

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

**Eighty-Third Session
April 1, 2025**

The Committee on Judiciary was called to order by Chair Brittney M. Miller at 8 a.m. on Tuesday, April 1, 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:

None

STAFF MEMBERS PRESENT:

Cesar Melgarejo, Committee Policy Analyst
Karly O'Krent, Committee Counsel
Aaron Klatt, Committee Manager

Minutes ID: 688



Nicholas Fischer, Committee Secretary
Ashley Torres, Committee Assistant

OTHERS PRESENT:

Brigid J. Duffy, Assistant District Attorney, Juvenile Division, Clark County District Attorney's Office
Jennifer P. Noble, Chief Deputy District Attorney, Legislative Liaison, Washoe County District Attorney's Office; and representing Nevada District Attorneys Association
John Etzell, Executive Director, Boys Town Nevada
Angela Knott, Deputy Public Defender, Legislative Liaison, Washoe County Public Defender's Office
Paloma M. Guerrero, Deputy Public Defender, Legislative Liaison, Clark County Public Defender's Office
Marla McDade Williams, Administrator, Division of Child and Family Services, Department of Health and Human Services
Elizabeth Florez, Director, Department of Juvenile Services, Washoe County
Tatiana "Tia" Smith, Policy Counsel, American Civil Liberties Union of Nevada
Athar Haseebullah, Executive Director, American Civil Liberties Union of Nevada
Harrison Epstein, Legal Extern, Clark County Public Defender's Office
Paula Luna, Deputy Director, Battle Born Progress
Ryley Svendsen, Policy Specialist, Nevada Coalition to End Domestic and Sexual Violence
Denise Bolaños Heredia, Associate Director, Return Strong!
Ashley Dodson, representing National Association for the Advancement of Colored People, Las Vegas Chapter 1111
John R. McCormick, Assistant Court Administrator, Administrative Office of the Courts
Lauren Boitel, Cofounder, Nevada Policy Council on Human Trafficking
Jason Woodard, representing Nevada Sheriffs' and Chiefs' Association
Jessica Glover, Private Citizen, Reno, Nevada

Chair Miller:

[Role was called. Committee protocol was explained.] We have two bill hearings. We will open up the first bill which is from Assemblymember Cole. It will be Assembly Bill 384.

Assembly Bill 384: Revises provisions relating to juvenile justice. (BDR 5-1053)

Assemblymember Lisa K. Cole, Assembly District No. 4:

I am joined today by my copresenter, Brigid Duffy, who is the Clark County Assistant District Attorney for the Juvenile Division. Ms. Duffy will be copresenting from Las Vegas. First, I would like to thank you for giving me the opportunity to present this important piece of legislation. Juvenile justice issues are not easy to legislate. They require very deliberate and careful balancing of fundamental rights from multiple people: the rights of the youth who

has committed an offense and is now within our criminal justice system; the rights of the victims and their families; the rights of other youth offenders who are also detained together in the facility; the rights of the counselors, nurses, supervisors, teachers, and staff of the facility; and the rights of the public when a youth offender is discharged.

Right now, you may be thinking to yourself that this bill will lead to further criminalization of at-risk youth who have had the deck stacked against them, and what I propose will only further harm these vulnerable youth. I assure you that is not the intent of this bill. In fact, this legislation seeks to do just the opposite. The goal is to ensure our juvenile justice system does its job for all the youth who enter, including those who—despite the best efforts of juvenile detention facility staff—do not work the program and learn from their mistakes. The goal is to ensure these youth are placed in the right programs while they are still within the juvenile justice system, where programs are designed intentionally around rehabilitation and not punishment; where the focus is on understanding root causes of bad actions, teaching coping skills, and providing counseling and mental health treatment as needed to prevent them from entering the adult criminal justice system, which is much harsher.

Like many legislators, I am presenting this bill because of something that occurred in my district. The intentional hit-and-run murder of Andreas Probst, a California police chief who moved to Las Vegas with his family after retiring. The perpetrators brazenly posted videos of the crime spree, which involved stealing multiple vehicles they then used in hit-and-runs of not just Mr. Probst—who was killed—but also another cyclist, and a collision with a vehicle as well—all within Assembly District 4. Both perpetrators were juveniles who were adjudicated as adults. Because of the traumatic nature of this event, Ms. Duffy and I have decided not to present video footage to the Committee today. We do not need any more trauma here. Instead, we have provided a YouTube link [\[Exhibit C\]](#) to one of the news stories so anyone who wishes to can watch it for themselves. What struck me most about this story was the casual attitude and laughter as they intentionally harmed others, and the statement by one of the perpetrators who was caught on body camera, "You think this juvenile 'expletive' is going to do something? I will be out in like 30 days. I bet you." That statement is clear evidence that this 17-year-old had been through the system many times and was not benefited.

Our juvenile justice system is complex, but the overarching goal is to rehabilitate youth offenders. Nevada recognizes that young people are more capable than adults to change—that youth offenders are likely acting out because of serious trauma they have experienced and may not have had the support system that others have had to deal with those issues. For most offenders, our system works as intended, but for some it does not, and they continue to act unlawfully until one day their behavior lands them in adult court, facing decades behind bars.

This bill is aimed at ensuring that fewer youth offenders enter the adult system by addressing three main issues: identifying certain behaviors within facilities that are likely indicators a program is not working, and ensuring such behaviors are properly documented and reported; requiring facility supervisors to provide details when denying placement and ensuring the

supervisors assist in finding alternative facilities; and ensuring that community stakeholders and service providers are included in parole discussions so our youth have access to wraparound support systems upon discharge. Ms. Duffy will now walk you through the bill and the proposed amendments, which are the result of much work with stakeholders over the last few months and continues now.

Brigid J. Duffy, Assistant District Attorney, Juvenile Division, Clark County District Attorney's Office:

My apologies for not being there in person. I was at the airport last night and my flight just kept getting delayed and delayed and delayed. It is not usually my modus operandi to be copresenting a bill and not in front of this very important and esteemed Committee. I am going to walk you through the amendments [[Exhibit D](#)], which I believe you all have before you.

Section 1 of the bill adds a new section into the definition section of *Nevada Revised Statutes* (NRS) Chapter 62A for creating a definition of an "act of serious violence," which would be defined as an act by a child on another child or staff member at a local detention facility, a regional facility for the treatment and rehabilitation of children, or a state facility for the detention of a child [pages 5 and 6]. This would cover local detentions, our camps—Spring Mountain Youth Camp (SMYC) and China Spring Youth Camp—as well as our state facilities in Elko, Caliente, and North Las Vegas. The act would have to include the use of a weapon, or it would be a battery that results in substantial bodily harm, or it would be repeated acts of violence that result in disruption to the facility or put staff or children at risk of substantial bodily harm. I want to make sure everybody understands this is not a new crime. Crimes are in a totally different section of our statute, NRS Title 15. This is just an action or a series of actions inside a facility that would occur. Section 2 makes those conforming changes [page 6].

Section 3, subsection 1 amends NRS Chapter 62E, which is our disposition sentencing in juvenile, otherwise known as sentencing [page 6]. For some people that is in criminal court. This section would require the regional facilities, state facilities, and local detention facilities—if children are placed there, pursuant to NRS 62E.710—to create and maintain written reports, commonly known as incident reports in the field, documenting the commissions of these acts of serious violence that are committed by the child. Because NRS Chapter 62E is our disposition section—or sentencing—this would allow the court to know what is going on in the facility and if the program is working, or if the child is not amenable to the program in that specific facility. Section 3, subsection 2 requires the incident report to be filed with the court and a hearing held within 30 days prior to any release of the child from this facility [page 7]—so before a child is paroled from a state facility or placed out into field probation from one of our regional facilities like the camps.

Section 3, subsection 3 then allows the court at that hearing under subsection 2 to make a determination if the child is ready for discharge. If the child is ready for discharge at the court's determination, then the court can determine the aftercare plan for the child based on the needs of the child and the safety of the community. Section 4 makes changes to the

disposition statute that allows the court to consider acts of serious violence when determining disposition of cases or sentencing.

Section 5 amends NRS 62E.505, which requires the court to consider things prior to committing a child to the state facility. There is current language in there that requires the state to consider if there are any less restrictive placements. Now, in addition to the existing language, we would have the court consider serious acts of violence in determining whether or not to commit a child to one of the state correctional facilities. Section 6 would require the Division of Child and Family Services (DCFS) to consider those serious acts of violence when developing their length of stay matrix and establishment of release criteria [pages 8-10]. Section 7 is being recommended to be struck in its entirety [page 11].

Section 8 addresses the requirements of our Youth Parole Bureau under NRS 63.710 by adding the requirements that the Youth Parole Bureau would communicate with schools to ensure the child is attending and receiving proper counseling and guidance [pages 11 and 12]. Section 8 also creates a task force to facilitate wraparound services that are available to children being discharged from state facilities onto parole, or juveniles who are placed on probation. That task force would require partnerships with recent programs, mentorships, and workforce trainings. The partnerships could include private or public partners, as well as grantees or subgrantees.

Section 9 amends NRS 63.400, current law that mandates the superintendent of a state facility to accept a child, unless the superintendent determines there is not adequate room or resources in the facility to care for the child, there is not enough money to support the facility, or if in the superintendent's opinion the child is not suitable [pages 12 and 13]. This is a section where a court would commit a child to state custody, DCFS custody, and then the superintendent of the three facilities we have could determine there is no adequate room, resources, money, or the child is not suitable. Section 9 would add in subsection 5, that would state according to subsection 1, paragraph (c), if in the superintendent's opinion the child is not suitable for admission, then the superintendent must provide the court, the child's attorney, and the state with its reasoning for the opinion and provide proper documentation for that opinion [page 12].

Section 10 amends NRS 63.450 to say that if the superintendent determines the child is not suitable, then the DCFS administrator needs to locate and secure an alternative that provides that same level of care and treatment as ordered by the court [page 13]. I definitely can go more into that for you when we get to questions to understand that process. In section 11, NRS 62E.507 requires the length of stay and release criteria consider any acts of serious violence committed by the child prior to being paroled into the community [pages 13-15].

We have some friendly amendments I can mention from our partners at Boys Town to amend some things into section 8 [[Exhibit E](#)]. They would like to amend into section 8—among other things that we are addressing with regard to school—that guidance services and supports offered by the school district partner and coordinate with available organizations that offer evidence-based, home and community services for the child, as well as reentry

programs that are evidence-based and informed for reentry; reentry meaning when a child leaves a facility and is reentered into the community, specifically into schools—we call them reentry programs—and other necessary services for children and their families, making sure we include families in those services.

It also adds a new subsection 3 to section 8 that would allow partnering and coordination with available organizations that offer evidence-based home and community services for the child and family, and entities who offer entry programs that are also evidence-based and informed for reentry mentorship and other necessary services for children and their families who are paroled [page 1, [Exhibit E](#)]; as well as in subsection 5, having the task force identify and make available wraparound services for children and their families by partnering with all the available organizations. That concludes my walk-through.

Before I take questions, I want to go back to my testimony where I saw you all last week and what I see as being very significant in the system. Our system is supposed to be addressing the needs of children to help them change their life trajectory, to get them on the path of having a good life, not a perfect life because no one's life is perfect. In the juvenile system, we have learned that we measure success very differently than we may in other areas of life. For example, if a child has not attended school at all and now they are attending school 60 percent of the time, we share that as a success. That is because it is better than what it was. We are getting them better than where we met them, and where we met them was at a point in their lives where they were facing detention, facing correctional care, and they are in need of services.

Our goal is to stop sending kids to the adult system. My goal is not to motion the court to certify more kids and throw them away. My goal is to stop that. What we need are some different parts of our system to do a little bit more and a little bit better to prevent that. What I see in my role as a district attorney is children who are coming back, and coming back, and coming back until we get to a point where we have exhausted everything we have had. That is where we start looking at whether the adult system is what is necessary. If a child keeps coming back—we get to a point where we have nothing left for them—then we have failed because we have given them every opportunity the system has.

I have recently spent time with two amazing judges from our Criminal Division, our adult system. One is a former district attorney; one is a former public defender. We went to the prison in Carson City—the Northern Nevada Correctional Center—to speak to the children who had been certified by the court and tried in the adult system or negotiated in the adult system. We were able to have conversations with them about what the juvenile system could have done better. A common theme among those children was, they did not feel they were being watched. They hardly ever saw their officers. When they were on supervision, it was not really supervision. Another thing that was very obvious was the anger our kids carry. We refer to it as trauma, it shows itself in anger, and they lack a lot of empathy for other people. There is a lack of empathy. That is what we are seeing.

I think a lot of these bills you will see me coming forward with to this table—and very willing and looking forward to the questions and the good conversation—are all about pieces of our system we need to improve somehow, someday, to prevent those cases that end up in the adult system where children have less of a chance of rehabilitation and ultimately a good adult life. I said last week when I testified that we need to treat the child and not the crime. I really mean that, but that means having information; that means we know what is going on with that child. All these little silos we have, have information, but they are not all necessarily getting to the court, or to their defense attorneys, or to the state. We need to start picking away at that to create a really good system so we can prevent recidivism, keep kids in the juvenile system, and send them on a better trajectory in life.

We do not want to drop the ball, and that is where this bill comes in as a whole other piece of where we can gather information and make sure that children are in the correct facilities, getting the correct treatment to help change that path from the juvenile system—which is where they are now and would be kept by this statute—so we do not get to a place where they are heading to the adult system. I appreciate the opportunity to present today, and I look forward to any questions you may have.

Assemblymember Roth:

I appreciate accepting the friendly amendment from Boys Town. One of my concerns with the bill is that it seems like there are two parts. There is a bit of ensuring that there are services which are necessary to ensuring that our kids are able to rehabilitate, but there is also a bit of a hammer. My concern is that we do not have the wraparound services or programs that are necessary for this to succeed outside of Clark County. Have you had any discussions with the rurals and Washoe County about what programming is available? What I think seems to be the whole crux of this bill is to ensure that we are rehabilitating, but I do not know if those programs exist. My concern would be that this just ends up being a hammer.

Brigid Duffy:

I want to make sure I am breaking down where Assemblymember Roth is seeing the hammer. Is it specifically within section 8, of requiring those types of services be put around the child?

Assemblymember Roth:

Yes. Please correct me if I am wrong, but I am reading in this bill that there is a natural punishment or consequences to not engaging in programming. It creates a system where we need to document and report whether kids in the system who are severely traumatized are responding to and engaging in different treatment programs or options. My concern is when there is a natural consequence to not engaging or responding to those programs. Has there been discussion about what evidence-based programming is actually available outside of Clark County?

Brigid Duffy:

With regard to this bill, I have not had specific conversations with the rurals or Washoe County on what services are available. I would hope they are here today—although I expect,

because we still have some work to do on some of the language within the bill, they might be coming in opposition—and they could answer those questions. Just from being around Washoe County a lot in many different organizations like our Juvenile Justice Oversight Commission, I do know they have mentoring services and therapeutic services. Every jurisdiction has a school district we can work with to make sure the child is attending school, and what they are getting in school is needed. I do not know about workforce training specifically. We do have a very robust program in Clark County for youth. Those questions could maybe be answered by our jurisdictions that I believe might be present to talk about this bill today.

Assemblymember Cole:

To add to that, you bring up a very good point as to the rurals. I have had conversation with Washoe County about some of their programs, and I think they are doing a pretty good job for what they have. I think we could add the rurals in as a component to this. Some of it might have to be telehealth kinds of things and counseling. The point is, the natural consequences now are these kids are being released and those wraparound services are just not there. This task force—or working group—that we are going to create is actually going to help foster those resources, so we are building upon them. It will not be available right away, but more and more and more will be available.

Assemblymember Hardy:

Ms. Duffy, since my time here in the Legislature, I know from your work with juveniles that your heart is definitely in the right place. I think we all agree that the more we can do with these kids to address the underlying causes and keep them from going into the adult system is the goal and the best thing here. Assemblymember Cole, you started to touch on my question with the task force. Could you maybe expand on that a little bit—why you think that is important, why was that added? Is it to have some coordination with the services? Could you speak to the importance of that piece?

Assemblymember Cole:

Yes, the goal is to create a system where we have both the public groups, the facilities themselves, and private organizations and other groups come together and have conversation about what is the need, and how do we provide for those needs. In conversation with some of the stakeholders—including some folks out at Summit View Youth Center (SVYC), which is in Las Vegas and is the highest maximum-security level for the juvenile detention facility—the wraparound services were something they spoke of that is a huge need. That is in Clark County; that need is throughout. In that facility, in Clark County, they do get youth from all over the state. Whatever we can do to help these kids when they get out is what my goal is, to start those conversations and have it be meaningful.

Assemblymember La Rue Hatch:

As a high school teacher, I have had students who are on parole or probation. I find out because the student tells me. Nobody else communicates with the teacher. They do not have to tell me of course, but oftentimes they are very, very nervous about making sure they are marked present because their supervisor or somebody is checking on them and they have to

make sure they are in school. I wondered; can you speak to what is being done? Are people looking at their Infinite Campus and making sure they are attending—checking their grades? What do you envision with this change in the bill? I am especially looking at the section talking about coordinating with schools. Are you envisioning direct coordination with teachers, or is that just more of a high-level alerting the school district?

Assemblymember Cole:

We have had a good conversation about this, and I look forward to having more conversation. If a child is involved in a family event where, say, there is a problem at the home and the police are called for a traumatic event, right now in statute there is the requirement that at least the administrative level of the school is notified so if there are any disciplinary issues that day for that child, they are not pulled into having problems. It is not getting down to the teacher level. I want to have more conversation about how we can do that, still understanding there is respect for privacy. We have to tread lightly on that and figure out the best way to do it. My goal would be for the teachers to know. For me, it might be the teacher goes to the administrative level, maybe weekly, maybe monthly, and asks, Hey, where are we at? Has anybody been adjudicated and released? Do we need to know about this? I appreciate your input on this. I would be happy to have a conversation.

Brigid Duffy:

First of all, part one of your question. There is no sharing of Infinite Campus in parent portal or whatever that is. We have issues because, you know, FERPA [Family Educational Rights and Privacy Act] this, FERPA that. It is just conversations with the school. I am talking about it from a parole/probation place. For our children in foster care, it is different. There was an amazing program we had when children were released from SMYC. I think the true belief is that kids who are separated from school—every day they are separated from school—it is very difficult to reintegrate them back. That is why kids who have poor attendance do not do well, because they are disengaged—suspensions, expulsions.

There needs to be what we call "reentry programs." Spring Mountain Youth Camp had a really good reentry program with schools. They had a certain school district employee who would make sure that when the child was discharged from SMYC on to probation in the community, they were the liaison to make sure the school knew. Plus, these kids are in school while they are in these facilities. Their credits are getting caught up, making sure they are back in the proper classes. That kind of interaction goes a long way for the success of students.

There has been an ongoing, long debate about how much information schools should get because there is a school of thought that if we let schools know that a child is on probation or parole, they are going to treat them differently. They are going to look at them as bad, just a simplistic word, rather than look at them to support them, to make sure they get on the right path. That debate is still ongoing. How much information do we want a school to have so a child is not flagged and constantly watched?

In a perfect system, there would be this embracing of a child, this reentry program, this making sure they are in school because that is a really big indicator of success in the future; education, being in school. That transition would be very important. I think the thought of this task force is, let us get the people at the table, whether it is a student success officer—as we call them in Clark County—who is assigned to each facility that can help them step down, and they are involved in the process in these meetings. That would be a first step.

Assemblymember Nadeem:

Have you done any research besides the school scenario? Are there any other services that can be provided to those juveniles, the kids?

Brigid Duffy:

Yes, we have. In Clark County we are fortunate—although we need more for the number of kids that we service—we have mentoring programs, we have life skills programs, coping programs, and anger management programs. We have a drug court or outside drug treatment programs. We have a variety of things in place to help these children succeed. The nice thing about requiring a team get together and wrap themselves around a child is that everybody knows what everybody else is doing to make sure that child is on the right path. Again, we are dealing with kids. If one parent knows one thing and another parent knows another thing and those two parents do not talk, then that is a breakdown for the child, and the child won and thinks they might be able to get away with something. I am just talking about children like my own, not children who are in the system—any child.

It is being able to have a place—whether you call it a task force or you call it something else—that is reviewing together what the child needs to be doing to be successful, so they cannot be separated, bifurcated; one knows one thing, one does not know the other. I think it is a better recipe for success for a child. In statute for probation, we have requirements of case plans for children that have to be reviewed every 90 days. To me, that is very similar to what this task force would be doing: looking at the plan for the child, reviewing it, and making sure those things are in place while we get this child on the road to success. We do have services in Clark County that would be able to do that.

Assemblymember Hansen:

You mentioned SMYC had a good reentry program, but it sounded like, in your comments, the facility you mentioned was past tense. Is it still in operation?

Brigid Duffy:

I believe it is still in operation, but I will have to double-check. My experience with it was several children I had worked with through the foster care system, where I was the mentor to them. I was meeting with the reentry counselor back at the high schools on those services. I know that individual had retired, and I have not met the new individual they have assigned, but I am sure they are all listening today, and I would be happy to check in and tell them about this great program they still have on that reentry.

Assemblymember Hansen:

If somebody is listening, it would be nice to maybe get on the record what are some of those things that help with reentry. I want to speak to the point regarding some of the rural resources. I quite often mention I represent six counties. I have not talked to anybody about this bill currently, but having been engaged in the community, there are a lot of community resources: Boys and Girls Clubs, I think Boys Town has a presence in some of these counties. The idea of telehealth would be wonderful. I really feel like we could get good engagement with this task force idea because rurals are much like urban. We all care about our kids and want to be engaged. Hopefully those resources are there. I have seen some of them and, to the degree that they could roll out, I have a certain set of confidence, but certainly we will check in with the rural component if we do not have some representation here today to speak to that. Thank you for being thoughtful about that, as well as in your concerns.

Assemblymember Cole:

I appreciate the help and I look forward to having conversations about those and making sure they are included on the workforce.

Chair Miller:

I will open testimony. We will start here in Carson City. Is there anyone wishing to testify in support of A.B. 384? [There was no one.] Is there anyone in Las Vegas? [There was no one.] Is there anyone on the phone who would like to testify in support of A.B. 384?

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

I am testifying in support of A.B. 384. We would like to thank Assemblymember Cole for bringing forth this important piece of legislation, which will help ensure the juvenile facilities maintain records regarding serious acts of violence committed by youth while they are in the facilities. It will help ensure that we can get children the appropriate treatment and hopefully change their trajectory by preventing them from ultimately ending up in the adult system. We echo Assistant District Attorney Duffy's comments and urge your support.

John Etzell, Executive Director, Boys Town Nevada:

I am testifying in support of A.B. 384. I appreciate Assemblymember Cole and her efforts to bring this forward and would ditto the comments from Assistant District Attorney Duffy. I believe strongly that when we put forth the effort to engage in rehabilitation efforts with kids at this age, the return of investment on this from a long-term perspective is significant for all of our communities and the state of Nevada. For these reasons, Boys Town is in support of A.B. 384.

Chair Miller:

I will open opposition testimony beginning here in Carson City.

Angela Knott, Deputy Public Defender, Legislative Liaison, Washoe County Public Defender's Office:

We have been meeting with Assemblymember Cole, and we have been working on this bill with her since the beginning of session. We just recently got the proposed amendment to A.B. 384. I sent it off to our team. Unfortunately, at this moment, we are in opposition, especially regarding sections 1, 2, and 3.

At least in Washoe County—we are not as familiar with Clark County—we already have a lot of these processes in place. Right now, we have a lot of discretion within both of our facilities and with our courts on how we are working with our juveniles. For an example, when we are talking about the violence and the mandatory reporting of this violence, they are already being reported. If they are serious enough, they are being charged. You are already getting new charges. You are not being released knowing that this child just committed a serious violent offense. I was hoping she was exaggerating, but one of our attorneys has a child who is having behavioral issues and just picked up 40 new battery charges—they are not being released any time soon. They are obviously working with this child to figure out what that child's specific needs are and how to best work with them to make them able to be successful when they get released.

One of the other issues we are seeing in Washoe County is that when they are in these facilities—it is kind of like a mixed facility—you have children who maybe have mental health issues or disabilities; then you also have children who have been raised in the gang life, for lack of a better term. You kind of have this mix of kids. Their behaviors in there when they are seating a mental health child next to a gang member, sometimes behaviors do not match what is supposed to happen. For those reasons, we are in opposition but hope to continue working with Assemblymember Cole.

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

I want to echo the same concerns of my counterpart from Washoe County. I do want to commend Assemblymember Cole for opening these conversations with us. We really love section 8, subsection 5, the creation of the task force for wraparound services. That is a really incredible, important piece of this whole legislation.

Our concerns are mainly around section 1, the repeated violent acts and the serious violent offenses, and how they define that. My counterpart from the Juvenile Division made comments to me about the problem of using just the term "weapon" of a child because she has seen a spork being charged as a weapon. That needs a different definition, like a serious, a deadly weapon, or a dangerous weapon. Additionally, repeated violent acts that result in disruption of the facility could encompass any sort of mental health episode from people, and right now it is overbroad. We look forward to continuing conversations with Assemblymember Cole.

Chair Miller:

Is there anyone else in opposition in Carson City? [There was no one.] Is there anyone in Las Vegas? [There was no one.] Is there anyone on the phone who would like to testify in opposition to A.B. 384? [There was no one.] I will open up testimony in neutral. Is there anyone here in Carson City who would like to testify in neutral?

**Marla McDade Williams, Administrator, Division of Child and Family Services,
Department of Health and Human Services:**

I serve as the administrator for the Division of Child and Family Services. The Division has two components that are in this bill. We manage the Youth Parole Bureau, as well as the three detention facilities in the state, which is the very back end of the system. We take them after the counties have worked with the youth as best they could, and then courts ultimately make a commitment to one of our facilities. Our superintendents have had a lot of authority to determine whether or not they can meet the needs of the kids in the facility. For awareness, this will change that process.

I also wanted to address section 8. Youth Parole's function is to help the youth work their plan. I am trying to understand, if they do not work the plan as identified in the statute, does that create, then, a new crime that recommits them back? I am trying to understand that.

Once the youth is committed, we do our best to determine how to manage them. We have a proposal to create an intake and assessment facility at our SVYC location that would more intensely allow us to identify, assess, and evaluate the needs of the youth—their behavioral health needs, their mental health needs—and get them into the system for treating them as quickly as we can. That is just for your awareness.

The portion that requires the administrator to take a youth if a decision is made—a decision is never made. Once a court commits the youth to us, we do not make a decision that we are not taking them. We make a decision about where to place them within the facilities that we have. Sometimes we cannot take them as soon as they are committed because we are at capacity in a facility. Physically, we cannot take them in.

Chair Miller:

I do have a question for you, and that is to clarify the concern that was brought forward about superintendents. Even earlier in your testimony, you said superintendents do have a lot of flexibility on determining where the youth can be placed. One of the concerns that has been brought forward is that at times it is perceived that superintendents may use that authority to say, We do not want this youth in our facility because of their record, because of their past offenses, because of their struggles that we may not be able to address, as opposed to, We are not able to take this youth because we do not have the space, or we do not have the staffing. Could you clarify what exactly is happening and how the superintendents are using their authority for placement?

Marla McDade Williams:

The Nevada Youth Training Center (NYTC) and Caliente Youth Center (CYC) are staff-secured facilities. There is no razor wire around the boundaries; they are cottage-like environments. The Nevada Youth Training Center is designed for what we call "lower-level youth," where CYC might be a step up; and then SVYC is razor-wired around—they have locked access everywhere they go, gates to open. At some point if they are at capacity—regardless of whether or not a youth is determined to be there—if a youth is not a candidate for NYTC because they need that more secure level of care, we would have to wait for a bed, if you will, to open up in SVYC to be able to take that youth.

Nobody arbitrarily decides they are not taking a youth; they make those decisions based on the needs and the safety of all of the youth in the facilities—over 100 youth at any given time throughout the state that we are taking into custody. There is a perception that it is arbitrary, but we have statutory requirements to evaluate and assess how best to manage those youth who come into our custody. All of the superintendents take that very seriously. They are evaluating based on their ability to ensure safety for all of the juveniles under their care.

Chair Miller:

Do the courts not decide where the youth will be?

Marla McDade Williams:

The courts do not decide, and that is a deviation in this bill. Courts have never decided. The superintendents have always had the statutory authority to determine if they can meet the needs of that person coming in. We are State General Fund; we have all kinds of limits. On the Youth Parole Bureau side, once they are paroled, we do have programs. I have multiple contracts out in the community to help us manage those youth. I am happy to have further discussions as needed about that as well.

Chair Miller:

Is there anyone else in Carson City who would like to testify in neutral? [There was no one.] Is there anyone in Las Vegas? [There was no one.] Is there anyone on the phone who would like to testify in neutral for A.B. 384?

Elizabeth Florez, Director, Department of Juvenile Services, Washoe County:

I am testifying in the neutral position on A.B. 384 but hope to move to the support position in our continued work with the bill sponsor. For information, Washoe County, the China Spring Youth Camp in Douglas County, and the community-based organization The Children's Cabinet have entered into a partnership called Positive Pathways to Re-entry that incorporates the individualized case planning requirements under Title 5 to support youth and families while the youth is in the placement and post release.

Chair Miller:

I will welcome the sponsor back up for any final remarks.

Assemblymember Cole:

I wanted to say again, thank you very much for the opportunity to present this, and I truly do look forward to working together with the stakeholders and with the Chair to make sure the language here works for everybody and really does accomplish the goal.

Chair Miller:

Would you like to comment on—remember that little conversation we had about Washoe County before Committee started today?

Assemblymember Cole:

Yes, and I actually do appreciate that Ms. Florez called in because in my research and conversations thus far—especially yesterday—I found out Washoe County actually does have a very good program for reentry, and I think we can work together with her and the Department to make sure my language is modeled off of what they are doing currently, since it is in practice and working.

Brigid Duffy:

I recognize the struggles that our DCFS has with having only three facilities and a limited number of beds, but we have had situations in Clark County where superintendents have determined that a child is not appropriate for any of the facilities. This bill will at least provide a statute that has them tell us why they have deemed them inappropriate; let the court have that information. Most of the time what we find is, they are more appropriately suited for a mental health facility, which also, in my opinion, would land on the administrator of the DCFS, whoever that may be at the time.

When my colleagues in the public defender's office stated about a child who is gaining 40 battery charges while in detention in Clark County, if it is a simple battery, we are not recharging the child. There are no flat sentences. You could admit to ten felonies in the juvenile court, and the highest level of treatment we give you is an average stay of six months at one of our state facilities. It is not that you are going to serve 2 to 10 years for ten felonies. We are programmatic based. In Clark County at least, a child who is acting out in detention, we do not just keep charging and adding charges, because it ultimately does not matter. What that triggers is a mental health problem that needs to be addressed, and the court needs information to know that so in its discretion the court can do what we have charged the court to do—make sure these children get the right rehabilitative services to improve the safety of our community. I appreciate you taking the time to listen to this bill, as I believe it is a piece to the almost unsolvable puzzle of how we can help kids get on the right path and trajectory and stay in the juvenile system across our state.

Chair Miller:

I will close the hearing on A.B. 384. I will open up the hearing on Assembly Bill 488.

Assembly Bill 488: Revises provisions relating to criminal convictions of certain victims. (BDR 14-873)

Tatiana "Tia" Smith, Policy Counsel, American Civil Liberties Union of Nevada:

I am joined by American Civil Liberties Union (ACLU) of Nevada's Executive Director, Athar Haseebullah. Thank you for the opportunity to present Assembly Bill 488 this morning, which revises the process by which survivors of human trafficking may petition to vacate and seal their records on their criminal convictions that were the direct result of their victimization. The bill represents another critical step towards justice and healing for trafficking survivors who were criminalized for conduct they were forced to do due to coercion and abuse. By further modernizing Nevada's law, A.B. 488 ensures our law reflects the realities of human trafficking and the need for trauma-informed relief.

Nevada has over 5,000 people sold for sex in an average month. Survivors of sex trafficking frequently face additional criminalization for acts committed as a direct result of being trafficked, such as drug trafficking, identity theft, and credit card theft. A 2023 national study revealed that 62 percent of trafficking survivors had been cited, arrested, or detained by law enforcement, with 71 percent acquiring a criminal record as a result. Despite being victims, many are arrested, charged, and convicted for these acts. These convictions can follow them long after they have escaped trafficking, creating lifelong barriers to employment, housing, education, immigration relief, child custody, and personal safety.

This criminalization blames the victim instead of the trafficker. Assembly Bill 488 further seeks to correct that injustice. Assembly Bill 488 aligns Nevada with national efforts to ensure survivors are treated as victims and not criminals. As of 2020, over 40 states and U.S. territories have vacatur or expungement laws for trafficking survivors. In their 2024 Trafficking in Persons Report, the U.S. Department of State recommends that authorities implement effective policies to ensure victims are not inappropriately penalized solely for unlawful acts committed as a direct result of being trafficked. These laws have bipartisan support across the country, with lawmakers increasingly recognizing that trafficking survivors should not be punished for crimes they were forced to commit.

Nevada has had a vacatur statute since 2017. While well-intentioned, it needs to be expanded from a practical perspective. Under the current law, relief is limited to certain offenses that include prostitution or solicitation for prostitution; any nonviolent crime; or a violation of a county, city, or town ordinance for loitering for the purpose of solicitation or prostitution. There is no mechanism for retroactive relief for older convictions, and survivors must bear the burden of proving their victim status even if they have been recognized already by credible authorities. The result is that fewer survivors are able to access the relief they need and deserve. Assembly Bill 488 addresses this by expanding eligibility and streamlining the process.

Now, I will do a technical walk-through of the bill, starting with section 1, subsections 1 and 2. This expands the eligibility. Under existing law, relief is limited. Assembly Bill 488 expands eligibility to any state law offense or local ordinance violation, as long as the

conduct was a result of human trafficking. Petitioners do not pay a filing fee and must notify the prosecuting agency. Subsections 3 through 6 go through the procedure and evidence needed. The petition must include a certification by the survivor and supporting facts. Official documentation or a statement from a qualified third party creates a rebuttable presumption of victim status. The court must determine whether the petition states a prima facie case and, if so, a hearing is held. At the hearing, the petitioner bears the burden to show by a preponderance of the evidence that one, they were a victim of human trafficking at the time of the offense; and two, the offense was a direct result of their victimization. If successful, the court shall vacate the conviction, dismiss the charges, and seal the record.

Subsections 7 and 8 make some conforming changes. Subsection 9 protects against retaliation, prohibits any government agency or individual from retaliating against someone for seeking relief under this law. Subsection 10 has to do with data reporting. The Administrative Office of the Courts must report to the Legislature every two years on the number of outcomes and positions.

Subsection 11 provides some definitions. It has four definitions for "governmental entity," governmental entity encompasses an institution, board, commission, bureau, council, department, division, authority, or agency of the state. "Official documentation" is also defined. Official documentation means "a certified record from a governmental entity documenting the petitioner's status as a victim." It could also be a written affidavit signed by a qualified third party in their official capacity stating that the victim had sought assistance from them, or they were a victim of human trafficking. It also encompasses any evidence, reports, statements, or other material which the court determines to be legally sufficient. It also defines "qualified third party." This can be a physician, a psychologist, a therapist, a counselor, a registered nurse, or anybody who is employed by an agency or service which advises persons regarding human trafficking. It could also be any member of the clergy of a church, religious society, or denomination. Finally, "victim of human trafficking" is defined. It refers to a few different *Nevada Revised Statutes* and *U.S. Codes*. Those include involuntary servitude; trafficking in persons for illegal purposes; pandering and sex trafficking; living from earnings of prostitution; forced labor; trafficking with respect to peonage, slavery, involuntary servitude, or forced labor; sex trafficking of children; or by force, fraud, or coercion. Those are the definitions in there.

Then section 3 provides retroactive relief. The bill applies to convictions obtained before, on, or after the bill's effective date, ensuring that no survivor is excluded due to the timing of their case. Assembly Bill 488 is another powerful tool for justice, healing, and opportunity. The bill centers the realities of survivors' experiences, provides meaningful relief with procedural safeguards, and further affirms that Nevada stands with survivors, not against them. This is not just a policy fix, it is an act of restoration; an opportunity to say, You are not a criminal, you were exploited, and the law continues to recognize that. We will take any questions.

Assemblymember González:

Could you talk about any examples or instances of this happening here in our state?

Athar Haseebullah, Executive Director, American Civil Liberties Union of Nevada:

We are aware of specific instances of this happening, including individuals—I know of at least two instances—who have been sentenced to periods of incarceration for crimes that occurred during their pendency as a survivor of sex trafficking. For context and as background, I started my career as a juvenile sex crimes prosecutor in New York City, and then I spent about four years at the Legal Aid Center of Southern Nevada dealing with many of these issues, including providing assistance to survivors of trafficking. As it stands right now, I can point to one instance. I will not go into too much depth to protect the confidentiality of what occurred there, but someone who was 18 years old who was charged and convicted as an accessory to a robbery while her pimp and others who are decades older than her committed a robbery in a home invasion—she was convicted of robbery and sentenced to a period of incarceration for up to 30 years. The science that we have when we are discussing the impact of human trafficking and sex trafficking on survivors and victims—the legal system has not caught up to her, because the mechanism for relief in terms of disqualifying nonviolent offenses precludes that.

Our position at the American Civil Liberties Union is that if you are committing a crime under duress and you are not in a position right now where you are in a scenario where you can clearly object to what is occurring because you are still afraid to come forward to a court and share your story—you are afraid to tell prosecutors, law enforcement, or anybody else what happened—you may find yourself in a position where you are sentenced in an excessively harsh fashion.

In the last few decades, we have really worked to do better about this all across the country, and that includes here in Nevada. The disqualifier for violent offenses and only allowing this to occur for nonviolent offenses ignores reality, which is, in many of these instances, pimps are not sending someone out to commit a petit larceny; they are sending somebody out to commit or participate as an accessory to a robbery or something that may be violent, but they are still operating under duress. The reason why we have other elements here including being able to seek documentation from your clergy in support of this and changing the presumption nature is because of the notion of delayed disclosure. Many of these survivors come forward years later and they are able to share this. We knew this was happening at the time, but the legal system has not caught up to the people impacted by this same system.

We are aware. I am sure if the anecdotes are not comprehensive, perhaps those who are providing opposition testimony will be able to share more real-time data they may have, if there is a fiscal note they are going to attempt to put on this in any form or fashion, that data may be something they possess, and they may be able to share how pervasive this is and how many folks this would apply to.

Assemblymember Cole:

My question is in regard to section 1, subsection 11, paragraph (c), subparagraph (3). It is on page 5, where we are talking about the ability of a "member of the board of directors or serves as the executive director of an agency or service which advises persons regarding human trafficking or refers such persons to persons or agencies where their request and needs

can be met." These are qualified third parties. Is there any concern, or would you consider adding in language where it has to be a group that is recognized as a legitimate group? I can see this being something where a human trafficker—or a pimp if you will—would set something up like this, and somehow that works in a really weird way.

Athar Haseebullah:

We would be happy to consider any modifications along the way. The main thing is, we want to make sure that our laws are catching up to the reality of what is happening on the ground. I can also tell you from a practitioner standpoint—and there may be others who agree or disagree—oftentimes in these types of instances there is not always a vested interest from a pimp to have someone released, especially somebody they may have trafficked at some point. I do not know that it would happen in that context, but we are certainly happy to come up with language and modify new language that needs to make sure all the safeguards are in place. Again, this notion of duress and delayed disclosure is what prompted this specific language to come forward.

Assemblymember Yurek:

I applaud and appreciate the effort. Folks who have been victims of human trafficking being forced to commit crimes—obviously, an issue that I think we want to address. I think the big concern is, could this be exploited? Could it be used in a manner that would help folks avoid accountability? On the sealing of these records, to ensure there is a nexus between the sex trafficking or the human trafficking and the crime they were charged with, the idea that, is it possible that we could engage some sort of waiting period? If it is just immediately sealed and they reoffend, with the sealing or no notification of the repository, is it possible we would be overlooking repeated crimes that could then just be exploited through this process? Have you thought through the possibility of ensuring there is a way for the system to identify folks who might be abusing this by either delaying, or providing, or instituting a waiting period, or allowing courts to review those sealed records to see how many times this has happened before?

Athar Haseebullah:

It is something we considered and discussed internally. Again, I am not sure how pervasive that would be because there is still a burden that does exist here in order to fulfill the process and move forward. We think it was largely sufficient, but I know we have spoken to a couple of stakeholders. We are going to be working with them on language specifically surrounding the sealing. This entire process is not simply automatic, that somebody receives a document from this outside entity and that is it, their convictions are gone, their record is now sealed. It creates a process for them to be able to challenge this. It does shift the burden in this fashion based on, effectively, the data we have received over the years, which is that there is delayed disclosure that ends up existing.

Certainly there are considerations there, but we will be working on some of those portions probably in the next few days. We had a couple of concerns. We also are not attempting to make this a more onerous process for anyone. Unfortunately, as you all know, the reality is, sometimes when we enact law in Nevada—even when it is well-intentioned—it tends to

create a new burden. We are hoping to prevent that. We have been talking to some of the practitioners in that space to make sure there are no additional burdens that are placed, but also that the guard rails that are in place are sufficient.

Assemblymember La Rue Hatch:

You actually are leading right into my question of, can someone just use this as a get-out-of-jail-free card? They get arrested and cry wolf, and then they are out. It does not seem like that to me, but I wondered if you could walk us through what you have to prove so you cannot just state I am this person without any proof?

Tia Smith:

The court has to do this on a case-by-case basis. They have to see all the evidence coming in and be able to make that determination if there is a nexus between the crime and them being a victim of human trafficking. With the requirements the courts need, they do need some evidence. It is not like somebody is just coming up and saying, I am a victim, please let me go. They do need some evidence. If they do not have any actual documentation or anything, they can go to the court, explain their story, and tell the judge. The judge can make that decision if they think there is that close enough nexus, that they were truly a victim, and they truly committed that crime out of duress.

Athar Haseebullah:

There is already a petition process in place. The petition process is not going away. The burden has been reduced and it has removed a disqualifier. The violent crime versus nonviolent crime portion is the biggest element here. It is not sensible to say that someone was under duress, so they committed "crime A," but if they are under duress for committing "crime B," we are only going to punish or allow for relief in one instance versus the other. If you are under duress at that time, you are under duress. There is still a process, and a court is still going to end up making a determination in this instance. You cannot negate that process, primarily because, technically and logistically, it is not feasible.

When it comes to being able to move forward with the process, it expands the categories for those who would be eligible. They still have to fall under the category of being a human trafficking survivor, as was described in my colleague's reference in the sections there that were applicable. The petition process would actually allow for the additional category, and from an ideological consistency standpoint, we find that to be very, very important, notwithstanding the fact that from a practical perspective each of these factors would need to be considered. A court will still be able to make that determination afterwards.

This goes into Assemblymember Yurek's question a few moments ago. When we start looking at guard rails and safety, the court is going to end up making considerations on a number of things. When we discuss crimes that have occurred that people have been convicted for, those are going to be viewed in the context of that individual crime and what was occurring at that time. These documents are still going to need to be provided to the court, and those courts are still going to need to exercise discretion, just as they are doing.

They will just be able to do it with additional categories that are applicable to real people in real time, and real survivors who have faced these very real issues.

Assemblymember La Rue Hatch:

I do have a second question—and I really appreciate that answer—on the qualified third parties. I noted there are physicians, nurses, counselors, and clergy. That made me wonder if teachers could perhaps qualify as well? I know not all of these victims are going to be high school age, but some of them will be. Maybe some of them will be at a college level. Is there any discussion of whether that is appropriate to include them as a qualified third party?

Athar Haseebullah:

I would love to see this expanded to many categories over. What we wanted to do here was make sure this was partially limited to some extent to make sure there were at least certain provisions in place, primarily in the context of delayed disclosure and those that have been charged. I am not clear on how many times this might end up coming up in those instances, but we are certainly happy to consider that. I am also mindful of the restrictions that are often placed on educators, and what ends up becoming required disclosure afterwards and things of that nature. Certainly, we thought this list was pretty comprehensive. It is not something we would be opposed to in any form or fashion, but we did want to take that into account.

I think when we went through this, the categories of those we have spoken to and the practitioners whom we consistently deal with, who end up handling these types of issues, went through this. More often than not, I think the scenario that would end up popping up actually falls to your point under section 4—folks often end up feeling comfortable with clergy, and they may end up feeling comfortable with educators in the same way. I am certainly happy to consider adding that in if we think there is value in doing so.

Chair Miller:

I will open up testimony, beginning here in Carson City. Is there anyone who would like to testify in support of [A.B. 488](#)?

Angela Knott, Deputy Public Defender, Legislative Liaison, Washoe County Public Defender's Office:

We are in support of [A.B. 488](#). In general, we support any kind of bill that will provide support and help to anyone who is a victim of sex trafficking. The way I have been reading this bill—based on my own practice—this is not an easy thing that is going to be accomplished. This will take the energy, the trust, and the will to go in front of a judge and share their story about what happened to them. This is not going to be an easy task for anyone to do.

I think what stood out to me the most on this bill—especially when we are talking about stigma when it comes to victims of sex trafficking—is section 1, subsection 9 on page 4, "a person or governmental entity shall not discipline, penalize or otherwise retaliate against the petitioner for filing a petition pursuant to subsection 1." That is a powerful subsection. I think it shows what these women—I say women, I know men can be victims also—go through and

what they are still going through even after they have escaped the torment of being a victim. For those reasons, we are in strong support of A.B. 488.

Harrison Epstein, Legal Extern, Clark County Public Defender's Office:

The first thing we would like to do is echo everything our counterpart in the Washoe County Public Defender's Office just said. We do believe as well that this is an incredibly important bill. Expanding and simplifying the process for victims of human trafficking to seal criminal records is an important step in making sure we are eliminating barriers for people to succeed in life. The more we can do for victims now, the better we ensure they do not come through the criminal legal system later.

Chair Miller:

Is there anyone else here in Carson? [There was no one.] In Las Vegas? [There was no one.] Is there anyone on the phone who would like to testify in support of A.B. 488?

Paula Luna, Deputy Director, Battle Born Progress:

I am calling in support today of A.B. 488. I want to echo the statements made by the bill presenters and urge you all to support. [Written testimony in support was submitted, [Exhibit F.](#)]

Ryley Svendsen, Policy Specialist, Nevada Coalition to End Domestic and Sexual Violence:

We support any legislation that is victim-survivor-centered that reduces barriers and that is focused on healing. As such, we urge you to support A.B. 488.

Denise Bolaños Heredia, Associate Director, Return Strong!:

Return Strong! is an organization dedicated to advocating for the rights and dignity of incarcerated people and their families in Nevada. We strongly support A.B. 488. We echo the comments made by the bill presenters and others who have commented in support ahead of us. We urge you to pass this bill.

Ashley Dodson, representing National Association for the Advancement of Colored People, Las Vegas Chapter 1111:

I am calling in full support of A.B. 488. This legislation will bring long-overdue justice, dignity, and healing to survivors. For decades, victims of human trafficking—predominantly women and girls of color—have been arrested, convicted, and marked with criminal records for actions they were coerced or forced to commit while under the control of traffickers. These convictions have not only added trauma to already devastating experiences, but have also created long-term barriers to employment, housing, education, and recovery.

Assembly Bill 488 addresses this harm by expanding the opportunity for these victims to petition for the [unintelligible] of convictions and the sealing of associated records. We urge the Committee to pass A.B. 488 without delay and move forward a vision of justice that affirms, restores, and protects our most vulnerable.

Chair Miller:

I will open opposition testimony beginning here in Carson City.

John R. McCormick, Assistant Court Administrator, Administrative Office of the Courts:

I am here to speak exclusively to section 1, subsection 10 of this bill, which requires the Administrative Office of the Courts to report certain data elements. Currently the way this bill is written, we are faced with a choice under this bill to abandon our ongoing initiative to develop a data repository as a long-term fix to get better data out of the courts and allow some level reporting. However, the way this bill is written, it requires individual-level reporting upon passage and approval, so we will have to refocus our limited existing staff to going out to courts and collecting individual case outcomes through case review. It does place a significant burden on our ongoing data collection efforts.

Chair Miller:

To clarify; your opposition is for the technicality of that process, not for the overall conception of the bill?

John McCormick:

Yes. My concerns are exclusively related to the way the bill calls for the data collection to be implemented and conducted.

Lauren Boitel, Cofounder, Nevada Policy Council on Human Trafficking:

We truly appreciate the commitment to ensuring that victims of trafficking are not criminalized, but we are here to express our opposition to portions of A.B. 488 in its current form due to the burden it places on survivors and the risk of further trauma it introduces. While the bill intends to assist survivors in clearing their records, it requires them to independently petition the court. This adds an additional and significant burden on victims who are already navigating the emotional and logistical challenges of rebuilding their lives. Under current law, the court provides notice, reducing the responsibility on victims. Assembly Bill 488, by contrast, forces survivors to take on this task. Victims should not face higher burdens in this process.

Additionally, the bill requires petitioners to provide facts that support their case. This is not a trauma-informed approach. Survivors would be compelled to rehash the horrors they endured at the hands of their traffickers in order to qualify for relief. This is retraumatizing and likely to discourage many from pursuing the very relief the bill intends to provide. Many survivors will find it difficult to relive their abuse in such detail, and this could prevent them from taking the steps necessary to protect their future.

Furthermore, if there is no documentation, the bill requires a mandated court hearing. This public process forces survivors to confront their trauma in an open forum—something many survivors struggle with, which is why they often do not cooperate with criminal investigations in the first place. We must remember that the majority of victims remain hidden and silent due to the fear of public exposure and retaliation. Requiring them to appear

in court and publicly share their trauma will only deter them from seeking the relief they need. At the Policy Council, our mission is to advocate for just and equitable policies that support victims and survivors and improve the system overall. Portions of A.B. 488 as written run counter to these principles, creating an unnecessary obstacle for survivors. We urge reconsideration of these provisions of the bill that require victims to navigate this process and look forward to amendments that remove these burdens. Survivors need access to trauma-informed support and protections, not further victimization.

Chair Miller:

Is there anyone else in opposition? [There was no one.] In Las Vegas? [There was no one.] Is there anyone on the phone who would like to testify in opposition to A.B. 488?

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

I am testifying in opposition to A.B. 488. I will begin with some context. In 2017, we assisted Majority Leader—now, Attorney General—Aaron Ford on Senate Bill 125 of the 79th Legislative Session, and agreed to shorten the waiting period applicable to the sealing of violent crimes by one-third. For nonviolent crimes, the time was cut by over half. In 2021, the Legislature passed Assembly Bill 219 of the 81st Legislative Session, which provided that a person convicted of prostitution, solicitation for prostitution, or any nonviolent offense could petition to have their record sealed regardless of the usual applicable waiting period if their participation in the offense resulted from being a victim of human trafficking.

Assembly Bill 488 greatly expands the crimes eligible for this expedited sealing, placing no limitation or waiting period, even when the offense is violent and not perpetrated on the pimp or the sex trafficker. Under its rubric, crimes like assault with a deadly weapon, kidnapping, armed robbery, and even homicide would be eligible for sealing without the applicable waiting periods that were again shortened in 2017. Once a conviction is sealed, it cannot be seen by prosecutors, the courts, law enforcement, or potential employers—including employers who run facilities or programs where the offender would have access to children and vulnerable persons.

In terms of establishing a nexus between the crime to be sealed and the petitioner status as a victim of sex tracking, section 11 of the bill lists qualified third parties whose affidavits operate to serve as evidence of the nexus between the crimes and the crime to be sealed and the petitioner status as a victim of human trafficking at the time. These third parties may rely—and may have to rely entirely—on self-supported information from the petitioner. The proof the bill contemplates is reliant entirely on self-reporting, which leaves it and the sealing process vulnerable to abuse by violent offenders who are in fact not victims of sex trafficking and who could misrepresent their circumstances to the bill's well-meaning and important, qualified third parties that provide services.

Jason Woodard, representing Nevada Sheriffs' and Chiefs' Association:

We are opposed to A.B. 488 for the reasons cited by the NDAA [Nevada District Attorneys Association] and agree with the concerns they brought forward in regard to this bill.

Chair Miller:

I will open testimony in neutral, beginning here in Carson City.

Jessica Glover, Private Citizen, Reno, Nevada:

I am in neutral for A.B. 488. For nearly ten years I was human trafficked. During that time of being arrested—and the times that I have spent in the CCDC [Clark County Detention Center]—women glamorize crimes such as robbing their tricks. One woman even shot another woman over a john. There is a difference in crying wolf and being manipulated because you think your pimp loves you and you are going to commit crimes. I am in neutral because there is a difference in people being abused and others crying wolf.

Chair Miller:

Is there anyone else in Carson City? [There was no one.] Las Vegas? [There was no one.] On the phone? [There was no one.] I welcome the bill presenters—the Judiciary Committee is actually the sponsor—for any additional comments.

Athar Haseebullah:

I want to thank the Committee for hearing this bill. Obviously, some concerns that were raised during opposition are sort of usual and what we expect in many instances. It will not go far enough in one direction or will not go far enough in another direction. We remain committed to working with anyone who has input here to make sure the bill is as good as possible.

I would also mention that if we find ourselves wedged in a battle between making sure the bill is good and the bill is perfect, we are hoping this goes a long way. We know it is not going to be the greatest thing since sliced bread, but for those we end up dealing with who have been placed in a system of incarceration for a period of years under duress, this bill would go a long way to helping them. They would call in and testify in support if they were not subject to retaliation, but they remain concerned they will be. For all of those silent voices that we also represent, we wanted to thank this Committee for taking this bill up as a Committee bill and we do appreciate you for doing that.

Chair Miller:

I will close the hearing on A.B. 488. Our last item of business today is public comment. Is there anyone wishing to make public comment here in Carson City?

Jessica Glover, Private Citizen, Reno, Nevada:

In 2017/2018, when I was able to flee my abusers—my traffickers—after getting attacked in a Lake Tahoe resort and being denied being saved by people that take an oath in law enforcement to protect and serve; being victimized, being revictimized over and over since 2018; going before a judge in Douglas County and telling my story of what has gone on in

my life and being told I am a liar; being told that, You can either go to prison or do mental health court because they did not want to believe my story. [Holds up documents.] These are police reports from the Sparks Police Department. Since 2021, my abusers have been trying to re-traffic me. I am done being silent, I will not be quiet, and I will keep fighting for justice for all.

Chair Miller:

Is there anyone else in Carson City? [There was no one.] In Las Vegas? [There was no one.] Is there anyone on the phone who would like to provide public comment? [There was no one.] That concludes our business. I will close public comment and adjourn for today [at 9:39 a.m.].

RESPECTFULLY SUBMITTED:

Nicholas Fischer
Committee Secretary

APPROVED BY:

Assemblymember Brittney M. Miller, Chair

DATE: _____

EXHIBITS

Bill	Exhibit	Witness / Agency	Description
	A		Agenda
	B		Attendance Roster
A.B. 384	C	Assemblymember Lisa K. Cole, Assembly District No. 4	A link to video of news coverage of the hit-and-run of retired Police Chief Andy Probst
A.B. 384	D	Assemblymember Lisa K. Cole, Assembly District No. 4	Proposed amendment
A.B. 384	E	John Etzell, Executive Director, Boys Town Nevada	Friendly amendment
A.B. 488	F	Paula Luna, Deputy Director, Battle Born Progress	Written testimony in support