

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

**Eighty-Third Session
March 13, 2025**

The Committee on Judiciary was called to order by Chair Brittney M. Miller at 8 a.m. on Thursday, March 13, 2025, in Room 3138 of the Legislative Building, 401 South Carson Street, Carson City, Nevada. The meeting was videoconferenced to Room 3 of the Nevada Legislature Hearing Rooms, 7120 Amigo Street, Las Vegas, Nevada. Copies of the minutes, including the Agenda [[Exhibit A](#)], the Attendance Roster [[Exhibit B](#)], and other substantive exhibits, are available and on file in the Research Library of the Legislative Counsel Bureau and on the Nevada Legislature's website at www.leg.state.nv.us/App/NELIS/REL/83rd2025.

COMMITTEE MEMBERS PRESENT:

Assemblymember Brittney M. Miller, Chair
Assemblymember Elaine H. Marzola, Vice Chair
Assemblymember Lisa K. Cole
Assemblymember Joe Dalia
Assemblymember Cecelia González
Assemblymember Ken Gray
Assemblymember Alexis M. Hansen
Assemblymember Melissa R. Hardy
Assemblymember Selena La Rue Hatch
Assemblymember Cinthia Zermeño Moore
Assemblymember Hanadi Nadeem
Assemblymember David Orentlicher
Assemblymember Erica P. Roth
Assemblymember Toby Yurek

COMMITTEE MEMBERS ABSENT:

None

GUEST LEGISLATORS PRESENT:

Assemblymember Jovan A. Jackson, Assembly District No. 6
Assemblymember Shea M. Backus, Assembly District No. 37



STAFF MEMBERS PRESENT:

Cesar Melgarejo, Committee Policy Analyst
Aaron Klatt, Committee Manager
Lola Works, Committee Secretary
Ashley Torres, Committee Assistant

OTHERS PRESENT:

Shaun T. Griffin, Nevada Poet Laureate; and Cofounder, Nevada Prison Education Project
Nick Shepack, Nevada State Director, Fines and Fees Justice Center
Kacey KC, State Forester Firewarden, Division of Forestry, State Department of Conservation and Natural Resources
Wesley Harper, Director, Government Affairs, City of North Las Vegas
Paloma M. Guerrero, Deputy Public Defender, Legislative Liaison, Clark County Public Defender's Office
Douglas Unger, Member, Nevada Prison Education Project, University of Nevada, Las Vegas Chapter
Kim Renee, Private Citizen, Las Vegas, Nevada
Tonja Brown, Private Citizen, Carson City, Nevada
Denise Bolaños Heredia, Associate Director, Return Strong!
Jagada Chambers, Private Citizen, Las Vegas, Nevada
Tara Webster, representing Progressive Leadership Alliance of Nevada
Ryan Beaman, District Vice President, Professional Fire Fighters of Nevada
Don Southworth, Chief, Offender Management Division, Department of Corrections
Jonathan Norman, Statewide Advocacy, Outreach and Policy Director, Nevada Coalition of Legal Service Providers
Liz Ortenburger, CEO, SafeNest
Serena Evans, Policy Director, Nevada Coalition to END Domestic and Sexual Violence

Chair Miller:

[Roll was taken, and Committee rules and protocols were reviewed.] There is one bill being removed from the agenda, Assembly Bill 312.

Assembly Bill 312: Revises provisions governing the sale of real property. (BDR 10-1005)

We will just have the two bills today. We will go ahead and open up the hearing for Assembly Bill 321.

Assembly Bill 321: Revises provisions relating to offenders. (BDR 14-1015)

Assemblymember Jovan A. Jackson, Assembly District No. 6:

I know I am supposed to have some copresenters. Maybe they are running a little late, but I will walk us through this bill the best I can.

[Recess to call of the Chair at 8:03 a.m.]

[Chair reconvened at 8:04 a.m.]

Assemblymember Jackson:

I am presenting Assembly Bill 321. There were a lot of major amendments on this bill. The bill focused more on wildland firefighters, inmates transitioning from doing wildland firefighting, from incarceration to when they are released, to be eligible for that position by law. Assemblymember González has been added as a primary sponsor of this bill. This amendment will remove sections 1, 2, 3, and 6 from the original bill and keep sections 4 and 5, with section 4 updated for clarity. The goal is to allow formerly incarcerated wildland firefighters to apply for jobs with the Division of Forestry (NDF) after they are released. Why does this matter? It addresses Nevada's shortage of NDF firefighters, reduces recidivism by offering viable employment and rehabilitation, provides a solution to Nevada's wildlife, and keeps communities safe from fires.

Who is eligible? Only individuals who actively served as wildland firefighters while incarcerated will be considered for these NDF jobs by law. It is specific to Nevada, because Nevada has their own eligibility for inmates who serve as wildland firefighters. This only applies to inmates who served in Nevada. This bill also touches on the emergency medical technician (EMT) certification. We hope to see more firefighter positions that do not require EMT certification. This will make it easier for inmates who have served as wildland firefighters to obtain jobs as free people. I understand there may be questions about which type of inmates are eligible to be wildland firefighters. I will request that information from the Department of Corrections (NDOC), but I will briefly say that these work camps are not barbed wire facilities—there are no gun towers. These individuals could literally walk off the camp if they want to. These are some of our most trusted inmates. They work in the community; they work directly with people in the community. You would never know they are inmates while they are doing that work. I just want to clarify what type of inmates will be eligible to be hired as wildland firefighters.

Chair Miller:

Assemblymember, before we continue, could you first explain what the wildland firefighter program is?

Assemblymember Jackson:

The wildland firefighter program [Conservation Camp Program] in NDOC is a work program for inmates. You have to be a certain level of a certain category of inmate to qualify, and you have to be a certain number of years away from violence. There are a lot of requirements to

be admitted into this work program. Once you are admitted into this work program or work camp, you are able to have different positions, and one position is working for the NDF. It goes beyond just firefighting—the NDF does a lot of work for the community. Whether it is on the side of the highways or in the neighborhoods or directly in the city, these inmates may be responsible for cutting trees, maintaining fences, cleaning certain areas, and even working directly on farms and private property. The program is to allow individuals who want to work and be productive while they are incarcerated to have a little more freedom and a few more options during their incarceration.

Ultimately, it is a work program, and in that work program, the NDF has an additional program where these individuals could be licensed and meet the qualifications and certifications of being a wildland firefighter. Once they are activated, they are activated during fire season, so when there is a fire, they go from regular NDF work to being actual wildland firefighters, and they go out and fight fires like any other wildland firefighting crew.

Chair Miller:

Are there other aspects of the conceptual amendment or the bill that you want to address?

Assemblymember Jackson:

No, nothing else I want to address, except to state there should be more work opportunities for people incarcerated compared to when they are free. I will conclude and give the rest of the presentation to my copresenter, Mr. Griffin. He will discuss more of the impacts of NDF and how this is an important bill.

Shaun T. Griffin, Nevada Poet Laureate; and Cofounder, Nevada Prison Education Project:

For the past 30-plus years I have been volunteering at Northern Nevada Correctional Center to teach a poetry workshop. I have had over 200 people in that workshop. Fewer than five have come back on a yard where the recidivism rate is around 60 to 70 percent, and there is a reason for that—it is the trust, the agency, and the belief in their future that develops in the workshop and the relationships that get established. When you get out of prison, it is really difficult, period—not just to get a job, to get a house, to get back in your community, to get a relationship going, to do anything like that. The reason these men have succeeded is that somebody in their orbit has cared enough to help them with that transition. Of those 200-plus stories, I can tell you things that would make your skin crawl when they have tried to get a job. I have had men who were on fire crews go try to get a job—they cannot. They are turned down. I have had men with degrees, both undergraduate and graduate, go try to get a job—they cannot. They are turned down. It is because they have a star on their forehead, and it is called "felon."

What this bill does is allow people who have training and expertise to get work. If you send somebody outside with the expectation that they will become participants in this society but they are not allowed to work, it basically hamstring them for the duration of their parole. After that, you know what happens—people violate again, and they return to prison. None of us want that. We all know there is a better way. It costs about \$50,000 a year to incarcerate

a person. If a person is making that money, everybody wins, and more importantly, they go on to have a future. It is pretty straightforward—I completely support this bill. Everyone I know who is working on it does as well. I have been around this issue all my adult life. It is proactive and positive.

Assemblymember Jackson:

I did speak to the director of NDF, and they stated to me that they do currently hire folks who have a background, so this will be more codified in law that this is something that will be allowed, and then also looking at more positions that do not require certification.

Chair Miller:

First, could you define NDF?

Assemblymember Jackson:

Yes, Nevada Division of Forestry.

Chair Miller:

You said NDF are hiring individuals who are formerly incarcerated?

Assemblymember Jackson:

Yes.

Chair Miller:

I just want to get a more full understanding of the program. We have people who are incarcerated fighting our wildfires, and I know last session we even had bills to increase the pay for them, but the challenge is that upon release, they are not able to become a firefighter with one of the local municipalities.

Assemblymember González:

My understanding is they currently hire folks. Are there specific crimes that bar people from getting hired, or why are some people getting hired and other people are not?

Assemblymember Jackson:

I do not know that answer. Could I bring someone up to answer that question?

Chair Miller:

It is your bill hearing. Yes.

Nick Shepack, Nevada State Director, Fines and Fees Justice Center:

One of the major issues with hiring people post incarceration into certain firefighting jobs is that different jobs require different certifications, and different certifications have different barriers based on felonies. The issue is while some people will be able to seamlessly transfer from the NDOC into something like firefighting, there may be a bar on getting an EMT certification, which I learned when I talked to the lobbyists from the different fire unions. If you cannot get that EMT certification, you cannot be a wildland firefighter. The goal of this

bill is to ensure that anyone who is trained as a firefighter in NDOC can access all required certifications to fight those fires, whether it be wildland or otherwise.

Assemblymember Gray:

The premise of the bill is great. However, when you mentioned the EMT certification, that set some bells off in my head. Quite often, EMTs are placed in the close proximity of narcotics if there is a paramedic or something like that. I have real concerns about that, especially if they have had a drug conviction or have had a known addiction. Do you plan on doing anything to mitigate that risk?

Assemblymember Jackson:

Within the current program with NDOC wildland firefighters, those firefighters do not have that certification, but they do have a crew boss who has that certification. To my knowledge, the crew boss is certified. These inmate firefighters go out, they fight fires, they have a crew boss, and if something does occur, there is someone who is licensed and certified to provide certain emergency services.

Nick Shepack:

To quell your concern a little bit, the background check would still be there. When somebody is hired to be a wildland firefighter, their bosses and everyone in charge would know if this individual had a history of drug use, and they would assign them accordingly. It would not be a blanket to go be an EMT. I would also say that anyone who has gone through the rehabilitation program and done multiple years in prison would be held to the same standards as anyone on the street, and the majority of people who struggle with drug addiction do not have a record and have access to these certifications anyway.

Assemblymember La Rue Hatch:

Are all our wildland firefighter positions requiring EMT certification, and will it be waived for the other folks who are not coming through this program? Could you speak to those requirements?

Kacey KC, State Forester Firewarden, Division of Forestry, State Department of Conservation and Natural Resources:

The Division of Forestry no longer has EMTs. We had all risk back before 2008—that went back to local government. That is some of the hindrance, and when we talk to wildland firefighters at a local government level, they often do have the requirement for EMT certification. At the NDF, we have nobody certified, so we would not be able to provide any EMT certification for anybody. Our crew bosses are nationally qualified, as are our firefighters in the National Wildfire Coordinating Group (NWCG). We provide the same certification to inmate firefighters as we do to all our paid firefighters, so when they leave incarceration, they have those certifications on file. We are able to hire because we do not have EMT certification—we do not carry the ability to prescribe or administer drugs within our Division. There is a barrier at local government. The barrier for hiring for us can be positive identification. If they leave the system without something like a driver's license, that is required of all positions in the state of Nevada, so that can be a barrier for hiring. As

Assemblymember Jackson said, we are able to and have hired straight off of our crews in the past.

Chair Miller:

What has your experience been with those individuals?

Kacey KC:

We have had mixed experiences. Some end up going back into the system and some do not, but we have had a lot of success in tree services, the tree care industry, and those types of jobs. We have had success on firefighting crews as well. Both state and federal government have hired straight from our crews before. They are palatable because they come with the same qualifications everybody else has. We have had as good of success as we do with every other human we hire. Some of those come with challenges as well.

There is a Phoenix crew that comes out of the state of Arizona. It is a two-step program with the Arizona Department of Corrections. They are provided a place to live, the facility, or the therapy and the counseling that is necessary to keep them out of whatever it was that brought them in; and then they are hired into the state of Arizona onto this crew and may be given a five-year term, where they then go past getting tenured into the state, which makes them even more hireable. It is a halfway house, as they call them. In fact, we had an applicant who we did try to hire in the state from that Phoenix crew this year. Unfortunately, we were not able to provide housing at the time. I think those are some of the limiting factors, as well—affordable housing and the ability to still get the treatment they need beyond the life and tenure of the prison system. We would be very interested in working on a program like that.

Chair Miller:

Before I go back to questions, you said tree trimming is another occupation. We need to keep this focused on firefighting, but my brain will go down that tree trimming rabbit hole later.

Assemblymember Cole:

I think this is really interesting and very important work. You had mentioned there are other barriers in other certifications. I know we are removing the EMT, and that is specific to the NDF, but there are barriers in local government areas. Is there more we can do to remove some of those barriers, or is there possibly an incentive program where you are giving private individuals or private companies that are in the same line of work something extra for hiring folks who come out of this program?

Assemblymember Jackson:

I think that is a great idea to give people incentives to work. Obviously, I am not an expert on the subject, but yes, there is a barrier for local firefighters. If they do not have that certification, they cannot be firefighters or domestic firefighters. I have learned today that barrier does not exist with NDF, but that is a real barrier folks face, and we all deserve the opportunity to rehabilitate and work in the community. I think it is a great idea to look at ideas to help remove those barriers for local firefighters.

Assemblymember Hardy:

I agree. Recidivism and how we address it is a topic I have always been very interested in how we help people come out and move on with their lives and not end up back in the system. I think this might have been answered, but I want to clarify it. Is there an opportunity to earn the EMT certification or other certifications while they are in this program? I think someone said this Division does not offer that, but are there opportunities for them to earn other certifications in other ways while they are in this program?

Assemblymember Jackson:

Yes, they do become certified wildland firefighters, which ultimately certifies them to do other things. I know we are not going to get into the other services NDF does just for the bill hearing, but yes, that does certify them to use certain devices and mechanisms.

Nick Shepack:

The Department of Corrections (NDOC) does not have an EMT certification program. They do have a variety of certification programs. They are mostly not through the Department itself, but through partners with other parts of government, like NDF and other things. They can offer a variety of certifications. People come out with ServSafe Food Handler certifications and other certifications, like welding, that help them get jobs. Currently, there are no medical certifications in the Department.

Shaun Griffin:

I would like to add to that. The majority of the certifications that are provided inside are provided by the colleges that work in the prisons—that is, Western Nevada College, College of Southern Nevada, and Great Basin College. They provide not only certificates, but associate of arts, associate of science, and bachelor of science degrees, and that is the group we are working to support right now. I think Chair Miller mentioned that you need a license when you start this process. That is a real barrier. You do not get one when you get out. You have a prison ID, and that is all you have. Going beyond that, to find how to get your birth certificate. Lack of a birth certificate prevents you from doing anything. That is a real barrier. Just in case you need a human face on all of this, I encourage you to go downstairs to the lobby on your break and read some of the poems from the workshop I have been teaching, and it will bring this issue home in a big hurry. Those poems are by real people, and they are telling you what their lives are like.

Assemblymember Roth:

I just want to make sure I am fully understanding. We are basically looking at two types of firefighters. We have wildland firefighters and local government firefighters. Is that correct?

Assemblymember Jackson:

This bill only focuses on wildland or wildlife firefighters.

Assemblymember Roth:

I understand, but just in the state of Nevada.

Assemblymember Jackson:

Yes. I do not know if there are more than two, but there are wildland firefighters and then what we consider more domestic firefighters who fight structure fires like buildings and homes; and then wildland is more forestry and setting the boundaries between the communities and the forestry like a fire line.

Assemblymember Roth:

This may be a question for the NDF, but can you speak a little bit to the experience and the similarities or differences between the wildland firefighters and the domestic firefighters, or whatever the actual term for that is?

Kacey KC:

There are similarities and differences. Local government firefighters are "all risk" firefighters. They are the ones who come when you call 911, for everything from your cat in the drain or in the tree to you have fallen and you have got an injury. Wildland firefighters are the ones hired through your taxes who actually have a response requirement within a certain time frame within your district.

Wildland firefighters came out of the great fire of 1910. I could go on and on about the whole thing, but it is really how the forest service was developed. They are more on the forestry side of the house. They were foresters to begin with in the forest services; they were in the back country, not really looking at structure fire. When your house is on fire, your local government fire department is going to come. When it becomes a wildland fire, if it starts to spread from your home into the vegetation behind you, then our firefighters will engage. We work very closely together. In fact, in Nevada, we have the Wildland Fire Protection Program, where we actually help support local government, because we need them and they need us, so we will often help each other. They are often there on wildland fires. We are never there when your cat is in a gutter or your arm is injured because we cannot help you. That is the difference.

They have different certifications. They may also have wildland certifications, and many of them do, through NWCG; but they also have things like medical certifications, EMTs, those types of things. We work very closely together, but their response on those things is different than ours. One of the things I will say, to speak to the earlier point and not get too far into the forestry side of our job, but why wildland firefighters live in land management agencies is because every day they are mitigating fires. When they are not fighting fire, they are not sitting in a station waiting for the call, which is required of local government fire districts because of the time response. We are out every day preventing those fires from happening. They are out in the communities doing the work to mitigate the risk—burning piles, clearing brush, doing everything they are doing every day in order to try to reduce that risk for those communities.

Assemblymember Hansen:

First, I just wanted to say I love what you are trying to do with this bill, and I think it is trying to work through some of the questions and issues. Mr. Griffin, thank you for what you do in

the community at CARE Chest. Having firsthand experience as an employer, being able to give those who have served their time an opportunity to come back into the community and get a job—we have had some really positive experiences with that. Certainly, there have been some negative ones, but nothing major for us, thank goodness. My heart is here in this legislation, and I hope we can figure out a way to make this work.

Ms. KC, on the idea of the amendment [[Exhibit C](#)] and the purpose, it said, helping the "workforce development by addressing the current shortage of wildland firefighters." I want to understand, is there a shortage? To what degree? In section 5, we talk about how under the hiring program, the State Forester Firewarden may appoint a person without competition. I think my concern would be, if there are those in the community who are competing typically for positions to be filled, I would not want to see somebody lose out because we must have a preference for somebody who might have been incarcerated. I do want the incarcerated person to have a level playing field. If you could help me to understand that.

Assemblymember Jackson:

We could look at an amendment for that. These incarcerated folks are very qualified. They have fought multiple fire seasons; they go out every day and should be able to compete with any other applicant. We could look at amending and removing that because these folks are just as qualified or maybe more qualified than the average person. That is one reason why I brought up this bill, because there are shortages due to legislation that was passed with NDF, but I will defer that to Ms. KC.

Kacey KC:

There is a shortage with the passage of Assembly Bill 236 of the 80th Session. The Division of Forestry historically ran ten conservation camps in conjunction with the Department of Corrections: two female camps and eight male camps around the state. We had 74 crew supervisors running ten-person inmate crews across the state. At the peak, we provided—and it gets a little complicated, but a wildland firefighting crew is two of those squads put together, so 20 people, which is the minimum requirement at the national level—and we had 30 of those crews across the state. Today, I am lucky if I can fill two to four because of the inmate shortages. I now run out of three camps, mainly, and one partially. I also have such high turnover that I actually do not have qualified crew bosses at the level to take them out. We are working feverishly to get them qualified.

There are other firefighters out there, so it is not as though when the bell dings, they are not going to come—they are going to come from other states to help us out when we need help in the state. I concur that there is a shortage in the state of Nevada. When we transitioned out of those camps—and I would like to state that NDF has really loved working in these camps with the NDOC. It has been a meaningful work environment for us and our crew bosses. We never thought crew bosses would have a 20-year career; we thought that would be a steppingstone into the Division, and they love doing this kind of work. This has been a hard transition for the Division, transitioning out of working in those camps. We now have transitioned some of our positions into fire fuels crews. They are staffed by NDF personnel every day doing mitigation work and then fighting fires. We have three of those across the

state to make up for the 30 we had, plus the 4 or so we could provide out of the camp. We are short, and so we would look forward to seeing any of those.

I also had concern about noncompetitive hiring. Everyone will tell you, even internal candidates get mad at me because I am always into competitive hiring. I firmly believe that is something we should always do. I do believe there are opportunities like the Phoenix crew they have built in Arizona; that could be a great opportunity for us to offer them jobs that are not as competitive that could get them time in a work environment to prove—they would get evaluations, they would be showing that they are doing this work and doing a good job like they do in the prison system but now outside. That would help them in their pathway to getting jobs, say, at local government, if an EMT is where they wanted to go.

Assemblymember Gray:

To clarify, this bill is to get the inmates streamlined for a position with NDF and NDF only, correct?

Assemblymember Jackson:

Yes, to allow them by law to be able to have that process where they are hired by NDF.

Assemblymember La Rue Hatch:

I get the sense from my colleagues and for myself that we support this idea. I think we are appreciative of NDF hiring folks, and I agree we are trying to dial in. This bill is entirely aimed at NDF, who is already hiring folks. The Division of Forestry does not even have an EMT requirement to waive. It sounds like the holdup is in local hiring. How does this bill achieve the goals when it sounds like the goals are already being achieved? Is there an amendment that can help us get closer to those goals?

Assemblymember Jackson:

I would say the bill is still important because it removes any bias or subjective views from hiring. Yes, administratively, NDF allows folks to hire formerly incarcerated people, but this will remove any bias or any subjective views about hiring someone with a record. It creates more protection to those individuals who served as an inmate wildland firefighter to be hired by NDF when they are released. But yes, I would definitely be excited to look at other options, even a workforce pipeline program, to get more NDF firefighters.

Assemblymember González:

I was just wondering, on the amendment, it specifically states that inmates who have actively served wildfires. Is that just for them, or are there other inmates who may not have served but can still qualify to work?

Assemblymember Jackson:

Yes, not every inmate who participates in NDF becomes a wildland firefighter. The bill does specify that it is for these individuals because they do have the qualifications and the experience. It is focused on them, but it is not limiting NDF to hire those inmates who did not fight fire.

Chair Miller:

I will open it up for testimony starting here in Carson City. If anyone would like to provide testimony in support of A.B. 321, please come forward.

Wesley Harper, Director, Government Affairs, City of North Las Vegas:

We support this bill. We believe it is helpful in reducing recidivism, which is good for the state and therefore good for our city.

Nick Shepack:

I think we can all agree that the intent of the bill is fantastic. We want to reduce recidivism. We have a firefighter shortage. I think we need to massage the language a little bit, but I think we can get there to address these issues, reduce recidivism, and protect our wildlands and our homes.

Paloma M. Guerrero, Deputy Public Defender, Legislative Liaison, Clark County Public Defender's Office:

The number one factor that reduces recidivism is having a job. This bill is a "smart on crime" measure that is going to help people get back on their feet, it is going to help people support their own families, and it is going to help people stay out of the criminal system.

Chair Miller:

Not seeing anyone else approach here in Carson City, Las Vegas, would you like to testify in support?

Douglas Unger, Member, Nevada Prison Education Project, University of Nevada, Las Vegas Chapter:

[Read from [Exhibit D](#).] The Nevada Prison Education Project is an independent organization that includes teachers from colleges and universities in the Nevada System of Higher Education, community groups, nonprofits, justice-impacted students, and the Department of Corrections. We all work together to improve and expand prison education in our state, and hopefully provide this second-chance pathway for justice-impacted persons to reenter the workforce and have a true second chance. The portion of this bill that remains—the wildlife and wildland firefighters provision—is an active provision designed to remove the stigma that prevents so many reformed, formerly justice-impacted persons, who served their time and made amends, to enter the workforce, which is so necessary, and one of the largest impediments we also face for people who have earned degrees through our program. Thank you for your support of A.B. 321, and thank you to all the people who are going to work on amending the bill to make sure it fulfills its very positive intentions.

Kim Renee, Private Citizen, Las Vegas, Nevada:

I strongly support A.B. 321.

Chair Miller:

Is there anyone else there in Las Vegas? [There was no one.] Please open the lines.

Tonja Brown, Private Citizen, Carson City:

This is a fantastic bill that is long overdue. If the inmates have the training and the expertise in this field, they should not be precluded from seeking employment because of a felony conviction. They served their time, they paid their debt to society, and they deserve a second chance. This is just a thought, that if they have served their time and have been released, and they have sought employment and are working in the wildland fires, that after five years of employment, they can apply for employment with local government agencies. We strongly support A.B. 321.

Denise Bolaños Heredia, Associate Director, Return Strong!:

We strongly support A.B. 321, and we thank the bill sponsors for bringing it. This bill ensures people who have served their time and have already done this work are not unfairly locked out of work opportunities when they return to our communities. During the recent wildfires in Los Angeles, incarcerated firefighters played a vital role in containing the flames and protecting these communities. These individuals work tirelessly, side by side with professional crews, facing the same dangers and demonstrating the same courage; but despite their proven skills and dedication, most will be denied the chance to become full-time firefighters upon release simply because of their record. Assembly Bill 321 recognizes that rehabilitation should lead to opportunity and gives qualified individuals a fair chance to continue the work they have already done. Second chances are not just about individuals proving that they deserve them—they require a society willing to recognize their worth.

Jagada Chambers, Private Citizen, Las Vegas, Nevada:

I am calling in strong support of the legislation. I am definitely overjoyed at even the dialogue around it. The key component I want to bring in is the character of a person who would go and engage in firefighting during their incarceration. Oftentimes people during their incarceration could not imagine losing a finger or dying during that incarceration, so there is a character that must be revealed in the person who even does it, and I think this will be an opportunity for folks who, during their incarceration, can see it as an opportunity to engage when you know there is a pathway to employment in this region when you are released. I will say that much. Thank you all for your time.

Tara Webster, representing Progressive Leadership Alliance of Nevada:

The carceral system has historically benefited from the labor of incarcerated individuals, particularly in wildland response efforts. These individuals are considered physically and mentally fit for the job and receive the same training as other wildland firefighters, which includes both classroom instruction and hands-on field experience. The Progressive Leadership Alliance of Nevada advocates for recognizing the contributions made by these inmates for the benefit of our state, and we strongly support the enactment of A.B. 321 into law, which would provide these individuals with opportunities to pursue meaningful and rewarding careers after they have served their time.

[[Exhibit E](#) and [Exhibit F](#) were submitted in support but not discussed.]

Chair Miller:

I will open it up for neutral testimony starting here in Carson City.

Ryan Beaman, District Vice President, Professional Fire Fighters of Nevada:

Coming up in neutral, we have not had a chance to speak to the bill sponsor about this legislation. We currently represent the state firefighters who represent the forestry. Battle Born Firefighters Association has a collective bargaining agreement with the state, and we are not sure of the impact it might have if those are the people who are trying to come into that membership. There is an open, competitive-type process that is outlined in our collective bargaining agreement, so we are not sure if this is where they are trying to go into our members we represent there.

Chair Miller:

I do understand the concern and the responsibility to protect the collective bargaining agreement, but I just want to ask you a question about the training or the possibility of hiring in general. Can you explain what keeps these individuals who maybe have been part of this wildland fire program while they were incarcerated and are now released—and I know when I asked NDOC, they do say that these are individuals who are responsible, just as Assemblymember Jackson stated, have proven themselves, who are left in the forests on their own and they do not walk away, they do not leave—we know they are responsible individuals; now that they have completed their time, they are now released, what keeps them from being hired as a municipal firefighter?

Ryan Beaman:

For the municipalities, it will probably come down to the EMS [Emergency Medical Services] certifications. By law, you cannot have a felony to have an EMS certification [*sic*].

Chair Miller:

One further question—is that EMS certification through the fire department or through another municipality?

Ryan Beaman:

It is through your district board of health. *Nevada Revised Statutes* (NRS) Chapter 450B is where that comes from.

Chair Miller:

Is there anyone else for neutral testimony?

Don Southworth, Chief, Offender Management Division, Department of Corrections:

The Department of Corrections is neutral on this bill, but I do want to point out that the screening process, as Assemblymember Jackson pointed out, is very strict—only minimum custody and below offenders are selected and approved to become NDF firefighters. These are offenders who are allowed to go out without NDOC representation to supervise them. It is also part of our Department's mission to ensure that released offenders are prepared and equipped to obtain meaningful employment.

Chair Miller:

About how many individuals have you seen go through this program since you have been in this position?

Don Southworth:

We currently have over 200 offenders assigned to NDF, and that number is actually significantly down from what it was historically before A.B. 236 of the 80th Session was passed. I think in 2018, we had somewhere in the ballpark of 800-plus offenders assigned.

Chair Miller:

That is 800-plus overall historically, or just since you have been there?

Don Southworth:

In 2018, we had over 800 offenders assigned to work with the Division of Forestry. Currently, we have a little over 200 assigned to work with them.

Chair Miller:

You mentioned the term "low offender," was that the term you used?

Don Southworth:

Yes, Madam Chair, low risk. These are minimum custody and below offenders, so minimum custody or community trusty. They represent the lowest risk to cause any kind of problems, to misbehave, to escape, all those kinds of things.

Chair Miller:

It was just brought to my attention that I had not provided opposition testimony. We are going to switch to opposition testimony and then come back to neutral. Is there anyone here in Carson City or Las Vegas who would like to oppose A.B. 321? [There was no one.] Will you open the lines for opposition testimony? [There was no one.]

We will go ahead and return to neutral testimony here in Carson City. Is there anyone else wishing to testify in neutral? [There was no one.] Is there anyone in Las Vegas wishing to testify in neutral? Not seeing anyone, will you open the lines? [There was no one.] I will go ahead and welcome the bill presenters back up for any final remarks.

Assemblymember Jackson:

I want to state that this bill is very important. Just because NDF allows a formerly incarcerated person to be hired does not mean it is guaranteed—they still can deny folks, case-by-case. I really feel that these individuals who ultimately risk their lives for \$1 an hour should be able to automatically qualify to be hired by NDF and there should be no boundaries.

Shaun Griffin:

The reason I do this work is to provide people with some hope. When you get out, you think the world might be working for you again, and you might have a chance, you might be able

to start your life over. That is what I tell people every week when I go into the prison. I think this bill will help them do that, and I want your support, and I know they do too.

[[Exhibit G](#) was submitted but not discussed.]

Chair Miller:

I will go ahead and close the hearing on [A.B. 321](#). Next, I will open the hearing for [Assembly Bill 369](#).

[Assembly Bill 369](#): Revises provisions governing certain orders for protection against domestic violence. (BDR 3-824)

Assemblymember Shea M. Backus, Assembly District No. 37:

[Assembly Bill 369](#) is a bill that helps ensure the protection of native people. It follows from my work in the last legislative session to address the Missing and Murdered Indigenous People crisis. Last session, through Assembly Bill 125 of the 82nd Session, we ensured that when Indigenous persons go missing, state police could take a report and capture it into the National Crime Information Center (NCIC). This was important, as many tribes do not have tribal police or access to the NCIC. For those tribes that rely upon the federal government for law enforcement, there are also delays in the arrival of a Bureau of Indian Affairs (BIA) officer, and this may become more critical with some of our federal shutdowns, as our BIA office in Elko is actually being considered for closure. Additionally, A.B. 125 of the 82nd Session created a tribal liaison for the Department of Public Safety. Nevada law recognizes that our Indian tribes within our state possess the power of self-government to enact their own laws, regulations, and ordinances, and enforce them by their own tribal courts in accordance with their rules of procedure.

According to an article published in the American Constitution Society, American Indian women residing on Indian reservations suffer domestic violence and physical assault at rates far exceeding women of other ethnicities and locations. American Indian women experience physical assaults at a rate of 50 percent higher than the next most victimized demographic, and 39 percent of American Indian women report being victims of domestic violence. Missing Indigenous persons are not in a silo in Indian country. Last session I gave the example of Ms. Anna Scott, who is a member of the Pyramid Lake Indian Reservation, whose body was discovered on February 3, 2022, in the trunk of a car set on fire on Interstate 580 between Reno and Carson. It has now been over three years, and her murder remains unresolved.

After last session, I attended the Annual Missing and Murdered Indigenous Women (MMIW) Awareness Conference coordinated by the women of the Newe Waipaipian, with about 200 other individuals. From small group discussions, an MMIW task force was discussed to continue the conversations to ensure families would have access to more resources, accurate information, and a seamless process when loved ones go missing. The task force includes representatives from federal, state, and tribal communities, and this is purely a volunteer task force—people volunteer their time to meet each month to have these discussions.

Through the conference and the task force, one of the issues that continue to be a barrier for victims of domestic violence is the enforcement of tribal court protection orders—hence, Assembly Bill 369. But during the 71st Session of the Nevada Legislature, full faith and credit laws were first implemented in Nevada to recognize protection orders from other jurisdictions, including another state, territory, or Indian tribe, specifically codified into law as *Nevada Revised Statutes* (NRS) 33.085. To cover some of the terms in this law, "full faith and credit" means jurisdictions must honor and enforce civil and criminal protection orders by other states, tribes, and territories. "Protection orders" is meant as any injunction, restraining order, or court order, civil or criminal, issued to prevent violence, threatening acts, or harassment.

While these efforts have been crucial to Indigenous people's protection, victim advocates continue to report challenges with the enforcement of tribal temporary protection orders by local law enforcement. Assembly Bill 369 has been introduced in an attempt to make sure tribal restraining orders are being enforced outside of tribal communities, as most of these individuals residing within tribal communities are likely to shop or even work outside of the tribal boundaries. In order for a temporary protection order to be enforced, the order must first be recognized as valid. Assembly Bill 369 expands the evidence an officer may use to determine a valid protection order on its face to include digital evidence. This is so that enforcement of protection orders is not reliant on a physical copy of the order being present. This also allows officers to consider statements made by the adverse party of the restraining order to count as evidence.

Another significant challenge in enforcing protection orders is that the respondent must be given sufficient notice before the order can be enforced. This means a valid protection order will not be enforced unless there is obviously proof of the order being served. This bill adds additional provisions that would allow law enforcement to actually serve the temporary protection order if someone challenges that they were never served. I am working with stakeholders to clean that up, as I see there could be some problems with it, but the key is to make sure these restraining orders are being enforced outside of the tribal boundaries.

I will now walk the Committee through the bill. Section 1, subsection 4(a), affirms that a digital copy of the protection order can be provided as evidence to an officer. Subsection 4(d) allows any statement by a person against whom the order is being enforced to be relied upon by officers when they are enforcing an order for protection against domestic violence. Subsection 5 of section 1 introduces a process for law enforcement officers to follow when an otherwise valid order for protection cannot be enforced because the respondent has not been notified, and it details what the process would be. One, it would require officers to verbally inform the respondent that there is an order in place to provide notice. It also does provide in this next section that the order should be provided to the respondent, and three, allows the respondent a reasonable period of time to comply with the order. This is crucial to the protection of Indigenous people, as it introduces an official channel for valid orders to be enforced. Then subsection 6 of section 1 requires officers to document any actions taken regarding the service of the temporary restraining order. Subsection 7 and subsection 8 of section 1 just make conforming changes.

Assembly Bill 369 is a critical step toward ensuring that Indigenous peoples, particularly those affected by the MMIW crisis, are afforded the fullest extent of protection under Nevada law. The challenges faced by victim advocates and law enforcement in enforcing these tribal protection orders must be addressed so that victims are not left vulnerable due to procedural gaps. This bill will reaffirm the full faith and credit given under NRS 33.085. By modernizing enforcement procedures, expanding acceptable forms of evidence, and introducing a structured process for notification, this bill closes loopholes that have allowed abusers to evade protective orders. Assembly Bill 369 is about more than legal reform, it is about justice, safety, and recognizing the sovereignty of tribal courts. I urge your support for A.B. 369 so that Nevada can take meaningful action in protecting native communities and ensuring that all protection orders, regardless of jurisdiction, are honored and enforced. I thank you for your time this morning, and I welcome any questions this Committee may have.

Assemblymember Hardy:

Thank you for your work on this. I agree. Protection orders should be enforced and followed no matter where the individual is. I just had a question on subsection 5(a)—and this might be something you are working on—as far as notice, is verbal notice a form of service, like in other areas of document service? I was not sure about verbal notice. Could you talk about that a little?

Assemblymember Backus:

That was something we were talking about, because one thing is obvious, an order usually is valid when it has been served. In this situation, if the respondent says, Hey, I was never served with the order, it would raise concerns to the law enforcement officer that the order would not be valid under the earlier provision. This allows an opportunity for them to place the respondent on notice. Now I am questioning—because when I was quickly reading subsection 5(b)—because 5(a), (b), and (c) all are required because there is an "and" after (b)—it says, "Make a reasonable effort to serve the order upon the respondent." And at first, when I glanced at that, I thought it was going to be as simple as serving that order, but if there is a digital copy, how can that be effectuated—it could be—or if the victim is provided it. But I think the key there is the officer. The third part also would be asking the person to comply with the order and hopefully they could leave the situation. I do believe most of our law enforcement is always skilled to de-escalate a situation and separate people, but this just codifies it. But this is the provision I am willing to work with stakeholders on to make sure it is adequate, because service is also questionable, whether it is appropriate even under the original jurisdiction. In the full answer—I did not answer your question because I wanted to explain it—your question was, if there are any other areas where services are effectuated with just oral notice. No, I do not have any knowledge of service sufficient order by just oral notice.

Assemblymember Hardy:

That was the scenario I was envisioning, that the person says, Well, I did not get it, and then what are the steps we go through for service.

Assemblymember Nadeem:

My question is, the protection order is being made within the tribal area by the tribal agency. When that person goes out of the tribal area, who is responsible to take care of that order?

Assemblymember Backus:

That is what the issue is. I was going to give you all my one-minute education on criminal jurisdiction in Indian country because I was impressed that I was able to get it down that quickly last session, but it does get a little confusing. There could be multiple types of orders that get entered when there is a threat of domestic violence in tribal communities, and it also depends on who the victim is, and who the perpetrator is. In this situation, even though the changes we are looking to narrow may be a little broader, the reality is the tribal court orders. Number one is, just so everyone understands, not every tribal community in our state actually has their own tribal police force, and not every community has their own tribal court. For those communities that do have their own tribal court, the order would be issued by the tribal court. It is kind of analogous to this: if you had an order entered in another state and you wanted that enforced in Nevada, there are different procedures that take place. When we are looking at domestic violence orders, those are obviously intended to protect individuals from potential harm, and the tribal court order would want to be enforced in the state of Nevada, which obviously tribes are located in, but outside of the tribal boundaries. That is where the full faith and credit lies because a lot of our tribal communities do not have Walmart. Going to the grocery store or something like that may not be within our tribal community boundaries, and they are outside of the community. It is for that protection to extend past the community. I hope I answered your question.

Chair Miller:

Assemblymember Backus, I think it is important for everybody to have the knowledge to make sure everyone has a full understanding.

Assemblymember Backus:

Yes, it is very complex, but I just cut and pasted it from A.B. 125 of the 82nd Session. First and most importantly, we went over Nevada law recognizing our tribal self-governance. When a crime occurs within a reservation boundary or tribal trust lands located partially or wholly within the state of Nevada, three inquiries must be made to determine who has jurisdiction—who is the offender, who is the victim, and what was the crime? If the offender is Indian and the victim is Indian, the tribe has jurisdiction with the exception to all major crimes defined in 18 *U.S. Code* (U.S.C.), Section 1153, which includes murder, kidnapping, assault resulting in serious bodily injury, robbery, and other crimes listed therein. For these defined major crimes, federal jurisdiction exists. Jurisdiction is similar for crimes committed by an Indian against a non-Indian victim, with the exception of the crimes that are neither provided under the Major Crimes Act or the tribal laws. Then there can be federal jurisdiction that imposes enforcement of state laws, as provided for under the Assimilative Crimes Act codified at 18 U.S.C., Section 13.

If the offender is non-Indian and the victim is Indian, then the tribe has jurisdiction over the non-Indian for domestic violence, dating violence, or violation of protective orders when the

non-Indian defendant resides in or is employed in Indian country or is a spouse or intimate partner of an Indian residing in Indian country. For all other crimes, there is federal jurisdiction. If the offender is non-Indian and the victim is non-Indian, then the state would have jurisdiction.

Chair Miller:

We appreciate how geographically close—this could all change based on a few blocks. I do not see any additional questions at this time, so I will go ahead and open it up for testimony. Is there anyone wishing to testify in support of A.B. 369, starting here in Carson City?

Jonathan Norman, Statewide Advocacy, Outreach and Policy Director, Nevada Coalition of Legal Service Providers:

This bill makes sense. We serve domestic violence victims all the time at our offices, and this makes sense from that perspective. I also had the privilege of being a legal aid attorney in Indian country when I first got out of law school. I was on the Navajo Nation and Hopi Reservation for four years, and it makes sense from the perspective of upholding tribal sovereignty, recognizing the complexities of jurisdiction, and making sure people are safe. Just for reference, the Navajo Nation is the size of Indiana, and every Navajo family shops off reservation, so that would be in New Mexico and Arizona. The need to have protection orders that go beyond the boundaries of the reservation is vital.

Wesley Harper, Director, Government Affairs, City of North Las Vegas:

We are in support of this bill. It enables our law enforcement to provide an even greater level of public safety.

Chair Miller:

Not seeing anyone else here in Carson City, we will move down to Las Vegas for support testimony.

Liz Ortenburger, CEO, SafeNest:

We are in strong support of this bill. We know that within our female population of victims, the time that they are murdered is when they are getting ready to leave or within the 12 months after they have left. One of the scariest times for the over 11,000 victims we serve every year is the dark period when a temporary protection order has been issued, but an abusive partner evades service. This bill corrects that on tribal lands and gives a much larger berth for law enforcement to do what is right so we can bring down domestic violence homicides with our tribal land sisters.

Chair Miller:

Is there anyone else there in Las Vegas who would like to testify? Not seeing anyone else, will you open the lines?

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

We thank Assemblymember Backus for always prioritizing the safety of our tribal communities, as they are often some of our most marginalized victim-survivors here in

Nevada. We need to ensure they are safe wherever they go and that their protection orders can protect them. We are in strong support of this legislation.

Chair Miller:

I will open it up for testimony in opposition. Is anyone wishing to oppose A.B. 369? Not seeing anyone here in Carson City, is there anyone in Las Vegas? [There was no one.] Will you open the lines? [There was no one.] I will open it up for neutral testimony. Is there anyone wishing to testify in neutral? Not seeing anyone here in Carson City or Las Vegas, will you open the lines? [There was no one.] I will welcome the Assemblymember back for any final remarks. [There were none.]

[[Exhibit H](#) was submitted but not discussed and will become part of the record.]

I will close the hearing for A.B. 369. I will open it up for public comment. We can begin public comment here in Carson City. Is there anyone wishing to make public comment? Not seeing anyone, we will go to Las Vegas.

**Douglas Unger, Member, Nevada Prison Education Project, University of Nevada,
Las Vegas Chapter:**

I would like to thank the Committee for the hearing on A.B. 321 today, but I would like to go back and ask members of this Committee to look at the provisions of the bill that were amended out. The spirit of trying to give second chances . . .

Chair Miller:

According to the rules of the Committee, public comment is not about speaking on bills that have already been heard during the meeting.

Douglas Unger:

May I just ask that the Committee look for second chances for convicted felons, especially in recognizing that it is a problem, and recognizing that we need to create pathways to provide second chances? It is the situation we face with our degree recipients and our Rebel Rebound program at the University of Nevada, Las Vegas, that it is the placement in the workforce that is most difficult, even when our program succeeds in reducing recidivism by anywhere between 43 and 73 percent. Any support members of the Committee can give for reviving second pathway chances for convicted felons would be greatly appreciated.

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Chair Miller:

I believe you are the only one in Las Vegas. Will you open the lines? [There was no one.] I will go ahead and close public comment. We have finished our business for today. I will see you all at 8 a.m. tomorrow morning. We are adjourned [at 9:20 a.m.].

RESPECTFULLY SUBMITTED:

Lola Works
Committee Secretary

APPROVED BY:

Assemblymember Brittney M. Miller, Chair

DATE: _____

EXHIBITS

Bill	Exhibit	Witness / Agency	Description
	A		Agenda
	B		Attendance Roster
A.B. 321	C	Assemblymember Jovan A. Jackson, Assembly District No. 6	Proposed amendment
A.B. 321	D	Douglas Unger, Member, Nevada Prison Education Project, University of Nevada, Las Vegas Chapter	Written testimony in support
A.B. 321	E	Yvonne Efverlund, Private Citizen	Email in support
A.B. 321	F	Ashley Shead, Private Citizen	Email in support
A.B. 321	G	Jessica Glover, Private Citizen	Email in neutral
A.B. 369	H	Jessica Glover, Private Citizen	Email in neutral