place of employment.”

We are working with the ACLU, Anti-Defamation League, the Washoe County and Clark County public defender’s offices and social justice organizations to develop language in this bill to ensure it is constitutional.

CHAIR SCHEIBLE:

I am grappling with the questions raised about the specificity of S.B. 227. My understanding is we are trying to use the term “symbol of hate” as a legal term. We do not have a definition of “symbol of hate” in the bill that meets a constitutional standard.

In *Virginia v. Black*, the Supreme Court upheld Virginia's law outlawing the burning of crosses with the intent to intimidate. Justices said the reason the Virginia Legislature could ban burning crosses was "cross burning done with the intent to intimidate has a long and pernicious history as a signal of impending violence." Is the intent of the bill to follow the ruling in *Virginia v. Black* and ban symbols of hate that have long and pernicious histories as signals of impending violence?

SENATOR SPEARMAN:

That is indeed the intent, which is why we continue to work on the bill. We are working to make sure that intent is clear so there is no ambiguity. No one will be able to twist it and say, “If that is true, then this is also true.”

ALEXANDER MARKS (Nevada State Education Association):

The Nevada State Education Association supports S.B. 227. We work tirelessly to dismantle systems of oppression to advance racial and social justice for our members and State students.

I am a Jewish man. I grew up hearing stories from my grandmother about seeing signs that stated “No Jews or dogs” at swimming pools, swastikas carved into students’ desks and cousins whose parents met in concentration camps. We are not that far removed from my grandmother’s era.

I have experienced anti-Semitism in various forms similar to Mr. Malin. The last five to six years have been scary to be a Jewish person in America. We have seen the growth of anti-Semitism fueled by an increasingly brazen white supremacist movement no longer content with hiding behind its hoods.

Anti-Semitism exists, and it has a symbol. Things mean what they mean; Senate Bill 227 perpetrates that. Given this Country’s history, the noose has always meant much more than a knot in a rope. It is a reminder of America’s dark history of racial violence. It was a tool to kill people, by its very nature seen as a threat.

I have experienced this throughout my life. Some people love to point out swastikas existed long before the 1930s. However, we all know what that symbol means today and why people are using it. Intent matters. Never have I experienced a situation in which someone has said the word swastika and is asked, “You mean the Nazi swastika?” White supremacists are not using Buddhist swastikas to intimidate people outside of synagogues or on school lockers.

Senate Bill 227 and its proposed amendment, [Exhibit C](#), make that clear. These symbols have hateful meanings that will not go away. I doubt we will ever see the day when a Jewish person like myself will see a swastika as anything but a symbol of hate and intimidation with racism and anti-Semitism occurring. We all bear the responsibility to decry and work to remove it. In its efforts to promote social and racial justice, Nevada State Education Association stands on the side that haters hate. Ceasing the use of these symbols to intimidate or threaten will be the best path forward for our students and society.

MARLENE LOCKARD (Service Employees International Union Local 1107):

Legislation against hate symbols like swastikas and nooses is necessary to promote inclusivity, respect and community safety. These symbols carry a history of violence and oppression, and their display can create a hostile environment for individuals who are targeted by them. Senate Bill 227 sends a clear message hate and discrimination will not be tolerated. It can help prevent

acts of hatred and violence by prohibiting these symbols. Service Employees International Union Local 1107 works to create a more equitable and just society in which everyone feels valued and protected.

ANNETTE MAGNUS (Executive Director, Battle Born Progress):

I went back and forth with my team at Battle Born Progress over the last few hours about this bill. Despite our concerns, I know the proposed amendment, [Exhibit C](#), will address them.

This is an important bill. I have seen the harm these images have caused Akiko-Ayalla Cooks, who works with 1865, Las Vegas. I am often the one who gets the phone call from Akiko when racist incidents happen—I know the pain she goes through every single time.

Battle Born Progress supports [S.B. 227](#) because we know the harm hate speech and hate have caused in our communities. We saw it yesterday with the mass school shooting in Nashville, Tennessee, and we continue to see it every day. We need to start addressing this problem head on.

MS. MARSHALL:

I support [S.B. 227](#) as an impacted person with firsthand knowledge of intimidation. I have experienced hate signs and symbols specifically intended to intimidate me, our children and our allies when responding to racism enacted by white supremacists of all ages in our community.

As recently as 2021, “Heil, Hitler” signs, Confederate flags, Nazi swastikas and KKK clansmen in full garb have been consistently encountered by adults and children, encouraged by parents who oppose our antiracism work. These parents show up during public and school board meetings, school settings and at campuses and common spaces. None of these behaviors have resulted in consequences; instead, racists have been protected and emboldened by leaders and officials in public service over the last four years.

We continue to fight for protection from hate symbolism in public workspaces as we receive complaints of nooses on construction sites and public property. In 2023, symbols of hate or the tolerance of their presence should not be tolerated in our State. It is our duty to interrupt, disrupt and dismantle racism in every way with aggression. Words do not hurt, but we will no longer walk away from them.

I have heard repeated comments today about these symbols being protected by freedom of speech. Yet that freedom is intended to protect those in the press, as are the rights to assemble and petition the government. However, when you reference the true definition of “symbol of hate,” it means a symbol, image or object that expresses animus on the basis of race, color, religion, gender identity, sexual orientation, disability or national origin. It includes the noose, swastika and absolutely the Confederate flag.

According to *Merriam-Webster Dictionary*, speech is defined as “the communication or expression of thoughts in spoken words.” If the words are not spoken, why should we protect them?

BISHOP DEREK RIMSON (Chair, Political Action and Social Justice Subcommittee, NAACP; Religious Adviser, National Action Network):

It is important we understand 400 years of pain experienced by the Black people of this Country. The symbols of racial hatred must stop. Our race is the only one in America that had to evolve. We went from being called the N-word to Negro, colored, African American, Black and people of color.

We are tired of the oppression. We are tired of these types of hate symbols being hidden behind free speech. Senate Bill 227 is necessary for our Black, Jewish and LGBTQ+ communities. We need to bring this to an end.

JERI BURTON (Co-Executive Director, National Organization for Women, Nevada Chapter):

The National Organization For Women, Nevada Chapter, strongly supports S.B. 227. We stand against hate and intimidation. The bill will help protect our communities from symbols of terror because nooses are universally recognized symbols of hate and violence and cannot be tolerated.

KAMILAH BYWATERS (President, Las Vegas Alliance of Black Educators; Chair, Education Committee, National Action Network, Las Vegas Chapter):

Take one moment to think about the experiences of Black people who are descendants of slaves. Think about the terror and violence that happened during the transatlantic slave transfers. Think about postcards white people were sent to attend a barbecue. I am not talking about eating chicken and corn at the park—I am talking about going to a barbecue to witness Black people hanged from trees.

That is a tragedy and a connection to horror and violence we as Black people are asking you to help us no longer experience in this State and Country. We are asking you to consider the work that has gone into S.B. 227. Not only do we have to fight against symbols that portray hate, we are going back and forth with State schools asking them not to use the N-word in their so-called historical and classical literature read by students. We hope you could take just one day to experience life as a Black person in America.

TERI GRAF-PULVINO:

I certainly understand the issue of the swastika and noose as horrific. However, I want to make sure, in line with what Senator Hansen said, the bill cannot be expanded to include other symbols that do not carry the same weight of hate.

I am reminded of what Dr. King said, "Hate is too big a burden to bear." That is something we need to keep in mind. I heard the names of the organizations working to amend S.B. 227 but did not hear the name of any Christian organization. I would like to see a religious element added to the bill's analysis.

Other symbols could be converted to negative intimidation. We need to focus on the ones causing the most pain and hate, the ones targeted in the bill. The proposed amendment, Exhibit C, talks about church properties. What if somebody puts a nativity scene on church property? Is that going to hurt the feelings of someone who does not believe in Christmas, who believes in something else? Will the church be sued? We must be specific about the exact issues going to be litigated as so-called intimidation.

KEN PULVINO:

Hate-crime laws and other ways of dealing with this problem are already in place. Senate Bill 227 is overreach, another example of government trying to define and dictate behavior.

Coming into this building reminded me of when I served as a writer on the editorial staff for the New York Assembly Speaker of the House. I was brought there by the New York State Democratic Committee chairman. I would sit in two meetings and then write speeches and all kinds of things for my Assemblyman. I was also in meetings in which political operatives had input into which laws were going to be enacted.

The idea of going back in Black history 400 years is ludicrous. The history of slavery goes back thousands of years, as does the history of intimidation and bias. I grew up in a White Anglo-Saxon Protestant neighborhood as a Sicilian. I was sitting in the classroom when the child behind me said, "Gee, Sicily is just a short swim from Africa," which was meant to be an insult. Luckily, I was brought up in a family where my father would have put me on the ground if I said anything like that.

After that, I said to my father, "You know, Dad, all these Americanos here like to feel superior." My father was in World War II on a patrol torpedo boat in the Pacific fighting alongside Blacks and Whites. He grabbed me by my collar and said, "You are not an Italian American, you are an American, and that comes before other things. And do not ever let me hear you say that again. You're an American."

JANINE HANSEN (State Chair, Independent American Party of Nevada):

You have my written testimony ([Exhibit D](#)) opposing S.B. 227. I come from a heritage in which basic constitutional rights, including freedom of religion and speech, were violated by the government. In October 1838, Governor Lilburn Williams Boggs of Missouri issued an order to members of the Church of Jesus Christ of Latter-Day Saints to leave Missouri in the dead of winter or be exterminated.

While circulating a legal petition at the City of Reno bus depot, I was arrested, handcuffed and hauled off to jail in a paddy wagon. The ACLU served as my attorneys in the Reno Municipal Court, where charges were dropped. My attorney brother took my case to the Second Judicial District Court and Nevada Supreme Court, where I was exonerated.

I have been picketed at my office and received numerous death threats, including against my children. Twice in this building, I have had to ask the Legislative Police to walk me to my car after threats to my physical safety. I am familiar with intimidation.

Senate Bill 227 specifically states the specified symbols of hate are without limitation. That broad interpretation limiting free speech is dangerous. We condemn hate speech but defend the right to utter it.

The term intimidate defined as threatening is subjective. A true threat is a statement a reasonable person would perceive as threatening him or her with injury or death. While defending the free speech rights of Nazi and KKK members, the ACLU reasoned, "If we empower the government to censor and silence people whose views we find abhorrent, sooner or later that same power will be turned against people whose views we find noble." Nadine Strasser, past president of ACLU, said, "If we do not believe in freedom of expression for those we despise, we do not believe in it at all."

Depending upon who holds government power and who is interpreting hate speech, S.B. 227 could be used to criminalize displaying the American flag or a pro-life or National Rifle Association (NRA) bumper sticker—all of which may be deemed offensive and intimidating. The remedy for hate speech is more speech condemning it.

LISA PARTEE:

Senate Bill 227 states nothing in section 1 shall be construed to prohibit a person from engaging in any constitutionally protected exercise of free speech. Yet, it does exactly that while protecting our freedom of expression. Who determines what is considered hate and intimidation when it is totally subjective? The result of the bill will be to never allow another political sign in your yard if it does not support the politician your neighbor votes for.

Proponents of the bill use the excuse of being offended, scared and intimidated. The events The Reverend Bush, Senator Spearman and others discussed are from a long time ago. We have come a long way since, and the recent incidents they described are rare and isolated.

You cannot make laws that are repugnant to our Constitution. You cannot create laws based on one-sided views, such as testimony we have heard today. As for descriptions of Anti-Semitic incidents at school by Senator Stone, Mr. Malin and Mr. Marks', while upsetting, these incidents are extremely rare and should be dealt with on a case-by-case basis.

We do not need laws that are subjective and open to abuse. Lately, just flying the American flag has become an insult and symbol of hate to many when it is nothing of the sort. Those who complain about our flag are filled with hate and intolerance for anyone else having an opinion.

I cannot remember ever seeing a swastika or noose displayed. Using those symbols as examples to promote the bill is disingenuous. You cannot force people to feel empathy. To label these rare occurrences as so upsetting they make you intolerant of other people's opinions and thoughts does not require a law.

The symbols are something we have all dealt with at some time or another in our lives. I have been discriminated against and called racist names. I have dealt with it; I did not need to have anyone arrested for it. This is about attacking our First Amendment rights. Remember the oath you took to protect our Constitution because this is repugnant to it.

KASEY ROGERS:

I am the widow of a U.S. soldier killed in action in Afghanistan. He fought for the freedom of speech for everyone, including the 18.2 percent of the U.S. population who are Hispanics, the 13.1 percent who are Black and the rest of us who are White, Asian and all colors.

It is oppression when you put your freedom of speech in the hands of oligarchs who control what is going to be seen and how it is going to be displayed. Senator Hansen asked if a pride flag could be intimidating to somebody.

The most important thing is the word "intent" in section 1, subsection 1 of the bill. Men must be able to be violent and intimidating. Why? If a man is not violent and intimidating, people will roll over him like a Mack truck, kill his family, rape his children, do whatever the heck they want. Do not take that for granted by banning symbols people may not like. They are part of our history, which has taught us so much.

LYNN CHAPMAN (State Vice President, Nevada Families for Freedom):

Does the First Amendment protect hate speech? In *Matal v. Tam*, 137 S. Ct. 1744 (2017), U.S. Supreme Court justices unanimously reaffirmed there is effectively no hate speech exception to rights protected by the First Amendment and the federal government cannot discriminate against speech on the basis of a speaker's viewpoint.

When the National Socialist Party of America was denied a permit to march and speak in Chicago, it obtained a permit to do so in Skokie, Illinois, where one-sixth of the population had family members who had survived the

Holocaust. County authorities attempted to block the Nazi march citing the city ban on wearing Nazi uniforms and displaying the swastika. The Seventh Circuit Court of Appeals upheld a lower ruling that the Skokie ban was unconstitutional. The case was appealed to the Supreme Court, where the justices declined to hear it and allowed the lower court's ruling to become law.

What constitutes a symbol of hate? I recently heard the thumbs-up sign is now considered hateful. To me and many others, it just means something is okay. Who determines if something is intimidating? We have so many different cultures in America today, every one of which has different meanings for different words, actions, symbols and religious symbols.

People should treat others with respect, but that does not always happen. I grew up in a Black neighborhood as the minority because I was White. I had a lot of bad things happen but do not hate people because of it. It was a learning experience, which is not always fun.

BOB RUSSO:

You have my opposition testimony ([Exhibit E](#)) for S.B. 227, which violates an individual's right to free speech. The bill is subjective and wide open to interpretations when it comes to categorizing a symbol of hate. How can anyone know if someone intentionally wishes to intimidate, frighten or threaten him or her? A perception of intimidation does not make it a reality or factual event. We all carry baggage from events that occurred to us. The emotional reactions from them can carry into the present moment and make us perceive a threat that is not there.

How do we deal with situations outlined in this bill? For example, if someone is driving a pickup with an NRA sticker on the window, someone behind the truck may feel threatened. Will that driver be guilty of the crime of intimidation when he or she has done nothing? If someone challenges critical race theory, is he or she going to be labeled racist and found guilty of the crime of intimidation? What can of worms are we opening up with this bill?

I am appalled when I see people verbally attack one another's characters online or in heated discussions. Yet I would put my life on the line to protect their right to say what they do. It is unrealistic to pretend we can protect people from feeling intimidated. What kind of a Nation are we creating if we must be continually guarded when we speak or display a sign or flag that expresses

a certain viewpoint because we never know how they will be perceived? Do we want to live in a Nation that censors what we say because some find those views distasteful?

JOY TRUSHENSKI:

I do not support S.B. 227 because it violates free speech by creating the crime of intimidation. This bill mentions swastikas and nooses specifically, but symbols of hate are without limitation. I find the black fist on the Black Lives Matter flag to be intimidating, especially when Black Lives Matter protestors burned, looted and attacked the police and Make America Great Again supporters. Likewise, I find KKK symbols intimidating knowing the group's history of violence and death. Actions always speak louder than words.

Senate Bill 227 is dangerous because its possibilities of limiting free speech are endless. I condemn hate speech, but I defend the right to utter it. The term intimidate is personal and subject to interpretation. Censorship is a slippery slope; silencing people whose views we do not agree with sooner or later will be turned against people whose views we support. If we do not believe in freedom of expression for everyone, we do not believe in it at all. Please protect freedom of speech.

SUSAN RUCH:

Our Country and State believe in the right to freedom of speech. We do condemn hate speech, but S.B. 227 violates freedom of speech. Article 1 of the Nevada Constitution contains the Declaration of Rights. Section 9 states:

Every citizen may freely speak, write and publish his sentiments on all subjects being responsible for the abuse of that right; and no law shall be passed to restrain or abridge the liberty of speech or of the press.

The key word is "responsible." The definition of intimidation is subjective, interpreted by whoever is defining it. If this law is passed, at some point it could circle back and attack the freedoms of the people who passed this legislation in 2023.

When Black Lives Matter was protesting in Carson City, I was approached and intimidated by people who called me derogatory names. I walked away. I did

not feel that I needed to get the police; I just let it go. We have all experienced intimidation at one time or another.

JULIE BURKE:

I have heard all kinds of stories today about being intimidated and threatened as if it is only experienced by one group, person or whatever. To reiterate what others have said, I, too, have been threatened and intimidated. I have a family member who was severely threatened, intimidated and felt fear in a public school. However, the incident did not fit in the box of what intimidation, hate and fear are supposed to be so nothing was done.

We cannot go down the road of trying to put into law everything that is threatening or intimidating to someone. That is a slippery slope. That is not why I vote for my representatives.

CYRUS HOJJATY:

I oppose S.B. 227 as too vague. What is considered racist? Is it racist to say Whites are being displaced by massive immigration? In Europe, Whites are experiencing large amounts of discrimination. When it comes to Black-on-White crime, the rate is several times higher than the other way around.

Arabs and Persians had Black slaves. I showed Senator Spearman that about 1,000 years ago, there were racial differences based on civilization, proving it is more of a biological factor.

What is considered hate now? This bill is being proposed because there is a massive awakening. We are realizing the real hatred is against Europeans, males and straight people. I do not believe the Southern Poverty Law Center is a legitimate organization. One of their members committed violence. I have interviewed and met in person many of the people the Center considers hateful. I have on video members of 1865, Las Vegas, raising their voices, saying we should all take their side. At a February rally, I was just standing there when they threatened me.

Diversity can lead to conflict, not always but often. Conflict happens all over the world, even where my parents came from. The best thing to do is debunk facts, not shut them down.

JIM DEGRAFFENREID (Chair, Nevada Republican Party):

The Nevada Republican Party opposes S.B. 227. Our Founders held the First Amendment to be self-evident, but they understood it was the first right an overbearing government would attack.

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

Senate Bill 227 seeks to limit both freedom of speech and how people petition the government for redress of grievances because one person's free speech is another's hate speech. The First Amendment was written to protect the right of all citizens to say puppies are adorable. It was written to protect citizens who expressed unruly radical and controversial ideas such as Thomas Paine, who was convicted for seditious libel against the British Crown. This year, he would be prosecuted for using language against so-called hate speech.

The bill seeks to weaponize government using a parade of horrible examples no right-minded person would support as a distraction to sneak in censorship against anyone who might express a controversial opinion. Because the examples are so subjective, it is impossible for S.B. 227 to properly define intimidation or a symbol of hate, which are so vague as to be meaningless.

What is a symbol of hate? It means something different to everyone but should not mean anything to the government. The government does not have the power to shield visual displays from the consequences of speech. For example, if my neighbor chooses to display an anti-law enforcement slogan on his front lawn that is his right—just as it is my right to choose not to have anything to do with him.

Government's only role is to be a fierce protector of the right to say anything, especially if someone finds it disagreeable. Sunlight is the best disinfectant for hate, bigotry and racism. Government censorship disinfects nothing.

Senate Bill 227 directly opposes free speech. It allows the State to target as a felon anyone who says anything someone else vaguely defines as intimidation. We have real crime problems in our State, actual criminals who deserve

punishment are walking free. Please throw this bill seeking to suppress free speech, free debate and free dialogue into the trash where it belongs. It has no place in any society whose government has a stated goal of protecting individual rights.

ATHAR HASEEBULLAH (Executive Director, American Civil Liberties Union of Nevada):

The American Civil Liberties Union of Nevada opposes S.B. 227 as currently drafted. Committee rules require such until the bill presented is one we can support. We have been working with Senator Spearman and Legislative Counsel Bureau staff to rewrite the bill resulting in a more constitutional law.

I want to thank everyone for the history lessons on the ACLU today. I encourage you to renew your membership if you had to sit through two minutes of other folks' testimony with which you disagreed. We appreciate the shout-out.

ERICA ROTH (Washoe County Public Defender's Office):

To echo the sentiments of Mr. Haseebullah, the Washoe County Public Defender's Office is testifying in opposition to S.B. 227 per the rules of the Committee. We look forward to continuing talks to produce a more constitutionally reasonable bill.

JOHN J. PIRO (Clark County Public Defender's Office):

The Clark County Public Defender's Office will continue to work on S.B. 227 to align it with constitutional parameters and make it work.

YESENIA MOYA:

I support S.B. 227.

THE REVEREND BUSH:

A statement was made there are no Christian organizations represented as sponsors of S.B. 227. Bishop Derek Rimson represents Nehemiah Ministries, a group of Christian churches across the Country and throughout Las Vegas. National Action Network is unashamedly a faith-based organization that represents Christian organizations and other faiths.

National Action Network supports freedom of speech as protected by the First Amendment. We have expressly adopted a position of zero tolerance for

anyone who uses a noose to intimidate, threaten or assault African Americans or our allies, thus violating their constitutional right to life, liberty and the pursuit of happiness. We are unashamedly excited about this bill being passed to protect the people who need it.

SENATOR SPEARMAN:

My dad used to tell me all the time wherever I was, there would probably be a lightning rod because I am not afraid to tackle issues that seem controversial. That probably has something to do with the way I was born.

I was born in a freight elevator in Ascension St. Vincent's Hospital in Indianapolis, Indiana. When my dad went into the front door to tell the receptionist my mom was in labor, they said, "Colored people can't come through the front door, you have to go to the back door." By the time my parents got to the back door, I was ready to be here. When my parents got into a freight elevator, there was trash on the floor. I vividly remember my parents telling me they were trying to step over old food and other types of trash.

My mom said there was a sharp pain and she passed out on a bag of trash. When the elevator got up to the labor and delivery ward and the door opened, the nurses were standing there saying, "Oh my God, here is the kid!" On the last birthday card my mom sent me before she died, she wrote, "The nurses called you Speedy because you could not wait to get into the world. You had to be born in the elevator." I am not ashamed of it. It is part of Black people's history that will not go away.

Anyone who knows me knows I always fight for fairness and freedom, even freedom of speech. That is why I stood up in 2017 and carried S.J.R. No. 2 of the 79th Session—the Equal Rights Amendment resolution—even though people said it was dead. That is why I joined with Majority Leader Senator Kelvin Atkinson to make sure Nevada had the most comprehensive Equal Rights Amendment in the Country.

That is one of the reasons I am proud to be an ordained minister. I do not use my religion to tell people what to do; I do not carry a Bible. If you have heard me pray on the Senate Floor, you know I acknowledge all religions. Religion to me is something personal. Despite what some people think, unless I tell you I am an ordained minister, you think I am simply somebody fighting for the rights of other folks.

Senate Bill 227 is an opportunity to deal with part of our history nobody wants to acknowledge. We cannot erase it, and it is real. There are people who still experience what you may not want to talk about or even teach. However, it is the history of the United States of America, of which I am a citizen and third-generation free. That means my grandmother was born free 15 years after slavery ended. My dad was born free then I was born free. That tells how close we are to an ugly time in American history we do not want to acknowledge or look at. History tells us what happened, but it also cautions and teaches us what not to do so it does not happen again.

An amended, S.B. 227 will do nothing to curb free speech. It is simply designed to address the rampant hatred once again rearing its ugly head in our Country, a Country so great we should not tolerate hate at any level. A lot of people will disagree with me, and that is their right. A lot of people will agree with me, and that is also their right.

I want to say for the record I wish I did not have to bring this bill. I wish everything in America was peaches and cream and ice cream all day long. But it is not. The reality is there are still people experiencing the ugliness of systemic racism and hatred.

There is a word we use that I stopped using once I learned its origin. Most people have no idea what it means. The word "picnic" was initially used when people gathered to do things like eat and celebrate when there was going to be a hanging. I do not use the word anymore because it is something ugly and means something extremely bad in this Country.

We have come a long way, but we have a long way to go. It is my hope and prayer my children, your children, grandchildren, great-grandchildren and generations to come will be able to look back on what we have done. Not just here today, but throughout history to say we acknowledged things we have done that have not been well in the sight of God and worked hard to make the wrong right. I tell people, when you bury me put on my headstone, "Unafraid."

CHAIR SCHEIBLE:

We have received seven documents in opposition to S.B. 227 ([Exhibit F](#)). We will close the hearing on S.B. 227 and open the hearing on S.B. 359.

[SENATE BILL 359](#): Revises provisions governing juvenile justice. (BDR 5-56)

SENATOR JAMES OHRENSCHALL (Senatorial District No. 21):

I am a deputy public defender in the Clark County Juvenile Justice Court. I am lucky because working in juvenile delinquency and child welfare, I am in an arena in which defense attorneys, prosecutors, juvenile court judges, probation officers and social workers are all focused on one thing: to see our child clients become successful, not be arrested again, not be brought in on a violation of probation nor be sent to a youth correctional facility. My biggest successes are clients I never see again. That is the antithesis of private practice. However, if I do not see a client again, I know my case has been a success.

Senate Bill 359 came out of my work defending children in Clark County. I have had many conversations with clients and probation officers in which children have completed all the terms of juvenile probation except community service. There was a problem finding someone who would accept them, finding a place where they could perform their court-ordered community service.

Sometimes we had issues whereby juvenile judges and hearing masters might have wanted flexibility in terms of what kind of community service to order that they thought would benefit the child the most. However, for many cases, NRS did not give them that flexibility. Senate Bill 359 and its proposed amendment ([Exhibit G](#)) presented by the Nevada District Attorneys Association will give children a better chance to be successful on juvenile probation and become geared toward things that will truly help them.

BRIGID DUFFY (Nevada District Attorneys Association; Director, Juvenile Division, Clark County District Attorney's Office):

The Nevada District Attorneys Association supports S.B. 359. You have the proposed amendment, [Exhibit G](#). While the amendment is on letterhead from the Nevada District Attorneys Association, it is a collaborative effort with the Clark County Juvenile Justice Services.

The original language in S.B. 359 was intended to help kids get through probation and become successful. Since we are limited in finding community service positions for kids based upon statutory construction, bill drafters tried to reduce the hours a child would do community service instead of expanding the ways that a child can do it. However, we decided it would be better to expand ways a child can get community service rather than reduce the number of hours to perform it.

We looked to the federal Office of Juvenile Justice and Delinquency Prevention for ideas about how meaningful community service is an important and valuable tool. It can go a long way to restore victims and reconnect youth with their communities. The service should be of value to the community and benefit the child providing the services.

The proposed amendment, [Exhibit G](#), defines community service a lot more broadly in section 1, subsection 2, paragraphs (a) through (g). Community service may include community-based activities that “facilitate civic engagement.” That could include volunteerism, activism and school clubs designed to build leadership skills for a child. Section 1, subsection 1, paragraphs (a) through (e) of the proposed amendment, [Exhibit G](#), outline the goals.

These broader definitions will allow children to gain community service through things such as carpentry class in high school or social activities that could involve sports or clubs. It is about truly connecting the child to a community.

Section 2 talks about cases that do not go to court because they involve supervision allowing a juvenile probation officer to work informally with the child. We added that during informal supervision, the probation officer could ask the child to attend or participate in counseling or psychological treatment.

In section 3, we retained subsection 1, paragraph (a), subparagraph (2). Those types of cases—first and second offenses for marijuana or alcohol—do not go to court. Therefore, the juvenile court would not be involved in ordering a child to do community service. That would be handled through the informal probation under NRS 62C.200.

In section 4, subsection 1, paragraph (b), we struck “The child’s school of attendance or the school at which the child participates in tutoring or extracurricular activities.” The political subdivision is considered a school district so that would be redundant. We would like to specify children can do the community service within the school to make sure there is no doubt a political subdivision is a local school district.

We added the service program could have a primary purpose to build job skills and increase the employability of the child to increase community capacity and

positive outcomes for kids. Things like culinary training and any union training kids can get would be included in community service.

In section 4, subsection 2, we added the person who supervises the community service shall make reports to the juvenile court, as required. We added the court could have the child inform the juvenile court of what goals in section 1 participation in the community service helped him or her achieve. That came out of the federal guidance on community service: it is good to have children connect what they did to actually restoring themselves and the community.

In section 5, subsection 1, paragraph (a), subparagraph (1), we removed the truancy fine. I did not know Nevada is still fining for truancy. For habitual truants, we removed the fine and added "the child [must] perform not less than 8 hours but not more than 16 hours of community service." For a second offense, the fine remains. I did not want to be so bold as removing all the fines. We added "(II) The child [perform] not more than 10 hours of community service; or (III) Compliance with the requirements set forth in both sub-subparagraphs (I) and (II)." In section 5, subsection 2, paragraph (a), we added there could be an additional ten hours of community service added in for truancy issues.

Section 6 of the proposed amendment, [Exhibit G](#), contains conforming language. In the original bill, we replaced "to perform community service" with "participate in counseling and psychological treatment." Those are separate things: community service and counseling. To replace those hours, if we expand what a child can do for service, a community is better off in getting him or her on the right path.

In section 7, subsection 1, paragraph (a), subparagraph (1), we added back in the 200 hours of community service for a first firearm offense. Those offenses are the most serious, committed by kids at the highest risk with the most level of needs. Having that many hours allows more social activity and connection to the community to find mentors or learn job-building skills. At 200 hours, we can get there.

That might seem like a lot of hours. However, we added back in the existing language of "at least 200 hours, but not more than 600 hours of community service" for a second firearm offense,

The rest of the proposed amendment, [Exhibit G](#), removes language that had substituted “community service” with “counseling or psychological treatment,” plus limits specific hours of community service. I started with the goal kids should do things connecting them to the community, activities we should not reduce. That is how can we connect young offenders to the community so they have better outcomes and our communities benefit.

SENATOR NGUYEN:

I have always hated how traditional community service has become a punishment or penalty. That is a terrible way to view service to the community. When it is treated as a punishment, we are not getting lifelong volunteers at some organizations desperately need them. I appreciate the expanded definition of community service. Did you increase the parameters in the goals and definitions to allow more discretion?

Ms. DUFFY:

Yes. For young kids, it is hard to find community service positions because many places do not want to supervise children under the ages of 12 or 13 due to liability issues. Knowing those are formative years for education, we hope to expand encouragement of children to do tutoring with mentors. We are having a problem reaching agreements in court over what qualifies as community service. Defining it differently in NRS was our compromise. Community service should be a connection, not a punishment. It should be a teaching experience for children to set them up for success with increased skills.

SENATOR OHRENSCHALL:

Under the language in the proposed amendment, [Exhibit G](#), mentoring programs qualify to satisfy community service hours. As a deputy public defender practicing in juvenile court, I have represented children in some of these mentoring programs. I have seen the bonds they develop with their Big Brothers Big Sisters of America-type mentors who are there for them. Adults will drive children to school, take them to a movie and spend a lot of time with them when often there is no one else to do that. That has led to successful outcomes for a lot of kids I represent. Senate Bill 359 could help children make positive progress towards completing their probation versus having a goal that is not realistically reachable.

SENATOR NGUYEN:

If this bill were to pass, there would be an expanded definition of what community service entails. Increasing community service requirements made them incredibly high, though. You might have different perspectives from different sides of the aisle.

I would hate to make these levels too high. There is already a burden on the children in this system. Many times they are coming from environments in which they need mentoring programs as they do not have family support. This seems like it could put an additional burden on struggling families.

You said the proposal is 200 to 600 hours of community service, which adds up to about 4 hours a week. What was the thought process on that? What is the average amount of community service hearing masters or judges impose? If it is 600 hours, someone could age out of the system before he or she accomplishes that.

Ms. DUFFY:

The thought process was because the requirement language is in statute, we decided to add extra hours. The original bill reduced the hours. As noted, even though we cannot find enough places for kids to meet the statutory requirement, the decision was to increase the number of hours while expanding community service options.

SENATOR NGUYEN:

What are you seeing being imposed as community service? There is a huge difference between something that satisfies 8 hours of community service and one that satisfies 600 hours. What are you seeing in practice?

SENATOR OHRENSCHALL:

My experience is juvenile court judges and hearing masters want more flexibility to assign what they think would be appropriate based on other orders the child can complete successfully. Senate Bill 359 will go a long way toward giving children more flexibility to satisfy the service requirement. The proposed amendment, [Exhibit G](#), is not final, and we will continue to look at some of those issues.

My impression is there are certain times when the hands of judges or hearing masters are tied by statute and they wish they had more sentencing flexibility.

A mentoring program or some other kind of social activity could be more effective for the child's success versus the traditional community service we think of in the adult court system.

SENATOR DONDERO LOOP:

Since the required service hours are high, what if we instead had a tiered approach? In other words, if we knew something worked with kids in those situations, what if we allowed them to do it? If, say, we knew that being in a Big Brother Big Sister-type mentor relationship was beneficial and a child had 200 hours to complete, what if we gave him or her an hour and a half credit for spending time with the mentor? We could encourage children to do things like that rather than dragging out the process and making it something they come to dislike because they have to keep doing it.

I am trying to think creatively about kids who get in trouble and may not have parental support. Some children consistently get in trouble for lots of reasons. As a concrete example, if we told a kid he or she needed to go to counseling with Ms. XYZ, we might give the kid a boost, rather than making him or her groan about doing it. I do not know if that is reasonable from my recollection of family court services.

MS. DUFFY:

There were Clark County programs that got juvenile offenders involved in basketball leagues. That kind of social activity would qualify under the proposed amendment, [Exhibit G](#), as community service hours. I agree that would be a better way children could work toward being successful on probation through involvement in positive activities, whether it is a sports team or school club. There are a lot of avenues about which maybe kids will not think, "Oh, you know, I have to go show up and perform community service." That will lead to more positive outcomes so kids can get their cases closed and put that chapter of their lives behind them. As Senator Ohrenschall said, our greatest joy is to never see a child come back.

I remember from my family court experiences if children went to school consistently, got certain grades or went to certain classes, it helped take time off their court obligation. I do not care if it is simply an extra two hours, if we gave them a goal that was not simply punishment, that is what I am looking for.

SENATOR HANSEN:

We need to recognize for 600 hours of community service, we are dealing with 16- and 17-year-olds who have brought a weapon to school. It is not like children who in my day were punished for chewing gum in class; those are serious crimes.

If you want to impose more psychological counseling, what is the success rate? Do you monitor juvenile recidivism rates? How successful is the psychological side of what you are doing?

Ms. DUFFY:

We struggle with figuring out juvenile recidivism rates for a lot of reasons. Sometimes it is because the case management systems between the adult and juvenile systems do not speak to each other. I do not know if we had a kid at the age of 16 who stayed on the great trajectory of crimes after he left us.

I do not know if sending a child for psychological evaluations and classes assists him or her. Senator Ohrenschall mentioned a program I was involved in where I went with kids on probation—some were sex-trafficking victims, others had committed armed robbery—on Saturdays to a training facility to work together on critical thinking skills, building empathy by cheering each other on and developing leadership skills. Many kids who are now adults who went through that program still contact me to share what they are doing in their lives.

Those Saturdays were helpful because the children were around supportive people with positive energy. It helped kids see the community as more than a person wearing a badge and helped me see the children as more than the crimes or delinquent acts they had committed. We can make an impact when we connect children to something they will succeed at and put them on a better path.

A Las Vegas high school has a carpentry program. If we can get children into a program like that in which they are in school five days a week and getting credit for sitting with teachers, that will get them close to 600 hours for their second firearm offense. Clark County has youth culinary and forestry programs; Washoe County has similar venues. I am looking forward to expanding these activities because they will make a difference for kids. Those hours are not a punishment; they are a connection to community that will benefit everybody.

SENATOR HANSEN:

There needs to be some cleanup on the bill, but the overall concept is excellent for kids in trouble perhaps trying to work their way out of a spiral into State prison.

SENATOR OHRENSCHALL:

You brought up firearms in school. Certainly, we have cases of a child arrested in possession of a firearm. Statute says 200 hours of community service is often ordered for a first firearm offense. We also see children who bring a BB or toy gun to school, but statute still requires the 200 hours of service.

I am not in favor of kids bringing BB guns to school, but a lot of them may not know the BB gun someone gave them is not a toy. We realize how dangerous it is to take a BB gun to school because people might think it is a real gun; however, a lot of kids do not realize that. The community service requirement is the same whether it is a real or BB gun possessed by a child.

SENATOR STONE:

You talked about the challenge of finding community service programs for kids. In lieu of some of those programs, we are recommending psychological treatments. I know we have a shortage of behavioral health specialists in Nevada. How are you going to accommodate that issue?

In all the programs listed here, one element seems to be missing: parental involvement. When I was an elected official in the City of Temecula, California, we had a graffiti problem. We passed the toughest graffiti ordinance in the state. If juveniles were caught tagging, they were required to do community service by erasing graffiti. They had to do it in the accompaniment of both parents and pay mitigation costs for the damage they had done. As a result of that ordinance, our graffiti crimes went down to practically zero.

When you have a second episode of a child having a firearm, the flags are really going up that something is not working in his or her life. We had a similar issue when I was on the Riverside County, California, Board of Supervisors. We had a mandatory program that if you were juvenile with a firearm conviction, you and your parents had to go to a juvenile detention center and listen to a detainee with a life sentence.

I will never forget this as long as I live: two 17-year-old juveniles murdered a couple of people. They were going to be transferred from a juvenile to an adult facility and spend the rest of their lives in prison. They opined in front of the kids with firearm offenses, "Do not make the same mistakes that we did. We made a split decision, a second-long decision. That was not a good decision, and we are going to pay the price for the rest of our lives." At least 100 kids, plus their parents, were in the audience. I guarantee that was a moving presentation that maybe got the attention of the kids to say, "Yeah, that is something I definitely do not want to do. I do not want to spend the rest of my life in prison and making a stupid decision like these two guys did could end up in my going there."

SENATOR OHRENSCHALL:

Regarding the lack of personnel in behavioral health, we have medical schools in our State. We have a good shot at graduating people who want to help children, whether it is through social work or clinicians. However, that will not solve the lack of behavioral personnel. There are other efforts with reciprocal licensure we have tried to attract people from other states. I hope that will continue because our lack of personnel is difficult.

As to parental involvement, that depends on each case. How involved parents want to be differs. I wish there was a magic bullet that would solve that because it is involved. I see cases in which parents are highly involved; I see other cases in which parents are not involved at all. Sometimes that is because parents are strapped working so many jobs they do not have the time to be involved. In other cases, it is because they are simply not interested. It is a real challenge. I am interested to hear what Senator Stone felt worked in other states.

MS. DUFFY:

Section 4 of S.B. 359 allows the court to order parents to participate in the child's community service. In the proposed amendment, [Exhibit G](#), in section 4, subsection 1, the juvenile court can order the child or parent or guardian or both to perform community service. In the amendment, using counseling or psychological treatment to replace community services is removed. That will be a separate part of the child's probationary terms. As to Senator Stone's thoughts on firearms, inmates' stories are impactful for children to hear. We have some gang programs in Clark County in which prisoners talk to youths about similar things.

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SENATOR STONE:

Does Clark County have youth courts?

Ms. DUFFY:

If you mean trial by peers, yes.

JAGADA CHAMBERS:

I support S.B. 359.

Ms. MOYA:

I support S.B. 359. I agree with other testifiers we can work on its language to ensure our youth are served first and foremost so we can continue to grow the community.

NICK SHEPACK (Fines and Fees Justice Center):

The Fines and Fees Justice Center supports legislation like S.B. 359 that expands the definition of community service for all ages. We agree with the reduction of service hours in the original bill.

I look back at my life as an example. I had two parents for most of my childhood, I participated in extracurricular activities and had no obligations to work. If I had been sentenced to community service, under the bill's guidelines, I would have had many options. Many people in my neighborhood came from single-family, immigrant homes in which children worked jobs after school or on weekends and helped watch younger siblings. The number of hours of community service required by the bill would have been difficult for these youths while easy for me.

Expanded extracurricular activities options connect children to the community and allow them to better themselves. It is important to foster trust in the justice system and ensure when the kid completes his or her probation, he or she comes out with beneficial skills.

One thing that has not been talked about is our rural counties. We talked to a public defender in Eureka who said the only juvenile community service options the office had were cleaning police cars or picking up trash on the side of the freeway. This is not necessarily age appropriate or safe for juveniles. However, Eureka does have school and extracurricular activities. When we think

about expanding and allowing kids to access community service, especially about our girls, we believe this piece of legislation can have a great impact.

JONATHAN NORMAN (Nevada Coalition of Legal Service Providers):

The Nevada Coalition of Legal Service Providers includes the Legal Aid Center of Southern Nevada and Northern Nevada Legal Aid, which represent kids in foster care. Obviously, a lot of kids in foster care are crossover cases. They are in foster care and have juvenile justice cases and are represented by public defender offices.

I agree with Ms. Duffy that expanding community service opportunities for kids makes sense. We represent kids in foster care who are having trouble meeting the 200-to-600-hour service goal. That is always exacerbated if they are in foster care.

JEFF ROGAN (Clark County):

I am representing Clark County. The Department of Juvenile Justice Services supports S.B. 359 and the proposed amendment, [Exhibit G](#). Since the COVID-19 pandemic, there have been limited opportunities for juveniles to perform community service, especially for those who are under the age of 14 and living in less-populated areas of Clark County. This bill would allow juveniles to complete their probation in a timely fashion whereas that has not always been the case. More importantly, the bill and proposed amendment transitions our understanding of what community service means away from manual labor-type assignments described by Mr. Shepack toward something that will encourage civic engagement, enhance life skills and keep children involved in their communities and schools.

MS. ROTH:

The Washoe County Public Defender's Office supports S.B. 359. I echo the sentiments of previous testifiers. Expanding opportunities for juveniles for community service makes sense as we want to set them up to succeed.

MR. PIRO:

The Clark County Public Defender's Office supports S.B. 359.

ELIZABETH FLOREZ (Director, Washoe County Department of Juvenile Services):

Washoe County Department of Juvenile Services supports S.B. 359 as amended. Initially, I was opposed due to concerns about allowing therapy in lieu of

community service. That would have had a significant fiscal impact to rural counties.

In Washoe County, community service is not viewed as punishment but as an opportunity to assist children to gain empathy as part of their development and to give back to the community. We operate a work program in which field supervisors counsel participants throughout the day to connect their behaviors to the impact on victims who experienced fear, trauma and financial loss caused by the juveniles' crimes. The proposed amendment reminds us our system must be balanced to promote youth development, promote community safety and support victim restoration.

CHRISTOPHER REIS (Las Vegas Metropolitan Police Department):

Las Vegas Metropolitan Police Department opposes S.B. 359 as written even though we appreciate expanding avenues to satisfy community services. The Department is seeing an increase in school and gang violence involving juveniles, often involving firearms. Decreasing the hours of meaningful community service will only make this worse.

SENATOR SCHEIBLE:

Senate Bill 359 and its proposed amendment, [Exhibit G](#), have the potential to help kids succeed on probation and perform community service. It can help them with a lot of the issues they are facing and to not become repeat customers.

MS. DUFFY:

As you can see, even from across the aisle in our juvenile justice day jobs, the bill would allow us to support children while making better outcomes for our community.

CHAIR SCHEIBLE:

We will close the hearing on S.B. 359.

JOHN CARLO:

What we really need to look at is amending the 1994 law that made it illegal for public schools to discipline children with corporal punishment. I grew up in North Carolina, where one of my best principals was a Black woman. She taught me a lot and spanked me. We need to start disciplining kids at a young

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age. They say an ounce of prevention is worth a pound of cure. We need to focus on the public education system.

The Committee needs to let the community know you need programs for kids to get involved in. No one is talking to me or my church about what you need; you need to be better communicators. Senator Stone brought up a lot of good points today.

CHAIR SCHEIBLE:

Seeing no more business before the Senate Committee on Judiciary, this meeting is adjourned at 3:43 p.m.

RESPECTFULLY SUBMITTED:

Pat Devereux,
Committee Secretary

APPROVED BY:

Senator Melanie Scheible, Chair

DATE: _____

EXHIBIT SUMMARY				
Bill	Exhibit Letter	Introduced on Minute Report Page No.	Witness / Entity	Description
	A	1		Agenda
	B	1		Attendance Roster
S.B. 227	C	6	Elliot Malin / National Anti-Defamation League	Proposed Amendment
S.B. 227	D	24	Janine Hansen / Independent American Party	Testimony in Opposition
S.B. 227	E	27	Bob Russo	Opposition Statement
S.B. 227	F	33	Senator Melanie Scheible	Seven Opposition Documents
S.B. 359	G	34	Nevada District Attorneys Association	Proposed Amendment