MINUTES OF THE
SENATE COMMITTEE ON JUDICIARY

Eighty-third Session
April 10, 2025

The Senate Committee on Judiciary was called to order by Chair Melanie Scheible at 12:33 p.m. on Thursday, April 10, 2025, in Room 2149 of the Legislative Building, 401 South Carson Street, Carson City, Nevada. The meeting was videoconferenced to Room 6 of the Nevada Legislature Hearing Rooms, 7120 Amigo Street, Las Vegas, Nevada. Exhibit A is the agenda. Exhibit B is the attendance roster. All exhibits are available and on file in the Research Library of the Legislative Counsel Bureau.

COMMITTEE MEMBERS PRESENT:

Senator Melanie Scheible, Chair
Senator Edgar Flores, Vice Chair
Senator James Ohrenschall
Senator Roberta Lange
Senator Rochelle T. Nguyen
Senator Ira Hansen
Senator Lisa Krasner
Senator John Ellison

STAFF MEMBERS PRESENT:

Jered McDonald, Committee Policy Analyst
Brad Wilkinson, Committee Counsel
Michael Scully, Committee Counsel
Sally Ramm, Committee Secretary

OTHERS PRESENT:

Tamrah Jackson, Chief, Division of Parole and Probation, Nevada Department of Public Safety
Jonathan Norman, Legal Aid Center of Southern Nevada
Nick Schneider, Vegas Chamber
John Piro, Clark County Public Defender's Office
Angela Knott, Washoe County Public Defender's Office

Josh Martinez, Las Vegas Metropolitan Police Department
Quentin Savwoir, President, NAACP, Las Vegas Branch
Tyler D. Parry, Associate Professor, University of Nevada, Las Vegas
Leslie Turner, Nevada State Deputy Director, Fines and Fees Justice Center
Bill Quenga, Deputy Director, Industrial Programs, Nevada Department of Corrections
Harrison Epstein, Clark County Public Defender's Office
A'esha Goins, NAACP
Nick Shepack, Nevada State Director, Fines and Fees Justice Center
Tia Smith, ACLU of Nevada
Ashley Dodson
Denise Bolaños Heredia, Associate Director, Return Strong!
Shane Johnson
Lary Plumlee
Jim DeGraffenreid, Nevada Republican National Committee Representative
John Nicholas

CHAIR SCHEIBLE:
We have a work session today as well as two bill hearings. We will start with the work session.

JERED MCDONALD (Committee Policy Analyst):
Senate Bill (S.B.) 7 was heard by the committee on February 24 and is summarized on the work session document (Exhibit C). One amendment proposed for this bill is included in the work session document.

SENATE BILL 7: Revises provisions relating to presentence investigations and reports. (BDR 14-247)

CHAIR SCHEIBLE:
Chief Jackson, I want to confirm that you have had a chance to review this amendment. I am going to assume it is acceptable to the Department of Public Safety, the district attorneys and the public defenders, since they are the ones submitting it.

TAMRAH JACKSON (Chief, Division of Parole and Probation, Nevada Department of Public Safety):
I have reviewed this, and we discussed this in multiple meetings yesterday. I believe everyone is in agreement that this is an appropriate compromise and will be effective for everyone.

SENATOR LANGE MOVED TO AMEND AND DO PASS AS AMENDED S.B. 7.

SENATOR FLORES SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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CHAIR SCHEIBLE:
We will now go to S.B. 60.

SENATE BILL 60: Revises crimes committed against older or vulnerable persons. (BDR 15-342)

MR. MCDONALD:
Senate Bill 60 revises crimes committed against older or vulnerable persons. It was sponsored by this committee on behalf of the Nevada Silver Haired Legislative Forum and heard March 11. The bill is summarized, along with the amendment, on the work session document (Exhibit D).

CHAIR SCHEIBLE:
I want to thank the Attorney General's Office who wrote this amendment and graciously agreed to share it with the Silver Haired Legislative Forum to append to S.B. 60.

SENATOR LANGE MOVED TO AMEND AND DO PASS AS AMENDED S.B. 60.

SENATOR KRASNER SECONDED THE MOTION.

SENATOR OHRENSCHALL:
I am trying to process the amendment, and I still am not sure I completely understand everything. So, I am just going to vote yes to move it out of committee and reserve my right.

SENATOR HANSEN:
I am kind of in the same boat. The amendment got rid of a lot of stuff, especially the first section. I am not sure. Is this considered a friendly amendment? Doesn't know? Okay. Well, if not, I am going to just do exactly what Senator Ohrenschall just did. I am going to vote yes, but we need to do a little more digging on some of that.

THE MOTION CARRIED UNANIMOUSLY.

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CHAIR SCHEIBLE:
Next up is S.B. 62.

SENATE BILL 62: Revises provisions relating to crimes. (BDR 15-507)

MR. MCDONALD:
Senate Bill 62 was heard by the committee on April 8 and is summarized in the work session document (Exhibit E). The bill revises provisions related to crimes. It was sponsored by the Attorney General. One amendment proposed for this bill is attached to the work session document.

SENATOR HANSEN:
They got rid of some of the bad parts of the bill, admittedly. But the whole concept of setting up these funds—I mentioned it the other day. I am a little concerned about that. I think all funds that are collected from any criminal act especially should go to the General Fund and then let the Legislature send it back out. I am very uncomfortable with law enforcement agencies being able to collect funds from people that they prosecute or charge with crimes. And this would fall under that category. I mean, I am obviously supportive of helping people who have been abused in various ways, but the whole idea of setting up these separate funds that are actually inside the Attorney General's Office, or

sheriff's office, I am just uncomfortable with. I am going to be a no on this one, but I think we are getting in the right direction on a lot of this.

SENATOR ELLISON:
I said in the meeting the other day, I like the amendments, but I do not think it should go to the Legislature. I think it should go to the Governor's Office. That way they can earmark that money strictly, whoever the Governor is. So, I am going to be a no, but I am going to reserve my right.

SENATOR KRASNER:
I appreciate the Attorney General's office removing sections 1, 2, 3, 4 and 6, and I will be voting yes.

> SENATOR OHRENSCHALL MOVED TO AMEND AND DO PASS AS AMENDED S.B. 62.
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> SENATOR LANGE SECONDED THE MOTION.
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> THE MOTION CARRIED. (SENATORS ELLISON AND HANSEN VOTED NO.)

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CHAIR SCHEIBLE:
We will now go to S.B. 75.

SENATE BILL 75: Revises various provisions relating to the duties of the Secretary of State. (BDR 7-484)

MR. MCDONALD:
Senate Bill 75 was heard by this committee on February 20 and is summarized in the work session document (Exhibit F) along with one amendment.

SENATOR ELLISON:
All the strong negatives that I have had this year, this is the top of my list. I have a real problem with quite a bit that was in the bill. So I am going to be a no.

SENATOR HANSEN:
In section 3 regarding the penalties that the Secretary of State can apply: Where do the penalties go afterward? Do they go to the General Fund, or do they stay with the Secretary of State's Office?

BRAD WILKINSON (Committee Counsel):
I believe those go to the State General Fund. There's no provision specifically sending them to the Office of the Secretary of State that I see right here.

SENATOR HANSEN:
So that is where they go. No, that is good. That's where all these should be going. That is a good thing. I just want to double-check, but I am very uncomfortable with the Secretary of State kind of almost independently being able to set penalties and fees for state business licenses. That is something that should be carefully regulated by us, I think. I am a no on this one.

> SENATOR OHRENSCHALL MOVED TO AMEND AND DO PASS AS AMENDED S.B. 75.
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> SENATOR FLORES SECONDED THE MOTION.
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> THE MOTION CARRIED. (SENATORS ELLISON, HANSEN AND KRASNER VOTED NO.)

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CHAIR SCHEIBLE:
Next on the work session is S.B. 76.

SENATE BILL 76: Revises provisions relating to securities. (BDR 7-486)

MR. MCDONALD:
This was sponsored by the Secretary of State and heard on February 20. It is summarized on the work session document (Exhibit G) with one amendment.

SENATOR HANSEN:
Like a broken record. The money is coming from the State General Fund and is being put into the compensation fund. Is that following that correctly?

CHAIR SCHEIBLE:
Not exactly as I recall from the hearing. This is money that the Secretary of State would otherwise have to give to the General Fund, but they are asking that they be able to retain up to $500,000 in this separate account to compensate victims of securities fraud.

SENATOR HANSEN:
That order seems better.

SENATOR KRASNER MOVED TO AMEND AND DO PASS AS AMENDED S.B. 76.

SENATOR NGUYEN SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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CHAIR SCHEIBLE:
The work session continues with S.B. 213.

SENATE BILL 213: Revises provisions relating to the crime of unlawful dissemination of an intimate image. (BDR 15-776)

MR. MCDONALD:
Senate Bill 213, heard by this committee on March 18, is summarized on the work session document (Exhibit H), including two amendments.

SENATOR LANGE MOVED TO AMEND AND DO PASS AS AMENDED S.B. 213.

THE MOTION SECONDED BY SENATOR HANSEN.

THE MOTION CARRIED UNANIMOUSLY.

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CHAIR SCHEIBLE:
I think we inadvertently skipped S.B. 125, so we will go to that one next.

SENATE BILL 125: Revises provisions relating to services provided to victims of crime. (BDR 16-631)

MR. MCDONALD:
Senate Bill 125, heard in this committee on February 27, is summarized on the work session document (Exhibit I).

SENATOR KRASNER:
I am known as an advocate for victims of crime. I bring many bills for victims of crime. I just want to make sure that we are not revictimizing the victim with a bill like this that does not allow victims to opt-in if they want services. Not every victim of crime wants services. Some of them want to be left alone. I would feel much more comfortable if there was an opt-in section if victims gave their consent in writing that they want services before their confidential information is shared with other entities. I am going to have to vote no and reserve my right to change prior to floor.

JONATHAN NORMAN (Legal Aid Center of Southern Nevada):
It does have a "may" in there, and it also references that all the information-sharing would have to follow state and federal law. Every government agency—whether it is the police department, district attorney's office or other—has a policy for releasing information, and we would expect that that would continue to be followed. I hope that answers the question.

There was an amendment, but we did have a stakeholder that wanted to make sure our legislative intent was clear. Could I clarify that? The intent of the provision in section 1, subsection 4 is not to preclude another organization that provides services from entering memorandums of understanding with [Las Vegas] Metropolitan Police Department or other entities.

SENATOR HANSEN:
The bill does have a "may," and I just want to make sure it was on the record, but they cleared it up.

SENATOR LANGE MOVED TO DO PASS S.B. 125.

SENATOR ELLISON SECONDED THE MOTION.

THE MOTION CARRIED. (SENATOR KRASNER VOTED NO.)

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CHAIR SCHEIBLE:
Next is S.B. 275.

SENATE BILL 275: Revises provisions relating to domestic relations. (BDR 11-541)

MR. MCDONALD:
Senate Bill 275, sponsored by Senator Nicole J. Cannizzaro and heard on April 4, is summarized on the work session document (Exhibit J). There are no amendments on this bill.

SENATOR NGUYEN MOVED TO PASS S.B. 275.

SENATOR HANSEN SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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CHAIR SCHEIBLE:
The next work session bill is S.B. 347.

SENATE BILL 347: Revises provisions relating to mental health crisis holds. (BDR 39-8)

MR. MCDONALD:
Senate Bill 347, heard by the committee on April 2, is summarized on the work session document (Exhibit K).

CHAIR SCHEIBLE:
I would just like to let the committee know it is still my intent to produce the floor amendment on this bill. I have been working with the stakeholders to

ensure we get the language right on this. Not seeing any questions, I would accept a motion to do pass.

SENATOR LANGE MOVED TO DO PASS S.B. 347.

SENATOR NGUYEN SECONDED THE MOTION.

SENATOR HANSEN:
This is a Second Amendment issue, so we are a little uncomfortable with some aspects of the bill. We feel it is kind of unfair that the person whose weapon is taken away from them without any judicial process has to go through a judicial process to get it back. It is a classic red flag law. So, we are—I should not say we—I am a no on this one.

SENATOR ELLISON:
I was hoping the bill says that the court or the sheriff's department could remove and give back the weapon if there's no problem, you know, to either the spouse or whatever, as long as it is locked up and prepared. So, I am going to be a no. I am going to reserve my right, and I am hoping that that change maybe will be made over at the Assembly because I think that will clear up a lot of that skepticism out there.

THE MOTION CARRIED. (SENATORS ELLISON, HANSEN AND KRASNER VOTED NO.)

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CHAIR SCHEIBLE:
We continue with S.B. 432.

SENATE BILL 432: Revises provisions relating to privacy. (BDR 11-1020)

MR. MCDONALD:
Senate Bill 432, heard on April 9, is summarized on the work session document (Exhibit L). There is one amendment to this bill, as described in the work session document.

SENATOR FLORES:
I will be voting for it to move out. A lot of people have been reaching out with concerns, so I may change my vote on the floor.

SENATOR NGUYEN:
I would also like to reserve my right. I have some questions that came in late. No reflection on the sponsor or presenters.

SENATOR OHRENSCHALL:
Ditto. Got contacted late with some concerns. I will vote to move out of committee and reserve my right.

CHAIR SCHEIBLE:
As the presenter of the bill, it is sponsored by the committee, and as chair of the committee, I think it is my responsibility to follow up on this bill. I will also be meeting with stakeholders and working with members of the committee to try to address concerns that remain with the bill.

SENATOR ELLISON:
I want you to know that I was not going to reserve my right, and I was not going to vote no.

SENATOR NGUYEN MOVED TO AMEND AND DO PASS AS AMENDED S.B. 432.

SENATOR OHRENSCHALL SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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CHAIR SCHEIBLE:
Senate Bill 202 will be presented by Senator Ellison. You have a copy of an amendment (Exhibit M) in front of you as well.

SENATE BILL 202: Revises provisions relating to housebreaking and unlawful occupancy. (BDR 15-729)

SENATOR JOHN ELLISON (Senatorial District No. 19):
I am here to present S.B. 202. It is provision related to housebreaking and unlawful occupancy. My district covers almost half the State. I have a very large district, and I have a lot of constituents who are running into problems with break-ins and takeovers here in Nevada. Senator Jeff Stone, Senatorial District No. 20, worked on this with me. One of his properties was broken into by squatters who did a lot of damage. He ended up paying them to get them out of there.

This law will, I hope, address this kind of issue so property owners do not have to pay somebody to get out of a vacant house or a house occupied by squatters. I know that the problem now has got to the point where it has extended beyond these break-ins, the damage being done and the stuff stolen out of these houses and hocked while these people are in possession.

I am sure that you know about the criminal break-in of a vacant dwelling with the intent to take up residence or to provide residence to another person without permission from the owner. It is also considered unlawful for someone to take up residence in a vacant dwelling by someone who knows or has reason to believe it is done without the permission of the owner. Senate Bill 202 addresses the situation where the individual uses a false or forged rental agreement.

We know that not only are they doing rental agreements to show that they rented the apartment, but they are also getting numbers of the meters and with this rental agreement going and moving the power over to show they do have the right to be in this dwelling. So, they are going beyond one area to the other. The key element is the intent to establish residency either for themselves or another person.

This bill is designed to prevent unauthorized occupancy for properties, particularly those that are empty or temporarily uninhabited. Section 1 of this bill contains revisions related to housebreaking, including use of false rental agreements to gain access with the intent to live there and let someone else do so. Section 2 contains revisions related to an unlawful occupancy with intent when a person lives in a vacant unoccupied dwelling without the owner's permission, knowing or having reasons to believe they are not allowed to be

there or intentionally using a false or forged rental agreement to justify their presence.

The proposed conceptual amendment, Exhibit M, amends all sections in S.B. 202, including section 1, to provide a definition of the terms "squatter" and "tenant" for certain purposes related to summary proceedings to obtain possession of real property, a recreational vehicle or a mobile home, and that persons classified as squatters are not tenants of such proposed places.

The amendment to section 2 reduces the period for which an unlawful or unauthorized occupant who has been locked out of a dwelling has a right to contest the matter by filing a verified complaint seeking reentry, and the owner of the dwelling is required to store the personal property of the unlawful or unauthorized occupant.

I have seen that quite a bit when moving people out of evictions or whatever. It would be necessary to move their stuff into a rental place and then lock them up and keep them until the courts take the second action.

Section 3 clarifies a process in which an unlawful occupant who has been locked out may seek a return of his personal property. Section 4 expands the crime of unlawful occupancy to make it unlawful to take up residence in a dwelling, regardless of whether it is uninhabited or vacant, if a person knows or has reason to believe that such residency is without permission of the owner.

Committee members, I urge you to support this bill. The second offense apparently becomes a felony, and I do not know what else you can do because the problem is expanding wider and wider as we talk. People say that they must get somebody in to stay in some of these houses and pay them to stay there for weeks at a time during their own vacation because the squatters are moving in.

The other thing we just found out yesterday is if you see these signs that "We will buy your house no matter how bad a shape it is," they are calling in on them, and next thing you know, they have possession of that. So, they are selling it, leasing it and renting it to these people, and they get a contract, but they never owned it. So, it is gone from point A to point B overnight. Florida just passed the same laws because it is out of control, and they've got to do something to control these. And the only thing we could think of was to put

this into law here in Nevada because it is in Nevada, it is in the rural areas, it is in the cities. I do not know how many have been in Washoe County or how many have been in Las Vegas but quite a few. So, I am hoping to make it as easy as possible to present this to show you how bad the situation is.

SENATOR FLORES:
Back in 2005, I had an opportunity to work with some of the stakeholders on the unlawful occupancy. I know squatters are a big, big problem. For the most part, some of it was addressed then. I am just trying to understand specifically what we are doing with this language. Today, if there is an unlawful occupancy whether the home is vacant or not, somebody goes into the property and presents a fake or forged document. Isn't that already unlawful? I am just trying to understand what this language is adding because it is already unlawful.

SENATOR ELLISON:
Yes, sir. But they are moving into these houses, and if they can find the houses unoccupied or if they know that people are out of town, they are automatically moving in and then making fake documents. They change every lock in the house, they board up every window and then late in the middle of the night, they'll remove a lot of the possessions in there. But with one that they just found; the guy was hiding in the attic. When the police finally got possession, the police and the judge gave them authorization to go into the house. So. it is part of the law. But the problem is that it is not qualified that these guys can be charged on a felony after the second time that they do that because the first time they are just letting them go. The biggest thing is that right now owners must pay them, so they do not have to go through all the courts. In Florida, it was almost impossible to get them out of a house. The courts would set it back for months at a time.

The good about it is they finally got this into law that says if you are in a house and you do not have the authorization to be there—if it is a trailer house, a house or a motor home or whatever it is—you can be held accountable, and you can be arrested and removed. Right now, they just tell you to move and then take it to court. And that is the problem we are having. We need to give the police authorization to remove them if we can prove that these documents are fake. I remember the bill you had. We had one prior to that, and it was in your committee that we tried to work it out. This just made it simpler. We're just trying to follow other states right now.

SENATOR FLORES:
And maybe I can ask law enforcement when they come up to see how this is going to help them. Because my understanding is to present a forged or fraudulent document is already unlawful. It is already unlawful for somebody to be a squatter. So, I am just trying to understand. I am all for helping law enforcement in whatever way available to get rid of some of these folks because obviously it is a problem. When I was running for office the very first time, it was one of the things that they told me when I was walking the district that we had issues. People would say, "I know that person there does not live in that home." So, I want to help.

SENATOR ELLISON:
One of the things happening is that it is necessary to prove their documents are not correct. That's the big thing—so not only do the police take the reports, but the owners must also get documents showing they own it either through title companies or whatever; then they have to go to court. So, the owner might be [spending] months trying to get the unlawful occupants out of there. The owner can get a trial date, but that is one of the problems we are having. We need to move this up to get them out of there to where they do not steal everything that is left in the house or destroy the house.

SENATOR KRASNER:
I appreciate the changes to the bill and the conceptual amendment that you provided. Section 1 provides definitions for the term squatter and tenant for certain purposes relating to summary proceedings. And then section 2, to reduce the period for which an unlawful or unauthorized occupant who has been locked out of a dwelling has the right to contest the matter by filing a verified complaint seeking reentry. And then section 3, to clarify the process by which unlawful or unauthorized occupants who have been locked out may seek the return of their personal property.

SENATOR ELLISON:
I thank our chair because she could see the good in both bills and put them together. That was a major deal because I would have never thought to do that.

SENATOR OHRENSCHALL:
For a long time, I have known this is a big problem in Southern Nevada. I did not know it was a problem in some of the less populous counties. Is this a

problem in some of the less populous areas you represent that are not the urban thing? I certainly knew it was a problem in the urban area, but I did not realize it was a problem in rural Nevada.

SENATOR ELLISON:
Out in the rural areas, where people might have one acre, two acres, five acres. You'll see it pop up. We had one right down the middle of town. The owners had a heck of a time to get them out; finally, the judge had enough time to take it, look at it and remove them. But the owners were gone on an overseas or whatever vacation for two to three weeks. When they got home, there must have been about eight people living in that house, and the destruction and damage was awful. There's one right down the street from property I owned that someone took over, and I did not know it until they finally got him out of there.

SENATOR NGUYEN:
Section 2 of your amendment talks about reducing the period of time for which an unlawful or unauthorized occupant who has been locked out of a dwelling has the right to contest the matter by filing a verified complaint. It seems like you are trying to reduce that from the 21 days to the 5 calendar days. And I am wondering how you came up with that particular number. It seems to be moving. Our court systems—I would like to believe that they move efficiently, quickly and easily for people going through this process. But in some of those circumstances, can you tell me what the thinking was in that amended language?

SENATOR ELLISON:
Yeah, I think the Legislative Counsel Bureau put that language in. I am not sure. I would have to ask Senator Stone because that was his amendment. But it was some of the problem we have in trying to get them out of there as fast as we can. And once we prove that the ownership is owned by the occupant, the actual owner of the house, or the renter—we even have that with [lawful] renters; they'll be gone and next thing, [unlawful] renters are in the house—the thing of it is getting into court. Sometimes in justice court, you might be tied up for a couple of weeks because they have two judges, and they are usually pretty busy. And even if you try to get into district court, you would even be ten times longer, and then you would have to go in with a lawyer. At least at

the justice court, you can go in and tell them that my documents have proved that I own possession of this house. Here's the deed, here is whatever.

But the unlawful occupiers are getting so good at it. They're faking deeds, faking rental agreements, faking power bills, gas bills, everything they can. They are getting really good at it. That's why we have to get something into law. I am not the smartest light bulb in the world but one that cares about the people that are losing their homes. What's bad is the destruction and the stuff that is stolen out of these houses. These people are walking in. There's nothing left, nothing, even the pots and pans.

CHAIR SCHEIBLE:
I have a couple of questions. I want to make sure that I am understanding correctly. Part of the purpose here is that if I am a bad actor and I want to make a buck, right? The problem you are trying to address is people saying, okay, here is this abandoned house or this vacant home. I am going to say," Hey John, you can rent my house even though I do not own it." It is like the old Brooklyn Bridge scam, right? I am going to sell you a bridge. I am going to rent you a house, here is the deed and you are going to sign it—or here is the lease agreement, you are going to sign it—move in and I am going to take your money. And then you are going to be on the hook for being possibly convicted of unlawful occupancy.

SENATOR ELLISON:
Once they prove that they rented it from somebody, then you can work with them because they got scammed. But as far as the rental homes, you have no idea how many there are. It is unbelievable. If they find an empty house or a house for rent, they'll go rent it. They'll rent it to people and meet them over there. But they are getting into the house and changing all the locks, so they have possession of that house.

CHAIR SCHEIBLE:
The idea here is to go after the person who ultimately moves into the house or the person who changed the locks and accepted the money from the person who ultimately moved in.

They are usually gone before the police finally get into the nuts and bolts of it. So not only did the owner of the home get scammed, but the people that rented

the house got scammed; usually, the renters will say they will work with the owner. They could try to help, but this is a case that you got as badly scammed as we did. People must watch out. If you have a sign out in some place that says for rent and a phone number on it, look out. They will change that sign, put their number on it, they'll rent the house, give them a fake contract, and then they are gone.

CHAIR SCHEIBLE:
I guess the party we are trying to protect is the rightful homeowner because I think I am understanding you saying that the owners of the home do not even know this is going on. If we are to pass S.B. 202 with the amendments, then would that allow us to hold the person responsible who offered the fake lease? I understand that they are often gone by that time—actually, let me ask this. How is it normally discovered that this scam has occurred?

SENATOR ELLISON:
Usually, the homeowners or the next-door neighbors will call and say, oh, thank God you rented your house or whatever, but there's 20 people in there, and the owners will go over to check and find out the occupiers rented the property—because they might have not been able to rent because there's a bunch of them—and that is how it gets back. But the problem is finding the culprit that rented the house. These guys are really good.

CHAIR SCHEIBLE:
It sounds like normally we are missing the person who offered this forged lease, you have the person living in the house, you have the owner of the house to help put the pieces together and figure out what happened. But what happens in the case where the homeowner has died?

SENATOR ELLISON:
Then you got a problem because I tell you what, they'll go to that house and find any documents they can find. They'll go to a title company. Have you seen these big ads on the papers? They say "Please take this insurance out to protect your titles being stolen." That is happening. I do not know how much that is, but the renting of houses they do not own is a big deal. It is become a big scam, but I do not know how you are going to catch them. I have no idea unless somebody saw him and knew him or got license plates or whatever.

But the problem is the poor person that owns it. They are even moving old people out of homes and saying: "Hey, your rent has been canceled, and you have to move. "I own the house" or "I rent the house" or whatever. It is gotten to a point where it is a scam. I am hoping to God that somebody up here or one of the other committees will take it, expand from it and put some good teeth in it.

I just got a call from the district attorney. I was going to talk to him about what we could do. We just want to get the foot in the door to try to help those that need help. But it has become a multimillion-dollar business for these guys, and it is everywhere.

NICK SCHNEIDER (Vegas Chamber):
We want to thank the bill sponsor for bringing this bill forward. We appreciate the expansion of unlawful ownership and hope this gets property back into the hands of the rightful property owners.

JOHN PIRO (Clark County Public Defender's Office):
I hate opposing such a well-intentioned bill. Nobody likes squatters. It is generally the people on the margins that get tricked by the people, like they meet on Facebook marketplace, and they get a fake lease. Nobody likes those people that are tricking them either.

Unlawful occupancy is already a gross misdemeanor, as Senator Flores said. I think this body did a lot of good work on that. I was wondering if maybe some of the definitions—and this may be a question better posed to Mr. Wilkinson—like the definitions of tenant and squatter in these bills would affect any other definitions.

And then one of the main concerns that I had with the bill was the reduction from the 21 calendar days to 5 calendar days. Obviously, I want any homeowner to be able to remove a squatter from the property as fast as possible. But I also know that some landlords are not the best actors and would use this process to get a lawful renter out faster. The 21 days gives both sides a chance to put forth their rights to being in that property. So those issues I saw with the bill that I wanted to bring to the committee's attention put us in opposition at this point in time.

ANGELA KNOTT (Washoe County Public Defender's Office):
We too are in opposition, and my thoughts are just to expand a little bit on what Mr. Piro stated. My confusion is now on S.B. 202. As introduced, I was a little confused on the "intentionally procures or offers a false or forged [written] rental agreement." I had some concerns. Maybe we needed some knowingly language in there. But after hearing the presentation, I have decided on two things.

It is not really fixing the problem. So, the problem is the person who actually creates the false document, but they are usually gone, right? So, the person who's left is sometimes an innocent renter who's just there saying no, I am here lawfully, I have this lease agreement. So, what I can see happening is that they get arrested for unlawful occupancy, right? And then now they have to go through and prove that they did not know that the document was false and that they had a lawful or they believe they had a lawful reason to be there. So I do have some concerns on how this is going to affect the person who actually had no ill intent. So, for those reasons, we are in opposition.

JOSH MARTINEZ, (Las Vegas Metropolitan Police Department):
I am just sitting in the back here listening to some of the conversation. I know this is a problem the Legislature is trying to address. There are some other measures out there as well that we have had conversations on. We are happy to help and see if we could craft something, and I know that there might be some questions maybe from the committee that we could assist with.

CHAIR SCHEIBLE:
Indeed, there are, Mr. Martinez. We'll start with Senator Flores.

SENATOR FLORES:
There are three main hypotheticals I can think of. Bad actor A tells innocent victim B that "I own this property. Here's the lease." Innocent victim B comes into the house. Second hypothetical is bad actor A goes into the property and drafts a fake agreement. They say, "They are pretending to be a victim because, look, I have this fake agreement. I have a right to this house, et cetera." And then the third hypothetical is I suppose what I see online because one of the things that we did back in 2015, there are these YouTube videos that teach you how to be a squatter. Everybody's kind of in on it, and there are people coming in and out of that property making it very difficult where bad

actor A and bad actor B are both in on it. In any one of those three hypotheticals, can you just help me understand how you think this would make your job a little bit easier?

MR. MARTINEZ:
This is obviously a fraud situation in all three cases. So, in your first case, you are going to have the individual that sees the property that is either listed online and then they contact that person and then they end up becoming the victim of fraud. Usually, our constables handle this. But working from my patrol perspective, especially during the downturn of the economy in 2008 and the housing crisis, this is not a new concept that is taking place. This is something that I have responded to and many of our officers have responded to in patrol. We advise the homeowner to get in contact with the constable's office as well as we will take a police report and document the incident. So, that way we have a starting ground for the investigation in regard to the individual that locates the house. Then they become the squatter and may do title fraud or, you know, fake liens on houses, things that are fraud in nature.

We would have to prove that that individual knowingly committed the fraud to remain in the house. And that is the difficult part that Senator Ellison is talking about. Now I am trying to get back into my residence that I have legally and trying to get these bad actors out. And there's a long, complicated process.

I have seen the news stories that he alluded to, in California, where the homeowners are almost giving up on their properties and just allowing them to go to foreclosure or whatever the situation may be because they only have limited resources themselves as homeowners.

So, in the third one, it is still going to be the fraud case. But in that instance, you have to document it and do a police investigation as we do with all investigations to find where the fraud is at, and could that occur at the state level? Could that occur at the local level? This also is not a new concept, and I will just give you kind of a what happens. With stolen cars, you kind of see a little bit of the same thing. Somebody may go steal a car, they may replace VIN numbers, do whatever. They put it on a corner lot down in Southern Nevada and they sell it. Now we stop that car and find out that car is stolen. We have to impound that car and recover that stolen vehicle. Now, that person is saying, hey, I bought this on the corner. They are out money because that car has to be

returned to the owner. This is kind of a similar situation, but this is dealing with the real property of a house. So hopefully that helps.

SENATOR FLORES:
I absolutely understand that. But all those hypotheticals that you just indicated presently, that is how you address them. Now, I am just trying to understand how this is going to help you in any other way, If at all. I do think the amendment to section 2, in changing the number of days is significant; whether or not the court can do it, that's a different question. I guess I was just trying to understand how this would help you because if right now you find out that bad actor did not have the authority to rent out that property and has a fake document, they are guilty of fraud at that point. Are you saying that we are also just going to go after them for unlawful occupancy? Are we just now going to add a second charge?

MR. MARTINEZ:
They could be charged for the fraud, but they are trying to find a way with this bill to help speed up the process. So, by reducing the number of days to five, it is kind of like the five-day pay or quit—what we used to tell folks when they were legally occupying the place and had to go to the constable's office—and you still have that same remedy where you go through the constable's office as the property owner. But it is going to be a little bit lengthier process because you have to do the court proceedings, and the constable would have to serve the paper. Then regular patrol might end up out there after the court because people will not leave, and it could be the middle of the night and the constable's office only works certain hours. But this could be another tool in the tool bag if it was to pass because it would, as you said, move the date.

SENATOR HANSEN:
There are a million questions about this, and it is kind of interesting to me to see how you actually can deal with this in the field. Then I noticed all the district attorney people slipped out, which is really kind of convenient at the moment. I like to hear how to process this. Senator Doñate actually had a bill earlier to allow a property owner—if they are going to be gone for a while—to actually file like a paper with a law enforcement agency saying I am going to be gone. This residence is going to be vacant right now.

Because what I am looking to do with the bill, potentially— I am kind of like with Senator Flores. The bill itself right now sounds like parts of it. You guys already have the power to do the 5-day versus 21-day thing. Sounds like that is a good idea too. Are there other things we can do? Obviously, it is the very end of session. It is a mad rush bill. Even if we get a chance to vote on it, are there conceptual amendments you could recommend that we could use this as a vehicle to enhance your ability to deal with the bad actors we are all describing?

MR. MARTINEZ:
The bill in particular that you are discussing, the issue is getting the letter to a law enforcement agency and then circumventing the processes we have in place now through the constable's office to remove folks. I know that in looking at the Florida law referenced in this conversation, some other punitive things were there, and that is where the idea came from. But the problem is we have fees in regard to constables and service. But we also have the processes that have to be followed, and that would kind of be giving us the opportunity like we do not want to violate somebody's Fourth Amendment rights.

Just by giving us a letter, we can't go in there because we get a call and somebody's at the house and then just get them out of the house. That is the issue we have with that particular conversation. Having that letter to law enforcement is the Fourth Amendment issue we have to be very cognizant of.

SENATOR HANSEN:
Okay, so that one's out then. So, I am trying to find something good in there. The other question—I wish the district attorney people were here—when you find obviously bad cases like you described, we know they are bad actors on all parties here. You know, guys making a fake lease and the guy maybe even knowingly gets involved in the house, how often they get prosecuted. I mean, it does not sound like there's much fear of going to prison or something for serious fraud things. I know it is an unfair question to ask you because that is something the district attorney should answer. But I am kind of wondering how aggressively this is being prosecuted when, in fact, they find these kinds of openly fraudulent situations?

MR. MARTINEZ:
I can only speak to the police issues. That is where I was earlier. We would get the call or they would come to a station to report. Then we would start the

investigation process to determine if the fraud was actually committed or if somebody's inhabiting a structure illegally through either fraudulent documents or they just reside there a little bit longer and are no longer paying. We would start to see if a crime has been committed through the investigation. I have been off the streets for a little while but in 2008 when we were going through this, I know it was a big deal to prosecute folks and deal with those bad actors because they could live in a house for a long period of time. By the time the homeowner gets the house back, there could be thousands and thousands if not even up to millions of dollars in damage. And now you are trying to recover financial loss that you have but not being able to rent it or have it yourself, and then you are trying to fix it.

SENATOR HANSEN:
I got it. Jennifer Noble and John Jones disappeared. I would like to talk to those guys, but they are not here. We are kind of up against the clock. So, if there are any ideas, Senator Ellison alluded to the exact situations you are describing where people go in, they are squatters, they tear the hell out of everything. Sell it on the internet or whatever. And then the property owner comes home and can't even get them evicted in some cases even though they did such things. All right, I am talking to the wrong guy. I am trying to salvage something at the last minute here.

SENATOR ELLISON:
A lot of people do not realize I can buy every document there is on the internet. I can go downtown right now and buy rental forms. They look so legal. They are legal, but the thing of it is they just buy them for a $1.25. I have seen these fake documents that they use that show that they rented this house when they had no right whatsoever. But you can notice when you get there that the locks are changed, and the windows and stuff are boarded up or screwed down; the only way you could get in is start breaking windows. You can buy every contract you want off the internet or from most of the stores here that are rental, legal rental documents, they just do not belong to that house.

So anyway, it is a bad situation, and I am just hoping to get something moving in it. We can make changes as we go or get somebody else to pick it up and have changes. But it is sad that people are losing their homes right now or getting extorted to pay them to leave, and then they find out there's tens of thousands or hundreds of thousands of dollars in damage. And one of our

Senators was one of them. So that is pretty bad when Senator Stone got hit, he had to pay them to leave, and then the damage to the house was massive.

CHAIR SCHEIBLE:
I will close the hearing on S.B. 202. I think we have all been looking for a solution to this problem throughout the session, and even though the hour is late, it is not the end. If we can come up with policy answers to the question, I think it is always still worth trying to do that, especially in our biennial sessions when we can't come back for two more years. The amendment is in Exhibit M.

With that, I will open a work session on S.B. 202.

SENATOR NGUYEN:
I know that Senator Ellison will continue to work on this bill, and I agree with the chair's assessment that these kinds of conversations need to keep going on.

> SENATOR NGUYEN MOVED TO AMEND AND DO PASS AS AMENDED S.B. 202.
>
> SENATOR KRASNER SECONDED THE MOTION.

SENATOR FLORES:
I really appreciated Mr. Piro's feedback. I am sure that Senator Ellison and Mr. Piro will continue to work as the bill continues to move. I hope we can schedule a bunch of meetings and, Mr. Piro, I will gladly join you in those meetings.

> THE MOTION CARRIED. (SENATOR LANGE WAS EXCUSED FOR THE VOTE.)

* * * * *

CHAIR SCHEIBLE:
We will now move on to our bill hearing on S.B. 334.

SENATE BILL 334: Revises provisions relating to the employment of offenders. (BDR 16-1115)

QUENTIN SAVWOIR (President, NAACP, Las Vegas Branch):
This is an overview of what you can expect in our presentation (Exhibit N). Introductions will give some historical context on this issue related to convict leasing. We want to illustrate and highlight the relevance of A.J.R. No. 10 of the 81st Session and A.J.R. No. 10 of the 82nd Session as well as the 2024 ballot measure, Question No. 4. During our presentation, Exhibit N, there's a really clear throughline there that we should talk about and address. We'll do a bill overview, of course, provide some benefits of S.B. 334 and then take your questions.

We are grateful to Senator Dina Neal for the opportunity to present this bill. Senator Neal has been a champion for this cause the last two sessions. This bill intends to establish a minimum wage for incarcerated workers. This legislation was brought forth in the 2021 Legislative Session and 2023 Legislative Session, and we are here again to continue this discussion as it is very important. From the outset, we want to say that we did have a good discussion with the deputy director of the DOC [Department of Corrections] as well as the public information officer. We want to be clear that our intention is not to dismantle the existing programs within our incarceration system but to recognize the dignity of all work so that our incarcerated Nevadans can have more firm and established ground when they are reentering society.

TYLER D. PARRY (Associate Professor, University of Nevada, Las Vegas):
I was invited here today to provide historical context about the exploitative systems of convict-leasing and prison labor—specifically in how such systems as functions of a corporal apparatus in the United States were predicated upon racist and classist concepts of labor exploitation extending from chattel slavery and other forms of unfree servitude that existed prior to the Civil War.

Questions surrounding the racist origins of labor exploitation in American prisons have gained significant traction throughout the twenty-first century, largely due to the historians, sociologists, legal theorists and documentarians who have explored the links between the United States' massive boom, its incarceration rates since the 1970s and the racist systems that confined and immobilized Black Americans since the founding of the American republic.

Chattel slavery provided the foundations for the perpetuation of systemic and systematic anti-Black racism as enslavement in this country and throughout the

Americas became a racialized condition inherited across generations solely due to a social construction of race that rendered Blackness as inferior to Whiteness. And even after race-based chattel slavery ended in 1865, its legacies followed and were most visibly expressed in a multilayered system that took many forms, including the notorious systems of convict-leasing, debt peonage, sharecropping and prison labor. Though convict-leasing was not exclusive to the postbellum South, it undertook an especially brutal form in the late nineteenth and early twentieth centuries in that region.

African Americans had gained some momentum during the brief period known as Reconstruction between 1865 to 1877, but after the federal government retreated from the Southern states, so-called Redeemer governments quickly sought to reestablish White supremacy through violence, domestic terrorism and by forming an unequal racist legal structure. White Southern legislators sought to immobilize the Black population, keeping many families in states of perpetual debt or simply arresting many men and women on spurious charges and throwing them into jails or prisons. The basis of the system of convict-leasing was one of the most overtly dehumanizing processes as it allowed private contractors and landowners to quote “lease” convicts from the state, allowing the contractor to profit from unfree labor. A vast majority of the convict laborers in the south were Black, many of them formerly enslaved themselves or just one generation removed from the era of slavery.

This exploitation of Black people was predicated upon a racist vision of rebuilding the Southern economy through cheap labor, which was directly attached to the White South's rejection that Black people could ever be truly free in the United States. The dehumanization attached to this institution was so intense, it was nicknamed “slavery by another name.” Though convict-leasing would eventually be eliminated by the 1930s throughout the United States, its counterpart in prison labor was hardly better.

Now Black men—and to a growing degree, women—were considered slaves of the state who produce goods and textiles within the prisons for domestic and international consumption while receiving hardly any compensation for their labor. Historical examples of these harsh conditions abound, including notorious prisons like Parchman Farm in Mississippi or Angola Prison in Louisiana. But the exploitative nature of prison labor and its direct links to anti-Black were not

confined to this region as African Americans moved to cities in the north and the west throughout the first seven decades of the twentieth century.

In an historical event called the Great Migration, they were met with various racist policies in these areas that mirrored aspects of Jim Crow segregation that were mandated throughout the U.S. South. This perpetual curtailing of Black mobility is the key for understanding this issue. Increasingly throughout the decades following the Civil Rights Era, police forces became more heavily armed and militarized, specifically targeting marginalized communities who have fewer resources to combat police harassment and discrimination.

By the time of the war on drugs that was amplified under the Reagan Administration in the 1980s, African Americans had already experienced what scholar Khalil Gibran Muhammad calls "the condemnation of Blackness" in which, over many decades, White social scientists had equated Blackness with criminality. Consequently, laws were passed on federal and state levels that made the targeting of Black communities as well as poor people of all backgrounds rampant throughout America under a supposedly colorblind policy. The United States' incarceration rates skyrocketed during the last days of the twentieth century. Due to this reality, this country remains the largest carceral state in the world.

Despite its proclamations of liberty and freedom, Black people have confronted the worst of these injustices since the founding of the country and to this day comprise a disproportionate percentage of those who are incarcerated and receiving obscenely low wages for their labor inside. This reality not only allows but perpetuates and expands the problem of racial inequality within the United States.

To conclude, the history here produces a few questions I would ask us all to consider. Are we as a society willing to recognize the humanity in everyone? Or do we accept that a person convicted of a crime is only worth their exploited labor and should be defined by such in perpetuity with few pathways for redemption? Nevada made the correct decision in striking the language of slavery and involuntary servitude from its State Constitution. It is now up to its leaders to pursue a path toward human dignity, one that is unwilling to further accept labor conditions within our prison system that resemble some of the most heinous eras of American history.

MR. SAVWOIR:
I apologize that the image did not show. It was supposed to be a nice image that shows the voting record of Legislators from the 2021 Legislative Session and 2023 Legislative Session that unanimously voted in support of the resolutions in both sessions' bipartisan vote, which I think is really important to illustrate and highlight given the political climate we are in. We have all decided this is no longer acceptable in the State. So, by legislation, we removed language authorizing the use of slavery and involuntary servitude as criminal punishment.

Fast forward to last fall. The full citizenry of Nevada voted overwhelmingly in support of State Ballot Question No. 4 to amend and remove language authorizing slavery and involuntary servitude as a criminal punishment—60.6 percent. I think it is very important to illustrate that all the people are in alignment, and everyone is in agreement here. So, finding out how we reach a resolution to this issue of convict-leasing and our incarcerated Nevadans not being able to earn wages that can set them up to have sustainable living beyond being incarcerated is a very important and relevant question for us to be asking.

We have a unique opportunity in Nevada to set some outstanding precedents. The overview of S.B. 334 shows a phased approach. Beginning on July 1, inmates would be able to receive 20 percent of the state minimum wage which matriculates for five years up until 2029 when offenders will be able to receive 100 percent of the state minimum wage. These are the top lines of the legislation. Section 1 requires incarcerated persons to earn a progressively increasing percentage of the state minimum wage over a five-year fixed period. Section 2 requires that said rates be equivalent to or exceed those outlined in Section 1. And then finally, section 3 requires the Legislative Auditor to perform an audit of wages paid to offenders each year through 2029. This bill has the potential to have a great number of benefits for not just those who are directly impacted but for our entire State.

LESLIE TURNER (Nevada State Deputy Director, Fines and Fees Justice Center):
The intention of this bill is not to dismantle the current Prison Industries program, which we all see the value of. We want that program to be sustainable. The simultaneously incarcerated people need to be paid an actual wage. And I think the question that we all can weigh in on, is 30 cents an hour slave labor? So, those are the things we are here to figure out.

I think more than one thing can be true. We can want to preserve the program, and we can also want to pay people a dignified wage. The question is, how do we get there? We are innovative enough, we are smart enough, we are creative enough, collectively, the people in this up there in Carson and here, where we can figure that out. Hopefully, we will be able to do that. Some of the benefits to incarcerated people and their families include the ability for people who are working on the inside to be able to support their families, to be able to pay for phone calls, to be able to assist.

A lot of people I know while on the inside had loved ones who passed away. So being able to pay for a funeral or to contribute to community in those ways not only solidifies and strengthens the family, but it also creates a line of connection that we know contributes to reduced recidivism. When we are talking about savings or cost savings in the future, the more people who have those foundations set and built with their family and with their community on the outside, when they are able to get out, they are able to reintegrate into society and stay free longer because they do have a financial foundation to build upon. Obviously, that means more people not going back to prison means less people ultimately in prison, which brings the cost of incarceration in general down for the State.

Incarcerated people are also more likely to pay their restitution. Obviously, we want victims of crime to be made whole if, financially, they can be. That is something that incarcerated people who are working would be able to do. It also decreases the reliance on social services upon release. Incarcerated people can save money. And overall, it contributes to an increased rehabilitation. Then there's the question which Quentin was just speaking about. We do not know how that is going to play out, but I think that is something this bill is going to have to consider. And as a body, we are all going to have to consider when it comes to labor. Where does prison labor fall in that discussion? What is the liability of the State in terms of not practicing slavery?

I think we all understand the benefits of being able to work, make money, take care of your family, contribute to your life and build a foundation so that you don’t end up going back to prison.

SENATOR ELLISON:
I'm looking at some of the letters. What does the prison system pay people for when they are incarcerated?

MR. WILKINSON:
Senator, that would probably be a better question for DOC. I think the amount of wages they pay offenders varies depending on what the job is, but they would know far more than I would.

SENATOR ELLISON:
Well, I know this letter popped up. I never thought of it that way. So, I am just trying to figure an idea about what it was. Do we have the director from DOC here?

BILL QUENGA (Deputy Director, Industrial Programs, Nevada Department of Corrections):
There are different steppingstones within the Prison Industry program. Traditional wages on what we built that does not cross state lines vary from $1 to $7 an hour. Now, anything made for profit that crosses state lines must be paid the 10th percentile, the prevailing wage for that. This is regulated by the Department of Justice. So, for traditional work, they make $1 to $7 an hour, depending. We quote to how long it takes to do a bookcase from the sawyer to the carpenter to the finished shop. And it goes on. We quote the hours for the cost of that because we sell a bookcase for X amount, so we have to stay with them there, and we have to generate some revenue at the end.

For certification, which is the Prison Industry Enhancement Certification Program, we do send a letter to the Department of [Employment,] Training and Rehabilitation with all the Standard Occupational Classification (SOC) codes. So, anything that is for profit that crosses state lines, they give us the study back for that SOC code for that geographical location. I have welders that make anywhere from $14 to $18 an hour. Now, I have a sewing operation in Lovelock. And if anything crosses state lines, they make anywhere from $8 to $12 an hour.

So, there's a steppingstone. You can come in and start as a porter. If you are an experienced carpenter, you always start a job and work your way up.

So, there's a lot of incentive to better yourself and make more wages as you go. I hope that answers your question.

SENATOR ELLISON:
One of the things they used to have, I do not know if they have it anymore, but they used to have a body shop and paint shop in the prison, and it was comparable to any paint shop. I mean, anywhere from $4 to $15,000 for any kind of body work, mostly painting. And they had beautiful jobs coming out of there. I mean, top of the line. I do not know if they still do it or not, but you know, that has got to be a high dollar because the costs are getting just as much as any paint.

MR. QUENGA:
We still have that shop down there. We were partners with Shelby, we were partners with the Imperial Palace. We are not partnered anymore due to the downturn in the economy in 2008 and 2010. I shut the operation down because it was not fair for us. Our mission in Prison Industries is not to displace the private sector. My goal is to get these guys skills to reenter society successfully. I teach them in there that it is not about the dollar. So, I talked to all the offenders in our program. It is about them gaining a skill, changing their mindset, changing their behavior so that you can have marketable skills to reenter society.

I do pair them up with businesses in places such as Lovelock, where I have a 20,000-square-foot sewing operation. Thirty days prior to the release of that offender, we have a company in Reno that interviews them with a supervisor, and we have many of them come out and go right to that factory locally with benefits, health benefits and whatever benefit they have and a great wage. But they learn that skill.

A lot of these offenders come in and have no skills. It is their first job, but I teach them. It is not about the dollar; it is about your mindset and being a great citizen and that you can. I can go in there and make $80,000 and send them home with $80,000. But if you do not address your issue, whether it is substance abuse, alcohol or whatever, you are going to come out [and] come right back. You think they are going to buy a house with that money? I have been in the department for 30 years, and I am very passionate about this program.

SENATOR ELLISON:
I can tell you it was one of the best ones I ever saw. These guys are fantastic and come out and got jobs overnight. So, I just hope it is still going and hoping to expand.

SENATOR NGUYEN:
I appreciate you highlighting the positive success stories of this. Obviously, I support the need for legislation like this because even when you have someone that is making say $18 an hour and they are gaining those skills that I think are invaluable, especially to reduce recidivism, to have more satisfaction and to reduce violence and even mental health issues while they are incarcerated. Nearly about half of that salary goes back to the prison. Isn't that correct?

MR. QUENGA:
There's 24.5 percent that goes to, I believe, room and board. Please do not quote me. I think if you make over minimum wage, then you start paying.

SENATOR NGUYEN:
I do not take offense to money going toward restitution pursuant to Marsy's Law to make sure these victims become whole and have that kind of money. But as far as the people working, they are responsible for their room and board as opposed to someone who sits there and does nothing while in the prison system. They don't have to pay room and board, is that correct?

MR. QUENGA:
I believe so, I cannot confirm that, but I believe that is correct.

SENATOR NGUYEN:
And again, I appreciate the fact that we have these robust programs in the private sector probably paying a lot more and giving them actually more skills. But we do have other jobs that are institutionalized that pay cents on the hour, they are not making minimum wage. Is that correct for the record?

MR. QUENGA:
Yes. So, the department has their own side. I am solely responsible for Prison Industries for industrial programs where we can enter agreements and partner with the community and manufacturers to try to develop a workforce for the outside.

SENATOR NGUYEN:
And like I said, I appreciate the programs. I appreciate the work you put into it. I know that your passion comes through and I do think they are good, but if I did not point that out—because sometimes people might hear this—they might hear the positive success stories you are talking about and not realize hundreds of individuals are incarcerated that are working for cents on the dollar within some of those institutionalized jobs.

SENATOR HANSEN:
Thanks. I have several questions. What's the current prison population?

MR. QUENGA:
The current prison population to this point is 10,505.

SENATOR HANSEN:
Okay. Now we are talking involuntary servitude. I forced the taxpayers in Nevada basically to pay for the entire prison system, for all the law enforcement people in our communities, for the public defenders, the district attorneys. It is in the hundreds of millions of dollars that we force people to pay in taxes to basically take care of 11,500 prisoners which cost us $35,000 each. So, when we are looking at involuntary servitude, the people in the prison systems are not there because they are nice guys. And you know, everybody's just going back to 1930s Georgia or something. These people have committed serious crimes.

Now, I am 100 percent supportive of the prison industry system. I do not want anybody going back into prison. But the presentation today gave me the impression that we are exploiting people that did nothing wrong, we are putting them into the prison system, and we are going back to slavery days. I think that is baloney. If anybody's being forced to pay something against their will, it is the taxpayers who are paying for this entire system to prevent crime in our society. So, you know, as I hear this program, I am all for getting people who have done terrible things when they come out to not go back. Okay. I want them to learn skills. I have worked with a bunch of the felons that are going through the restitution program in my plumbing company.

But the argument being presented today is like we are exploiting innocent people's labor and forcing them to work against their will. Can you right now in your prison system force anybody to work?

MR. QUENGA:
No, sir. No one is forced to work in the DOC, whether it is Prison Industries or DOC, such as porters, law clerks or working in the culinary unit.

SENATOR HANSEN:
Okay. Very good. Well, that is kind of what I am getting at. I mean, look, I want to support—I want prisoners to be paid when they can. I want to be able to use the monies you have and pay for their phones and all that. We did address those issues previously where because, frankly, we do not give you guys enough money. We are having you guys charge prisoners too much for phone calls and things like that to help compensate for, frankly, what the Legislature failed to do, which is provide the adequate dollars for the prison system.

But, on the other hand, this has a $100 million-plus fiscal note on it. I am not going to push the taxpayers more than we already must to finance the entire criminal justice system from the cops on the street right through the district attorneys, public defenders and you in the prison system and now add an additional tax burden to help people out who should not be in there in the first place if they had obeyed the law—you seem to miss that part in this discussion. If you obey the law, you do not end up in prison. And when you break serious laws, you end up in places like that. And then I am forced to pay $35,000 a year to keep you there. And hopefully after you go through that whole process and get back out, you do not go back. But I mean, we are talking like everybody in there is some innocent person, and you guys are exploiting their labor. I do not buy the argument.

We do want to try to help. But the whole tone of this discussion has been remarkably one-sided.

So, I just want the committee and the people testifying to know there's more than one way of looking at this. I do not see Nevada being, you know, 1920s Georgia or 1867, going back to Reconstruction when the former slave masters were exploiting the labor of the prison populations at that time. Sorry, I do not buy that argument anymore in Nevada. I want to look out for the taxpayers, and I think they are already paying plenty for people that have broken the law. Do not break the law, and then you do not have to worry about going back to prison or being in prison in the first place.

MR. QUENGA:
One thing I want to point out is the Prison Industries program is a self-supporting program. We get no General Fund dollars. What we make is what we earn. And we keep the program revolving, pays my salary and up to 19 of our staff. So, for us to increase it and all that, it would dissolve the program. I can guarantee you in three years, you would not have to close your eyes and imagine DOC without a Prison Industries program.

SENATOR HANSEN:
Well, thank you for that. I am a 100-percent supporter of the Prison Industries program. I have toured the prisons. I think the whole concept is great. I want people that are incarcerated who, as you noted, often lack even the most basic skills. We have provided computers and done all sorts of things to try to help so that we reduce that recidivism rate. But there's kind of a limit. And I do not like the idea that we in Nevada are putting people in prisons to exploit their labor rather than insist that they pay for the crimes that they have committed.

The other thing we did not address at all, and that is if they are in fact getting paid wages, should they pay the taxpayers back for the prosecution costs and the incarceration costs in general? Not just for the labor for whatever they build in the prison industry systems. And should we in fact make it? So, we do have some sort of mandatory labor program for able-bodied people in there and then pay them the wages, but then they get to pay back the taxpayers all of the monies that we are forced to pay through taxation for their bad behaviors.

SENATOR OHRENSCHALL:
I guess my question, kind of following up with Senator Hansen, is for someone at a DOC facility who decides to participate in a prison labor program. Can you just kind of describe how someone is selected? Is that something they volunteer for, or is it something that they are chosen to be or are asked to participate in it? And what are the benefits to a prisoner who participates in one of the DOC work programs?

MR. QUENGA:
In the Prison Industries program, we try to mimic the private sector as much as we can in all our shops and operations. I have the supervisors post through the chief caseworker and the associate warden programs. We post a job announcement in the units that are general population. Of course, we have a

level system. What they do is get the announcement and then get with their caseworker to see if they are eligible. Then the caseworker would determine whether they are eligible, and they would submit an application to the supervisor for that industry program. He would then schedule an interview. Once they are interviewed, the supervisor will send a list up of the selected candidates that goes to a full classification committee which could be the warden or associate warden, the caseworker and a correctional officer or sergeant or lieutenant. They must be reviewed to determine if: there was any staff assault? Were there any previous attempted escapes? What is their behavior as far as violating any rules within the facility? That committee makes a decision whether they are eligible to get behind the fence, as we call to work in prison industries.

When they come in, there's a pay range in all the industry programs we have since we try to mimic the private sector. We have carpenters 1, 2 and 3; we have welders 1, 2, 3; we have sawyers; they start out at a level, they get evaluated, and they move on. We like to backfill to where the most experienced has somebody shadowing behind him because we do not know when these guys are going to go home. They can leave. Laws change. And I tell them all the time that we got to keep that learning curve up because we operate as a business. We do not get funds to just have them come in. We disperse them and keep buying and going on—they are selected.

The benefits—they get preferred housing, usually all the workers are one unit. They get to go eat first in the morning—and then they come to work. But they have opportunities. They can buy their own boots, and they save their money to buy boots. Our welding program partnered with the college program. They provide testing equipment. I got an instructor professor working in there, but there's other programming that we offer within Prison Industries. I know we have a reentry program. We're still building that up.

In the years I have been in Prison Industries, I am a firm believer. We got to give these guys something to do. Idle hands are a threat. I want these guys to be successful, and I have many of them out there that are. I could share success stories one of these days if you guys are interested. These guys love the program, they volunteer for the program. Nobody's forced. We demand a work ethic, and we watch them to make sure that they are performing. We try to mentor and guide them to do the right thing.

SENATOR OHRENSCHALL:
You mentioned that someone who's able to participate in one of the prison work programs gets preferred housing. Does that mean they are no longer in general population or are they still there?

MR. QUENGA:
It is still general population. But we try to keep all the workers like culinary workers. Culinary workers work different hours. We try to keep them by education, by workers and culinary. They have different schedules of movement. We do not want people moving around, and that is up to the Warden and the department to decide which units as far as behavior. Generally, in the workers unit, we do not have any issues.

SENATOR OHRENSCHALL:
You mentioned success on the outside. Do you have any data or any information about folks who were in prison work programs and their recidivism rates compared to folks who did not participate? If you do, I would sure appreciate that if you could share it with me and maybe the committee.

MR. QUENGA:
I do not. And we are trying to track that. My peers with the National Correctional Industries Association are working on that, and I am also working with our deputy director from our program's reentry program with recidivist information. That is going to be amazing. We get that program in to track all these offenders, and we can track them from the horse program, from the compost, or which industry and which facility they came in to track them for recidivism. But I can tell you from my peers, those who work in the industry program, the recidivism is really low. I could not tell you the exact number. I would not want to quote that.

MR. PARRY:
I just wanted to address some of the concerns raised a little bit earlier. I want to emphasize this is not an abolition bill. This is not suggesting that people who are convicted of a crime should not repay their debt to society. It is simply saying that the functions of the prison system and particularly the exploitation of labor there is troubling to most people who would have some understanding as to what compensation for labor means.

We have had a very robust labor rights movement in this country and particularly in Nevada, in recent history. This linked a person's human dignity and humanity to honest work for honest pay. The issue that we are trying to address is that just because a person is convicted of a crime, I cannot accept that they lose that element of their humanity and dignity because the cost seems too high.

As noted in Leslie Turner's portion of this presentation, if a man or a woman is sent to a prison and they are able to earn at least a fair wage or a wage that would match the state minimum wage, that would actually allow them to provide for the family that once depended upon them before they were incarcerated, this could also lead to improved rates of recidivism. In the long run, I think most would argue that a fair wage for labor provides human dignity. It provides a person some type of optimism that once they are released, they can reenter society and feel of value to the community they would reenter.

MS. TURNER:
I wanted to also just add that Prison Industries is just one piece of this conversation that seems to be very focused on Prison Industries. As Senator Nguyen pointed out, hundreds of people not in Prison Industries work on the tier, work in the law library, work culinary, delivering the trays to the other incarcerated people. This labor is not paid when a person makes it to prison. They are serving their time, and they are repaying their debts to society. That is a separate thing from labor. This is what we are talking about here and, ultimately, the voters have already spoken on this. So, I think that huge factor must be considered.

Director Quenga, maybe you can share exactly the numbers, how many incarcerated people of the 10,000 are in Prison Industries. But the hundreds of people who are just working and not getting paid at all, that is unpaid labor. So that must be addressed.

The other thing I wanted to point out is the fact that it said that it is voluntary. Well, is it? This is why it is important to understand the inner workings of prison and to go in there and talk to incarcerated people so that you can understand the way things really work on the inside. But if you refuse to have a job, they will move you to a unit, for instance, in High Desert, you'll get moved to a unit where you are on lockdown most of the time. So again, you are not getting

forced to work necessarily, but technically there are incentives to work or not to work. Ultimately, this is a question about labor. Giving the historical context is important. It is always important to know where we came from, how we got here. And I think that was the intention of our presentation.

CHAIR SCHEIBLE:
I also wanted to address my colleague's comments, whom I have tremendous respect for. I did not hear this presentation the same way. I did not think that anybody was suggesting that innocent people were being enslaved, but that the presentation provided very important historical context because our criminal justice system, our legal system, our prison system is built on a very horrifying history of Reconstruction that has systemically oppressed people of color.

Thankfully, we have evolved, but that does not mean we do not still have vestiges of that same underlying system that contributes to the problems we face today in making our criminal legal system fairer. The presentation did a good job of utilizing the past to inform the present without suggesting that we have not changed or evolved at all. And I think we all agree that people who are incarcerated are paying their debt to society, and we can have reasonable disagreements about what the inner workings of that look like and what kinds of benefits and privileges people are entitled to when they are incarcerated as well as what rights they still maintain when incarcerated.

HARRISON EPSTEIN (Clark County Public Defender's Office):
The minimum wage in Nevada at this time is $12 per hour. Some incarcerated people in this State are being paid as low as 60 cents per hour to be welders, automotive painters, ranch hands and carpenters. According to the Silver State Industries' pay document, a nonincarcerated welder in this State would likely earn over $20 per hour. A person working these same jobs just outside of a prison or jail facility would be paid far more for the same work. If this bill becomes law, an incarcerated worker in these jobs would this year have their pay increase to $2.40 per hour. Increasing the pay for incarcerated workers would trickle down to help everyone involved in the system. Receiving higher wages means incarcerated people would actually be able to make restitution payments, helping victims be made whole. It would give incarcerated people better access to food, hygiene items and communication with their families. It would lessen the financial impacts for these families seeking to help their loved ones afford the bare minimum while they are incarcerated. It would potentially

allow incarcerated people to save money so when they are eventually released from prison or jail, they have an opportunity to restart their lives with a safety net. It would mean a smoother reintegration and ideally reduce recidivism by treating incarcerated people with dignity and respect.

A'ESHA GOINS (NAACP):
I support this bill specifically for dignity and respect, and I ditto the comments before me.

NICK SHEPACK (Nevada State Director, Fines and Fees Justice Center):
As our deputy director helped present this bill, it is clear that we support it, but this is something I have studied for many years. There are few things that we need to think about regardless of whether or not we can afford this. It is an important conversation. This is a policy committee. If this bill makes it to a budget committee, that conversation can be had there. But the question is, when do we pay? Currently in our system, there's somewhat a sense of coercion to work, such as if you do not work, your time in prison is significantly worse. Whether you are making 30 cents an hour or get one of the great jobs where you are making $17 an hour, there's a huge incentive to do these jobs. It is almost a punishment if you have the opportunity and do not take it.

But what we end up doing is millions and millions of dollars from our communities flow into the prisons to pay for things like food and phone calls. Things that do not get paid include restitution because the individuals who are incarcerated never make enough money to pay that restitution. We ensure that everybody is set up with social services and Medicaid upon release, that are all paid for with taxpayers' money because people have no money when they come out. As a result, we are deferring a cost. We're not actually saving money through the current process. And so the question we must ask ourselves eventually—and hopefully we can get there one day—is where do we want to spend this money?

When people are providing labor for the State, producing items that we are selling or allowing the prison system to run, do we believe in paying them fairly? And if we do some sort of bill that gets us toward the minimum wage to do that, we will save an insane amount of money on the back end. And the money that will go into items that are taxed and back into our communities—like into rent and into grocery stores—instead of from families into the prisons will be a

huge net win for the economy and for the State. So, it is a much more complex issue. We do not have time to get all the way into it. It isn't simply giving money to them. It is a real cost benefit to the State when you ensure that incarcerated people have a way to make some sort of a wage that is meaningful.

TIA SMITH (ACLU of Nevada):
We support this bill for the reasons that have previously been mentioned. We urge the committee to support the bill as well.

ASHLEY DODSON:
I am calling in support of S.B. 334. I would like to thank my colleagues Quentin Savwoir and Leslie Turner on behalf of making sure that those who may have previously committed offenses are still being treated with dignity and respect, knowing that no matter what the situation was, that people still have the opportunity to provide for their loved ones. So, I would urge you to please support this bill.

DENISE BOLAÑOS HEREDIA (Associate Director, Return Strong!):
We are in strong support of S.B. 334. Let me begin by stating what should be obvious. The punishment for a crime is the loss of freedom, period, not the loss of dignity, not forced labor for pennies, not the many other injustices that often come with incarceration. It was said earlier that people should just obey the law if they do not want to go to prison. That ignores the critical truth that thousands of people across the country have been wrongfully convicted and later exonerated. Innocent people are in prison, and even for those who are guilty, their humanity does not disappear at sentencing.

No one deserves to be exploited. Incarcerated people perform real valuable labor. They support public agencies, private companies and even risk their lives fighting wildfires, yet they are paid next to nothing. That is exploitation. Paying fair wages is not just right, it is smart. It helps people support their families, pay restitution and prepare for release. Economic stability reduces recidivism and makes communities safer. And at the end of the day, this bill is about recognizing that people inside are still people. They have worth, they have rights, and they deserve to be treated with dignity.

SHANE JOHNSON:
I worked in Prison Industries for 15 years. I was in prison. I went in when I was 16, had no marketable skills, no direction in general. And the reason I am here to speak in opposition is mainly because there is no distinction between Prison Industries and regular prison labor. Because if this gets clumped up as one thing—Prison Industries being a self-funded program—being insolvent is a terrifying thought.

That place gave me the opportunity to learn to weld, to learn to fabricate, and I was able to get out and land a job. I am a general manager now at a structural steel contractor. The work I did in there directly affected the rest of my life out here. And if that opportunity is not there for people who are on the inside, the thought of that is terrifying because there is no other place inside the prison to gain an actual marketable skill that you would be able to take into the world.

That is my opposition. Senator Nguyen is not here, but I did want to kind of touch on the issue of room and board. Money is deducted from your paycheck while you are in there for room and board. It equates to about 34.5 percent, which is what goes back into the General Fund. So, it is not quite as much as we would like to be able to give back to the taxpayers to compensate for our time in there. But it is something that goes back into it.

And there was a question regarding restitution. Restitution when you work in prison is taken out automatically. If you are making money, you are paying restitution. Those things happen just off the top. That is my argument against this bill. I do not think that it is a bad idea, and I do not think that there's anything wrong with dignity and putting all of those things back into the people's hands. But I feel like there should be a distinction and a carveout made between the generalization of labor in prison and Prison Industries because those are two totally separate entities and should be treated as such.

MR. QUENGA:
The role of Prison Industries goes beyond just financial compensation. It is about purpose and skill development while incarcerated in preparation for successful reintegration into society. Prison Industries is a vehicle for so many offenders to find purpose while incarcerated, prepare for successful reentry and to secure meaningful employment on the outside. It is misleading to group together all prison programs nationwide. Silver State Industries in Nevada operates much

differently than programs in other states. The federal system of private prisons, their pay rate and the pay rate in Nevada is far above the national average and is 100 percent voluntary. According to a 2017 survey published by the Prison Policy Initiative, Nevada Prison Industries paid the highest wages nationally. No state pays either federal or the state minimum wage.

During my 30-year career in corrections, most of which I spent in Prison Industries, I have always treated the workers with fairness and respect. I believe strongly that workers should be paid a wage that acknowledges the dignity of their labor. It reinforces the idea that all work is valuable. It can help improve their sense of self-worth and promote a healthier mindset contributing to a better rehabilitation, but a livable wage inside prison is different than on the outside. Offenders who have their necessities paid by the taxpayer have fewer financial obligations. Workers come in at a starting wage and are offered opportunities to promote. For many of them, this is their first job ever. They learn the soft skills of showing up, working collaboratively and taking pride in a job well done. We observe the work ethic and skill, and over time, they work their way up in rank and pay.

Focusing on wages is important for addressing issues of fairness and exploitation. But it is equally crucial to consider how work programs can contribute to rehabilitation, skill-building, personal growth and reducing recidivism. Prison Industries is a powerful tool for reforming the justice system and providing incarcerated individuals with the tools they need to change their lives. I have seen firsthand the difference this program has made in the lives of workers during the incarceration. Once they are released, I keep in touch with many of them. And I am pleased to say that most of them are in meaningful, high-paying careers and have built successful lives and families.

SENATOR ELLISON:
And the gentleman a minute ago talked about making restitution. We've had several people go to prison for breaking into buildings. At my daughter's house, they beat her dog to death, they stole her husband's brand-new motorcycle. They stole guns, being an ex-felon, and tapes, tape recorder. Everything they could take, they stole and destroyed in this house. They were supposed to pay restitution, and she kept waiting.

Talking to the parole people, they said, no, they do not want to work because they do not have to pay back. So, there's no way to get the money that was owed and the damage to this motorcycle. It did not have 50 miles on it, and they chopped it somewhere. But I mean, it goes to show you. I had people steal cash or change machines out of our laundromat stuff. They were forced to pay restitution. They've never paid a dime, and it just goes on and on and on. And when they robbed the laundromat, they got about $40,000. Not one penny was ever paid back. So, these guys that get there that do not want to work, they will not work. Is that correct?

MR. QUENGA:
In the DOC, as I mentioned earlier, everything is voluntary. I have seen in through my career that a lot of the offenders that are in there—it has just changed from when I started my career—do not want to work. It saddens me because they just want to sit on the rack. I try to get the supervisors and caseworkers and push, hey, let us get these guys in. If they qualify, let us teach them some because I have seen a lot through my career where they come in and they do not want to work. But then all of a sudden, they take pride, like the gentleman who just testified and others that came in were like, wow, this is the best thing.

Work makes your time go by faster. They're productive, and it does not mess with their head being, you know, incarcerated. And they are almost living like a half of freedom for them because they have a purpose to get up in the morning. So, we have operations where they are just filling out an application, and going to work gives them self-confidence and self-worth even though they are not making as much money. But they have that because they've never done that. They're up partying and all that stuff. So now they have a purpose. It builds their confidence that hey, I can go to work, I can get it, but I can do something.

SENATOR ELLISON:
I hired two individuals that came out of the prison system. They were workforce, and they were great. I mean, they showed up on time, they did not drink, they ended up being really, really good employees. When they got everything cleared and got some time under their belt, the mines picked them up. So that is pretty good. They got a trade that they could take on and become good honest citizens. So, I think the workforce is good. They come out with a

$50,000 career. But I mean, they come out of prison where they went to get that out of college. That's what I look at, is benefits.

LARY PLUMLEE:
I served 34 years in the DOC. I was in support of this bill until I listened to it. In relation to Prison Industries, I have done the math. When I was a clerk there—I left in August—a piece rate could probably somehow work out. But you are talking about all inmates within the DOC. They are paid through the Inmate Welfare [Account] fund, which is a fund the inmates pay through to get products of canteen or whatever. So now what you are saying is then the State is going to subsidize it. That's one of the reasons I am opposed to this bill. I also sent a letter (Exhibit O) listing all the other reasons I do not believe the motto should be "Commit a crime, get minimum wage." It just does not seem realistic. And now the more I think about it, as somebody that was there for 34 years, I do not think I would have supported it when I was in prison, let alone out here on the street.

JIM DEGRAFFENREID (Nevada Republican National Committee Representative):
We first objected to twisting the legislative intent of A.J.R. No. 10 of the 81st Session which correctly affirms that involuntary servitude is not constitutional punishment, and we know that they do not exist in Nevada. This bill has zero nexus to the original resolution. Nevada inmates are not sent to forced labor camps. They are punished by temporary loss of freedom while incarcerated. They have the voluntary option to better themselves and learn skills for their future as testified to by Deputy Director Quenga earlier. Typical minimum wage arguments do not apply. We've heard over and over that minimum wage is needed to provide workers with a basic standard of living. While that is a flawed argument, minimum wage is typically justified by showing the expenses of housing, food, childcare, transportation, other necessary costs of living. I have a fact sheet, "Why the U.S. needs a $15 minimum wage," Economic Policy Institute from January 26, 2021. It states that today [in 2021] in all areas across the United States, a single adult without children needs at least $31,200 to achieve a modest but adequate standard of living.

However, this logic is irrelevant in a prison setting. Inmates do not pay for housing, food, health care, transportation or, indeed, most of the other necessities of life, at least not to the full extent of these expenses. As Senator Hansen pointed out, if they may earn minimum wage, then they should

have deducted from that wage the full expense the taxpayers are paying. We should also deduct for income taxes, social security, Medicare, et cetera, as these are also figured into the necessities of life within minimum wage. And I suspect that the net would be less than the current highest in the nation and wage scales as specified by Deputy Director Quenga.

We oppose excessive taxation, particularly when the taxes are used to promote irrational and unfair public policy. We urge you to reject S.B. 334.

JOHN NICHOLAS:
I was incarcerated for 28 1/2 years, and I worked for Prison Industries for 20 of those 28 1/2 years, and I am in opposition of this bill. I was an admin clerk; I have seen what it actually does with their accounting. I am concerned that if you were to force minimum wage on the prison industry that it would kill the program because the program would not be sustainable due to the fact that other factors are being involved with overhead, room and board, and the Victims of Crime Program.

I started out as a purchasing clerk, moved my way up and learned accounting taught by the DOC accounting. And with that knowledge, I turned my life around. Since I have been out, I am now a senior support specialist for Intuit, and I make over $100,000 a year. Now I am a productive citizen in Nevada, and I just do not want to see this program killed because the fact of the matter is that teaching somebody a new trade besides "robbery 101" or "murder 102" is beneficial to all taxpayers because when we do get out, then we are part of the solution and not part of the problem. With the wages that I made, even though it was not at the inflated rate of $12 an hour, I was able to pay for my own college, walk out of there with two associate degrees and turn my life around with this program. I am strongly opposing this bill because I do not want to see that this bill kills the program and takes away the benefits being achieved by participating in this program.

MR. SAVWOIR:
I deeply appreciate such robust and public discourse about such an important issue happening in our State today. I want to just clarify some of the misnomers that got characterized throughout the hearing.

This is not a bill about race. We gave the context of slavery and involuntary servitude so that we do have a sense of whence we came. I am old enough to realize now that life happens in cycles. It just looks a little bit different later on down the line. I want us to all be aware of that from which we have come in order to best understand how we can devise solutions that are equitable and fair and sustain this program and continue to have some of the success stories that we heard about today.

I also want to reemphasize that my colleagues and I are in support of the prison industry program. We totally understand the skills it is providing, and we totally understand the success stories. However, what is missing for us is the data that outlines how many welders are there of that 10,000 number that Deputy Director Quenga referenced? What we are trying to get at is the dignity of labor. And because you make a mistake in your life once or twice or even three times, this should not take away your ability to have dignity in the work that you can do. It is in that work that you can be rehabilitated. It is in that work that you can be a value added to your community. It is in that work that you can get acclimated to society. So this idea that you mess up one time and we just throw the whole person away—we just wholly reject that. It is not a good way to govern a state. So we really appreciate the conversation.

CHAIR SCHEIBLE:
At this time, I will close the hearing on S.B. 334 and open a work session on S.B. 334.

We've had a conversation among stakeholders, including people who are here on the committee. We've talked to the sponsor of the bill, and I would accept at this time a motion to amend and do pass the amendment that we are looking at adopting that would replace the current text of the bill.

The amendment would require the DOC to provide a report to the Interim Finance Committee during the interim and to the Legislative Commission. The report will outline how many people who are incarcerated are employed in various industries, how much they are paid and how many people get jobs in those same industries when they leave the DOC.

SENATOR HANSEN:
Could we also include the number of prisoners that basically refuse to participate in those programs?

CHAIR SCHEIBLE:
Absolutely, you could include the number of eligible people who are incarcerated and the number of people incarcerated who actually have these jobs.

SENATOR NGUYEN MOVED TO AMEND AND DO PASS AS AMENDED S.B. 334.

SENATOR ELLISON SECONDED THE MOTION.

CHAIR SCHEIBLE:
Would you consider modifying your motion to also include any deductions from the pay?

SENATOR NGUYEN:
I would like to rescind my motion and hopefully Senator Ellison will rescind his second.

SENATOR ELLISON:
Yes.

SENATOR NGUYEN:
The second has been rescinded and I would make an additional motion to amend and do pass as laid out by our chair.

SENATOR NGUYEN MOVED TO AMEND AND DO PASS AS AMENDED S.B. 334.

SENATOR ELLISON SECONDED THE MOTION.

THE MOTION CARRIED. (SENATOR LANGE WAS EXCUSED FOR THE VOTE.)

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CHAIR SCHEIBLE:
Two additional letters of opposition (Exhibit P and Exhibit Q) have been entered into the record for S.B. 334.

And with that, we are going to open one more work session on everybody's favorite bill, S.B. 20. You might have forgotten that it even exists, but it does. And it also does not because we have an amendment (Exhibit R) in front of us that removes sections 1, 3 and 5 from the bill. Are there any questions on the bill or the amendments? I do not see any questions.

SENATE BILL 20: Revises provisions relating to criminal procedure. (BDR 14-476)

SENATOR NGUYEN MOVED TO AMEND AND DO PASS AS AMENDED S.B. 20.

SENATOR FLORES SECONDED THE MOTION.

SENATOR HANSEN:
I am going to vote no. I have no idea what I am voting on, honestly. But I do reserve my right to change on the Senate floor.

THE MOTION CARRIED. (SENATOR HANSEN VOTED NO. SENATOR LANGE WAS EXCUSED FOR THE VOTE.)

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CHAIR SCHEIBLE:
With no public comment, this meeting is adjourned at 3:06 p.m.

RESPECTFULLY SUBMITTED:

_____
Sally Ramm,
Committee Secretary

APPROVED BY:

_____
Senator Melanie Scheible, Chair

DATE: _____

EXHIBIT SUMMARY				
Bill	**Exhibit Letter**	**Introduced on Minute Report Page No.**	**Witness / Entity**	**Description**
	A	1		Agenda
	B	1		Attendance Roster
S.B. 7	C	2	Jered McDonald	Work Session Document
S.B. 60	D	3	Jered McDonald	Work Session Document
S.B. 62	E	4	Jered McDonald	Work Session Document
S.B. 75	F	5	Jered McDonald	Work Session Document
S.B. 76	G	6	Jered McDonald	Work Session Document
S.B. 213	H	7	Jered McDonald	Work Session Document
S.B. 125	I	8	Jered McDonald	Work Session Document
S.B. 275	J	9	Jered McDonald	Work Session Document
S.B. 347	K	9	Jered McDonald	Work Session Document
S.B. 432	L	10	Jered McDonald	Work Session Document
S.B. 202	M	11	Senator Melanie Scheible	Conceptual Amendment: Senator John Ellison
S.B. 334	N	26	Quentin Savwoir / NAACP	Presentation: Senator Dina Neal
S.B. 334	O	46	Lary Plumlee	Opposition Letter
S.B. 334	P	50	Senator Melanie Scheible	Opposition Letter: Joseph Schultz
S.B. 334	Q	50	Senator Melanie Scheible	Opposition Letter: Reva Crump
S.B. 20	R	50	Senator Melanie Scheible	Amendment: Nevada Supreme Court