MINUTES OF THE
SENATE COMMITTEE ON JUDICIARY

Eighty-third Session
April 28, 2025

The Senate Committee on Judiciary was called to order by Vice Chair Edgar Flores at 1:34 p.m. on Monday, April 28, 2025, in Room 1214 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

GUEST LEGISLATORS PRESENT:

Assemblymember Sandra Jauregui, Assembly District No. 41
Assemblymember Brittney M. Miller, Assembly District No. 5
Assemblymember Erica P. Roth, Assembly District No. 24

STAFF MEMBERS PRESENT:

Jered McDonald, Committee Policy Analyst
Brad Wilkinson, Committee Counsel
Michael Scully, Committee Counsel
Timothy Gibbs, Committee Secretary

OTHERS PRESENT:

Anthony Ruiz, NV Energy
Nancy Brune, Councilmember, Ward 6, Las Vegas

Tonja Brown, Advocates for the Inmates and the Innocent
Drew Teitelbaum, Allegiant Air
Serena Evans, Nevada Coalition to End Domestic and Sexual Violence
Tyler Winkler, Resiliency & Justice Center
Jennifer Noble, Nevada District Attorneys Association
Harrison Epstein, Clark County Public Defender's Office
Robert Gipson, Giffords Center for Violence Intervention
Dora Martinez, Nevada Disability Peer Action Coalition
Doug Unger, University of Nevada, Las Vegas, Chapter Nevada Faculty Alliance
J. Kyle Dalpe, Western Nevada College
Kiley Cryer, Washoe County Public Defender's Office
Nick Shepack, Fines and Fees Justice Center
Kaylah Maese, American Civil Liberties Union of Nevada

VICE CHAIR FLORES:
I will now open up the hearing on Assembly Bill (A.B.) 194.

ASSEMBLY BILL 194 (1st Reprint): Prohibits the release of certain balloons that are lighter than air under certain circumstances. (BDR 15-338)

ASSEMBLYMEMBER SANDRA JAUREGUI (Assembly District No. 41):
I am happy to be here today to present A.B. 194 which seeks to address the environmental and public safety risks associated with the intentional release of balloons inflated with lighter-than-air gasses. Balloon releases, while often symbolic, pose significant environmental and safety hazards. When released, balloons frequently end up as litter in waterways or natural habitats where they harm wildlife and contribute to microplastic pollution.

Mylar balloons in particular are nonbiodegradable and can cause power outages or fires when they come into contact with power lines. According to NV Energy, balloons have caused dozens of power outages in our State over the past four years, including one in North Las Vegas that left 12,000 residents without power. Recognizing these risks, other states and local governments have enacted similar restrictions, including the Las Vegas City Council, which passed an ordinance banning outdoor balloon releases due to their environmental impact and risks to critical infrastructure.

In 2023, we passed A.B. No. 321 of the 82nd Session to regulate foil balloons by requiring weights and banning conductive strings. Assembly Bill 194

complements these efforts by addressing intentional balloon releases statewide to further protect our environment and infrastructure.

The reason I am bringing this bill is because a constituent two years ago reached out to me concerned about the issue. We could not get a bill two years ago during the 2023 Legislative Session due to time, but two years later, she did not give up, and she reached out to me again very early on. It brought me joy to have my constituent Nicole Bach present with us in the Assembly and to be able to fulfill her mission to help make a difference in her community.

Assembly Bill 194 prohibits any person from intentionally releasing, organizing or causing the release of balloons filled with a gas lighter than air. A single civil penalty of up to $250 applies for violations of this provision. Civil penalties may be enforced through actions brought by the Attorney General, district attorneys or city attorneys. Any penalties collected are directed to either the State General Fund or local treasury funds, depending on which entities initiate the enforcement action. Additionally, enforcement authorities are empowered to seek injunctions to prevent further violations. The bill provides specific exemptions to ensure practicality and fairness in its application. Exemptions include hot air balloons that are recovered after launching, balloons that are used for governmental or scientific research projects and balloons released indoors that do not escape into the environment.

I have two copresenters with me. I have Anthony Ruiz with Nevada Energy [NV Energy] and Las Vegas City Councilmember, Nancy Brune, who I would like to thank for working with me on this bill and helping me model the language after her city ordinance.

VICE CHAIR FLORES:
Before you get started, I do want to take a personal point of privilege and recognize that the Black Student Union students are joining us. I know that you made a big trek from Southern Nevada, so it is a pleasure to see you today.

ANTHONY RUIZ (NV Energy):
I just want to add and echo a few of the important safety aspects of this legislation. As an electric utility, NV Energy is focused on the dangers of balloons coming into contact with our power lines and, as was discussed by the Majority Leader, especially the Mylar or foil balloons. Last session, NV Energy helped pass A.B. No. 321 of the 82nd Session which phases out the sale of

electrically conducted balloons over time. Assembly Bill 194 complements that work by focusing on discouraging individuals from intentionally releasing balloons, which remain a leading cause of outages. Balloons can spark when they come in contact with our power lines, causing equipment damage and various outages.

When a balloon hits a power line, it not only knocks out power for customers, it also creates serious safety risks for the crews that have to work to restore the service. These balloons, even the nonfoil balloons, can melt into the wires, and they must be painstakingly removed by hand, potentially posing a dangerous risk and a challenge for our line workers. Despite years of public education on the dangers of releasing these balloons, this remains a leading cause of outages in our State.

Just in the past five years alone, balloon-related incidents have caused over 400 outages, impacting hundreds of thousands of customers and over millions of dollars in damages—most recently on March 2. On March 2, a balloon release caused a major outage in downtown Las Vegas, affecting approximately 10,000 customers. By further discouraging balloon releases, this bill will help reduce preventable outages and improve public safety and reliability for customers across our State. We appreciate the Majority Leader for bringing this bill forward, and we just want to emphasize the important public safety issues it addresses.

NANCY BRUNE (Councilmember, Ward 6, Las Vegas):
We note that NV Energy did a great job outlining the consequences of helium-filled balloons making their way into the atmosphere. To add a few data points, the 400 power outages that occurred over the last four years affected 600,000 people, which is equivalent to the size of the city of Las Vegas. It also amounted to 190,000 power outage hours, which equates to 7,916 days and 21.5 years, making this a really serious issue. Last year, I authored an ordinance to ban the outdoor release of balloons filled with lighter-than-air gas, which the City of Las Vegas adopted, and it went into effect immediately.

When we proposed the ordinance, the city was required to conduct a business impact analysis. We sent out a survey and received no negative comments from businesses about the potential impact of this type of law. In fact, over time, we have heard growing support from businesses, and especially small businesses, because when the outages happen, they really do affect businesses and small

businesses particularly. It is an issue of business continuity. One of the last power outages caused by a balloon getting entangled in the power lines occurred in downtown Las Vegas back in January. We heard that the Beverly Theater had to refund tickets because they could not show their film, and a lot of small businesses had to throw away their food because they could not run the machines to keep the food at room temperatures.

I will share that when I proposed this ordinance, one of my colleagues said it was a great bill, but he would not support it because he thought it really should be taken up at the state level because a lot of times people do not know if they are in a park in Henderson or North Las Vegas. This state bill would really solve that problem.

One issue which often comes up with this sort of bill is enforcement. The enforcement is tricky with many bills, but the real issue here is education and raising awareness. We are currently working with NV Energy to develop a PSA [public service announcement] that, to Mr. Ruiz's point, will improve outreach and awareness. Having a law on the books, however, does make the education and awareness raising efforts easier. We've actually already heard from two groups that were going to release balloons to commemorate a special occasion, and once they knew about the ordinance, they decided to celebrate in a different way. This bill will help.

SENATOR ELLISON:
Aren't the little bags you see at the grocery store more of a threat than these balloons?

MR. RUIZ:
I do not have any data on that. I have not heard any situations of plastic bags from grocery stores causing outages. I suppose it is possible, but we do have data, and we have seen that Mylar and non-Mylar balloons cause significant outages. I would have to ask our team, but I have not heard anything to know that that has caused outages.

SENATOR ELLISON:
In the rural areas, most of the outages are caused by larger birds and are never [caused by] a balloon or a plastic bag. Is that not true?

MR. RUIZ:
We serve mostly urban areas, but we do serve Elko. I do not have Elko data on outages, but I will say that if an outage in that area were to occur, it would be even harder to repair and attend to. As a result, taking a statewide approach is a good thing so that we are protected and unified at the state level.

Our rural areas could certainly be affected by these types of outages as well. I could get that data and do a sidebar on that if you are interested, but I certainly think that the threat is there statewide.

ASSEMBLYMEMBER JAUREGUI:
I had similar concerns, Senator Ellison. I had a bill for that in 2017, and did not get anywhere.

SENATOR ELLISON:
[You didn't get anywhere] on the bags or on the birds?

ASSEMBLYMEMBER JAUREGUI:
Unfortunately, I can't do anything about the birds. It was the bags.

SENATOR HANSEN:
I was just talking to our Legal guy here. I did not realize we had a law last session, but it [fine] is $50 per balloon, up to $2,500. Have there been any prosecutions for the law we passed two years ago?

ASSEMBLYMEMBER JAUREGUI:
Are you referring to the Las Vegas Ordinance or A.B. No. 321 of the 82nd Session?

SENATOR HANSEN:
I am referring to A.B. No. 321 of the 82nd Session.

ASSEMBLYMEMBER JAUREGUI:
I do not have that data, but I can ask my copresenter if the City of Las Vegas has enforced any of their city ordinances.

SENATOR HANSEN:
I just found out that A.B. No. 321 of the 82nd Session is not in effect yet, so the answer is no. I just want to know that if we pass the law, has it done

anything in a positive way? Has there been anybody that has actually been prosecuted or paid these civil fines?

Also, I am sorry, but I am not familiar with the Las Vegas ordinance. Could you give us a short synopsis of what that may be?

MS. BRUNE:
Our law went into effect last June. I just pulled our latest data. We have not issued any fines or civil penalties. Our law is structured slightly differently where the first interaction or encounter is a warning. For the second one, we would follow the civil law penalty structure where it is a $250 fine, the same as the state law. We are not trying to prosecute people. Given the very harmful effects on our power lines, business continuity, safety of workers and environmental concerns, we just want to raise awareness; that is why we are working on a public safety awareness campaign that will be distributed statewide.

As I shared in my opening testimony, we have had a couple of anecdotal cases where once people found out about the ordinance, they chose a different way to celebrate their loved ones or the events, which is exactly what we intended to do with the ordinance.

SENATOR HANSEN:
I am not necessarily for or against this, but I do want to know what the effects have been if we have already passed the existing law. It sounds like both of the laws are relatively new, so maybe in a few more years, we will know [more information], and if we add this one to it, we will see if you guys have 400 less outages.

VICE CHAIR FLORES:
The only thing I was trying to figure out was the enforcement and education component of this. I was trying to figure more on the education part and less on the enforcement part, though. My family has a tradition where you release balloons when somebody passes away, and you write a message on that. I am just worried about folks not knowing that they are in violation of the rules. Obviously, that will not happen with my family after this bill passes because I will tell them, but I am curious regarding other communities who may speak different languages and have cultural phenomena that they participate in; [I'm concerned] that we [may] accidentally miss them because we are not

adequately addressing that. I think there's a game plan behind that, and with NV Energy being involved, [maybe we can put it in] the bills. There are so many different ways that you could help spread messaging to different campaigns out there.

ASSEMBLYMEMBER JAUREGUI:
I know that city council member Brune had mentioned that there were a couple of organizations on the Assembly side when we presented the bill, and NV Energy had talked about how they were going do a PSA campaign as well.

SENATOR ELLISON:
When you mentioned how different people honor the dead or whatever by lifting balloons, what about the candles that a lot of Asians do? They have the little thing, then they put the notes in it and then they light the candles, and they go up. Have any of [those ceremonies] been tied to hitting power lines? [I ask that] because when they lift them up, there are a lot of them; there are usually 100 or more.

ASSEMBLYMEMBER JAUREGUI:
I do not have the data on those lantern releases, but those would not be covered under A.B. 194 because it defines balloons as "inflated with gas that is lighter than air," which would not cover those lanterns.

SENATOR KRASNER:
If a child intentionally releases one balloon on their birthday to watch it fly up into the air, are they now in violation of this law?

ASSEMBLYMEMBER JAUREGUI:
The goal of the bill is not to find people and [punish] them, it is more about prevention; it is about getting the education out there. I think you would have to be knowingly and intentionally releasing balloons. I do not envision a law enforcement entity, whether it be a city, county or the state Attorney General enforcing that kind of bill and fining [them] $250. Ultimately, we write the laws, and we do not enforce them. It would be up to the local law enforcement agency, but that is not what we envision. That's not the intent behind the bill. The intent is really to get to the prevention of it.

VICE CHAIR FLORES:
Seeing no support or opposition testimony for A.B. 194, we will now move to neutral testimony. The committee has been sent one letter in opposition (Exhibit C).

TONJA BROWN:
I am a private citizen for this bill. I am in neutral. I want to bring something that was not discussed to your attention. Some people do not know some of the things that I have done over the years, but I established a memorial for our murdered children here on the grounds, down in Las Vegas and other counties. While I was down in Vegas, we would set off some of the balloons for each of the murdered children. We had well over 100 balloons that went off. What I did not know at the time was that the airport had to redo the flights for the jets coming in because the balloons could get caught in their engines, and that was not discussed here. I thought that should be brought to your attention as well.

Now, on the other hand, I love those balloons, and I can tell you that other than those times, I have never set them off. They go into my house; they stay in my house; they go flat; then they go into the garbage. I just wanted to bring up [the part] about the airplanes.

DREW TEITELBAUM (Allegiant Air):
Anything in the airspace is bad for our aircraft, but have you guys considered looking more at the point of sale for this? I actually purchased balloons last weekend for a party with my son and some of his friends. At Michael's, for example, they already give you a "balloon best-practices guide" for keeping the balloons alive as long as possible. If there are already point-of-sale places doing things like that, why not just ask them to put disposal best practices on that as well rather than speaking into the void?

VICE CHAIR FLORES:
We'll go ahead and close out the hearing on A.B. 194 and open up the hearing on A.B. 329.

ASSEMBLY BILL 329 (1st Reprint): Revises provisions relating to victims of crime. (BDR 16-1050)

ASSEMBLYMEMBER ERICA P. ROTH (Assembly District No. 24):
Tyler Winkler from the Resiliency & Justice Center has joined us in Las Vegas. Serena Evans with the [Nevada] Coalition to End Domestic and Sexual Violence (NCEDSV) is also at the table with me. Established in 1969, the Nevada Victims of Crime Program, or the VOCP, plays a crucial role in providing financial assistance to individuals who have suffered physical, emotional or financial harm because of crime. The program helps to compensate victims for crime-related expenses such as medical costs, mental health counseling, funeral and burial costs, and lost wages. To receive compensation, victims must apply within the State's mandated time requirements and report to law enforcement. However, the strict time requirement and mandate that victims share some of their most traumatic moments with law enforcement creates barriers to accessing this essential fund for victims who do not feel safe or ready to seek help from law enforcement or otherwise struggle to navigate the often-complex legal system.

Assembly Bill 329 builds upon the important work of the VOCP by making the compensation process more accessible and equitable for victims of crime in our State. The changes proposed in this bill will ensure that victims have the time and opportunity to apply for the assistance they need to rebuild their lives.

SERENA EVANS (Nevada Coalition to End Domestic and Sexual Violence):
We advocate for trauma-informed and victim-centered policies that will increase the resources and support for victim survivors. Assembly Bill 329 is a crucial step forward, offering commonsense legislation that will reduce unnecessary barriers and improve our State's victim compensation program.

The aftermath of an assault or an act of violence is uniquely and deeply personal to each victim survivor. While some may find comfort in contacting and engaging with law enforcement, others may turn to different avenues like victim advocates, a member of their church or a therapist for health and safety. In fact, domestic violence goes unreported to law enforcement roughly 30 percent of the time and sexual assault goes unreported 63 percent of the time. In 2023, law enforcement recorded 28,698 domestic violence reports, and NCEDSV's program members served roughly 34,000.

This discrepancy highlights that many victim survivors who may never engage with law enforcement still need critical support. The victim compensation program can help play a critical role in safety and healing, yet when survivors of

violence reach for these support programs, they are often met with bureaucratic red tape, and it is hard to navigate the aftermath of trauma; their applications are denied due to not meeting the requirements and timelines. There is no one right way to heal from violence, and victims and survivors having the bravery to come forward and seek support in whatever way feels most safe and supportive should not be penalized. We as a State should not deem victims who are more comfortable engaging with law enforcement as more deserving victims.

Assembly Bill 329 says a clear message, "We trust survivors to make the choices that best support their healing." By expanding these types of documentations allowed and extending the eligibility period for compensation, the bill respects survivors' autonomy and ensures they are supported during their most vulnerable time.

TYLER WINKLER (Resiliency & Justice Center):
I work with a multidisciplinary team to advocate for victims of crime, ensuring they receive the resources and support they need. A major part of my role is helping victims navigate our State's victim compensation program [Fund for the Compensation of Victims of Crime] which provides financial assistance for things like medical and mental health care, relocation to safety, lost wages, and funeral and burial expenses for families who have lost loved ones. Despite these critical benefits, victim compensation is severely underutilized, in part due to bureaucratic hurdles that prevent eligible victims from accessing the help they need. This bill removes these barriers.

Currently, victims must file a police report within five days and cooperate with law enforcement to qualify for compensation. This disqualifies many victims, who for valid reasons do not report their victimization. Research has consistently shown that more than half of victimizations go unreported, and the reasons are varied, including fear of retaliation, distrust of the justice system, shame or trauma, or simply lack of awareness that they could get help if they reported it in the first place. The result is that even though these victims need help, they are denied assistance because of a procedural issue.

I will now provide an example regarding my client, James. In June 2021, James was the victim of a violent crime. He spent almost a year in a coma and rehab recovering, and James did not know about victim compensation or other resources to assist him, and he did not reach the Resiliency Center until fall of 2023. When I met him, he had a dent in his head—imagine if someone took an

ice cream scoop and just took a chunk out of you—because he was beaten with a baseball bat and left for dead in a parking lot. We could easily access his substantial medical records and EMS reports proving what had happened to him, but because he never filed a police report, he was ineligible for victim compensation. James's story does not make sense. The purpose of victim compensation is to help victims recover, not make them jump through hoops.

More importantly, these requirements do not benefit victims or the broader community. Studies show that when victims receive support for basic needs and mental health, they are more likely to heal, more likely to feel safe and more likely to cooperate with law enforcement. It does not make logical or prudent sense to create a barrier to recovery by forcing a police report and cooperation before helping them. For example, survivors of sex trafficking are commonly historically treated as offenders instead of the victims that they are. Compounding the issue, many underage victims have run away from abusive homes or other dangerous situations and unknowingly into the arms of a trafficker. This situation leaves them with one of three choices: return to the original abuse; remain with the current abuser; or self-report to a system they already do not trust and [a system] that criminalizes their victimization.

This bill ensures they do not have to choose between getting help and protecting themselves. The Resiliency [& Justice] Center has a dedicated staff attorney who serves survivors of human trafficking. Many of our clients are resistant to reporting their trafficker and are often openly hostile to cooperating with law enforcement. However, when a survivor works with us to access community resources and legal help, we have an opportunity to begin healing their trauma. A crucial part of that healing is undoing the destructive narrative that their trafficker has ingrained in them—that law enforcement is the enemy.

By providing supportive services first without demanding police cooperation, we create a safe environment where survivors feel protected. Time and again, once our clients see that they have support and an attorney in their corner, they voluntarily choose to assist in a criminal prosecution. This would not have happened if we had demanded cooperation first, but this takes time. Not every survivor has a trauma-informed attorney to guide them through this process. Encouraging the removal of these unnecessary barriers will support these efforts and ultimately increase cooperation with law enforcement.

This bill modernizes and improves the State's victim compensation system by ensuring that survivors, especially the most vulnerable, can access financial assistance without unnecessary obstacles. It does this by giving all victims 60 months to apply, allowing victims to prove eligibility in multiple ways, not just with the police report. It expands protections for minor victims and ensures that choosing not to engage with law enforcement does not stop someone from getting help.

Section 1 deals with *Nevada Revised Statutes* (NRS) 217.100. Subsection 1 extends the filing deadline; victims now have 60 months to apply for compensation instead of just 24 months. It also expands protections for minor victims. Currently, the law says that minors who are sexually abused or involved in pornography must apply before they reach the age of 21, and there's no ability to waive this time requirement. The change here is that all minor victims can now apply until age 26 or 60 months after they turn 21. It is clear that even this time restriction can be waived for good cause. The reason for this is because childhood trauma often delays reporting, and this ensures minors are not excluded just because they need more time.

Subsection 2 removes a strict police report requirement. Victims no longer need to file a police report within five days to qualify for compensation.

Subsection 5 expands ways to prove eligibility. The current law lacks other ways to prove eligibility beyond the police report. The change here is that victims can now submit various types of evidence, including medical or mental health records, police reports if available but not required, protection orders, court transcripts, government records, records from victim service providers and affidavits from qualified professionals, which I will talk about a little bit later in the bill, and other documentary evidence deemed sufficient by the director.

Subsection 6 defines who can provide supporting evidence. The new addition clearly lists who qualifies as a qualified third-party to provide affidavits or records. This includes doctors, psychiatrists, psychologists, licensed social workers, registered psychiatric nurses, marriage and family therapists, clinical counselors, victim advocates and clergy members. This expands the pool of credible sources who can verify a victim's experience, making the process more accessible.

Section 2 deals with NRS 217.220. This removes subsection 1, [paragraph] (e), and eliminates the cooperation with law enforcement requirement. Victims can now receive compensation even if they do not participate in a criminal investigation. This bill modernizes and improves the State's victim compensation system by ensuring that survivors, especially the most vulnerable, can access financial assistance without unnecessary obstacles. It keeps strong protections in place while removing unfair disqualifications that prevent deserving victims from getting help.

SENATOR HANSEN:
With the elimination of the cooperation with the police, the fear I have is that now you have a pimp who starts pressuring one of his girls to file something like this. How much are we talking? What is the typical compensation that is awarded? How do you protect that kind of a situation, where you have a girl who's already vulnerable being pressured by an individual who's exploiting her, from taking advantage of this when there's a complete absence of law enforcement involved?

ASSEMBLYMEMBER ROTH:
I think one thing that is really important to understand is that this is bringing state law in line with what we already do on the federal level. Currently on the federal level, we do not have the requirement that a victim cooperate with law enforcement, so we already have a model to ensure that there is still the proper review of all documentation, which are all legal documents. Just because they are not necessarily required to get a police report or to cooperate in a prosecution against a pimp does not mean that they are not required under penalty of perjury to provide adequate proof that they have been a victim of crime.

SENATOR HANSEN:
I am not familiar with the federal law, but it just seems like a little bit of a carveout out that I am nervous about. What is the typical compensation amount?

MR. WINKLER:
The Nevada victim compensation program has a maximum limit of $35,000. It then breaks that down into specific categories. Really importantly, all of these benefits are reimbursable. It is not like you apply, you are approved, and they give you a check. [For example, I would] have to show that my injury due to the

victimization caused X amount in medical bills, or I am going to start seeing a psychologist, or I have crime scene cleanup or funeral expenses to be paid for.

I could not tell you specifically what the average claim would be. That's something I could get for you at another time or soon.

SENATOR HANSEN:
Okay. Well, then right now, you kind of eliminate the police side of it. Then [you would have to get] an affidavit of any qualified third-party provider, and you get all the way down to somebody in a religious society filling something like that out. When you are talking about amounts up to $35,000, I could see where this could be easily abused.

[I understand] the removal of the police side of it, but it seems like that is kind of a necessary check on potential abuse. Is this law on the federal level? Can you literally go on the federal level and have a priest or such fill out this affidavit, and then the victim could qualify for up to $35,000?

ASSEMBLYMEMBER ROTH:
I am going to let Mr. Winkler speak to the required full list of proof on the federal level. But going back to your original question, on the federal level, you are not required to cooperate with law enforcement. The purpose of that is because we have evidence that shows that there are a lot of people who seek compensation and do not feel comfortable engaging in the legal system. I think the most common and obvious situation is that a woman who has been sexually assaulted does not feel comfortable having those very intimate conversations with law enforcement but would feel comfortable having those conversations with their psychiatrist or a member of the clergy.

There are still guardrails put in place so that someone can't just claim something without proof that there is compensation required. They have to be able to prove that the dollar amount they are seeking is directly tied to their victimization. That would include proof of medical records and exactly how much that costs or the cost of relocating for a victim of domestic violence. We have already seen that there has not been abuse on the federal level because law enforcement is not required to be part of that calculation.

Importantly, as Mr. Winkler pointed out, we also see that when we allow for services to occur first, we see farther down the line that those victims are more likely to cooperate in a criminal prosecution.

SENATOR HANSEN:
Good. My goal is to get the jerk in the first place, assuming it is a male, which most of the time it is. [Regarding this bill,] you mentioned legal checks on it, but section 1, [subsection] 5 [6] says that anybody who gets an affidavit from a qualified third-party individual could qualify for compensation. That list has some people on it that I do not know about, especially the idea of some religious person who fills out this [affidavit], and somebody goes and says, "I was a victim of sexual assault," and then a priest says, "Well, you know, I will take your word for it." As I understand it, the only check in that section is once you get that affidavit from a religious leader, you do not need any law enforcement; they can apply for compensation and there is no additional check on making sure it is not somebody just making the story.

ASSEMBLYMEMBER ROTH:
I think there are two checks in there. The first one is that an affidavit is filed under penalty of perjury. If that clergy member were to file that and believe that they were lying, that is a felony. That is a pretty serious check on whether we are ensuring that people are making truthful statements. It is no different than walking into a courtroom and testifying before a judge or a jury. Second, there must be additional proof as to what the compensation is for. If somebody were to come to a clergy member in your example and say, "I was the victim of a sexual assault and I need compensation to pay for the medical debt that I incurred," which included [perhaps] a SART [Sexual Assault Response Team] exam, or they had some other injury, they would also have to have proof of that.

It is not simply [reliant on] their word telling a clergy member, "Hey, this thing happened to me, and I want X amount of dollars," it is, "Hey, this thing happened to me," then that person files an affidavit under penalty of perjury, which results in a felony if they are lying. Also, it is, "Here is proof from my medical records that I spent this amount of money on a SART exam." There are a lot of guardrails put in place. There's no reason that an individual is more likely to be truthful to law enforcement than they are to the clergy or somebody else that they have more trust in. This ensures that we are following what we have already done on the federal level with these same kind of guardrails.

SENATOR HANSEN:
If they get the money, $35,000, is there a requirement that they use that to pay off specific debt? What is the limitation on how that money can be used?

MS. EVANS:
Yes, you have to have documentation of what you are going to use that money for, so relocation costs, medical costs and mental health services. Like Mr. Winkler noted, it is on a reimbursement basis, so that victim survivor has already paid out of pocket; then they submit to the director in the program to be reimbursed for that, and they have to show proof that that is what money went for.

I also do want to note that there are caps on how much you are reimbursed for. It is not that every victim who applies gets a blank check for $35,000. Relocation costs have X amount, medical costs have X amount, and mental health services have X amount.

SENATOR HANSEN:
I am glad you brought that up because that does make me less uncomfortable with it because obviously if they have to show it, then they can't go to the pimp. Without the law enforcement, I am a little bit leery, but that helps clarify it. They have to actually document the bills they've received, and this money will be used to compensate that.

SENATOR LANGE:
I have some similar questions, and it is actually old language, but I am interested in section 1, subsection 4 [5], [paragraphs] (a) and (b). I am interested in the guardrails on minors because they can't speak for themselves. Someone is speaking for them and saying, "I want this reimbursed; I want this reimbursed and this," what are the guard rails for minors?

ASSEMBLYMEMBER ROTH:
Just looking at [sub]section 4 [5], [paragraphs] (a) and (b), that language is already in statute. The only thing that was changed is looking at the timeline for when someone can seek that compensation right now. There is a cutoff at the age of 21, and this extends it more in line with what we do for things like health insurance, with an understanding that oftentimes young people do not confront what has happened to them for many years and may seek, for

example, therapy later in their twenties after they've come to terms with crimes that have occurred to them.

SENATOR LANGE:
Maybe I can clarify a little. I understand it is old language, but if we are redoing the bill, this is an opportunity to update other parts of the bill. As you said, there are minors that have bad things happen to them; they block it out of their memory, and it does not come back until they are older. But I am just really interested in what kind of process we could add to this to ensure that minors—

If you had a parent or a guardian; something happened to the child; they may not know or they may find out later; and they want to help them. I do not see that this particular language [would help]. I think it could be enhanced so that the minor would have more help; maybe a clergy person or maybe a counselor at school that can help them; maybe it is not necessarily a parent or a guardian. There are other people that are confidants of minors that I think would be able to help a minor, and I think that it might be an opportunity for us to add some of that into the bill.

ASSEMBLYMEMBER ROTH:
Thank you so much for that suggestion. Because I do not practice in this area, I will let Mr. Winkler speak to the process for minors currently, but we are certainly open to [that suggestion]. I do think that suggestion is in line with what we are doing for adults, which is saying, "Well, you may not feel comfortable going to law enforcement in these initial conversations, and you may feel more comfortable going to a therapist or a clergy member or whatever it may be." I will let Mr. Winkler speak to what the current process is. I would guess there are maybe some limitations just because they are a minor. At the end of the day, there are questions about parental rights.

MR. WINKLER:
Just taking a step back, regarding all of these benefits, I really want to highlight that they are reimbursable. It might help to think of the victim compensation program. It is more like if you have health insurance, they are not just going to give you a check if you broke your leg. You have to show everything that happened, like if you went to the emergency room. The doctors have to submit documents with their appropriate coding. It is the same thing for the things that victim compensation reimburses. For minors, the language in statute [is] basically saying who is financially responsible for the minor. So, those people

can apply to the program in order to get reimbursed for their out-of-pocket expenses that result from the crime. There is a regulatory piece to this; the statute lays out our requirements, and then the Department [of Health and Human Services] has its own program and all the logistical issues of how they'll accept applications. That gets into some more specifics.

ASSEMBLYMEMBER ROTH:
I am happy to take this offline, Senator, and work through if there is a solution there. We are more than happy to consider that.

SENATOR ELLISON:
After going through this bill and hearing all the testimony, on the back it shows that it is a 501(c)3 from the Internal Revenue Service. This funding is federal funding, but what is it under? Is it under the domestic violence grant program?

MS. EVANS:
It is under the Victims of Crime Act (VOCA) funding, and it is funded through the Victims of Crime Compensation Program within that.

SENATOR ELLISON:
What other things can be added to this? Any kind of crime? Say somebody's going down the road and runs into you in a car, and you do not have the right insurance, does that qualify for this? I am trying to figure out how big a pot of money is there. If it passes, how many states are involved?

MR. WINKLER:
The Victims of Crime Act established this big pot of money that is populated by criminal fines, fees and forfeitures. It is a multibillion-dollar fund, and it funds two main programs for all of the states and territories of the United States.

One pot of money is for victim assistance, and then the other pot of money is for victim compensation. Every state has a victim compensation program. It is uniquely set up where the federal government provides 75 percent of the funding; and based on what the State pays, the federal government will increase based on the prior fiscal year. If Nevada were to pay more claims, then the next time we get federal funding, they'd increase it to match.

It is limited to violent crime. Things like car accidents, which are negligence, would not qualify. The federal government and VOCA is kind of narrow. It just

says that you have to cover victims of violent crime. There are a few benefits that you absolutely have to cover such as medical health, mental health and lost wages, but it leaves a lot of discretion to the states to increase what types of benefits they'll do. There's nothing about what the amounts are.

SENATOR ELLISON:
The biggest thing is that it is a crime fund. It looks like this pot of money comes from court cases, is that correct?

MS. EVANS:
Yes, so VOCA funding is funded entirely through federal prosecution and deferment fees.

SENATOR ELLISON:
As they collect it, then it goes back into that pot, is that correct?

MS. EVANS:
Yes, it goes into a fund, and then during the federal appropriations process, they allocate it into the fund.

SENATOR ELLISON:
What if you have repeat offenders? Say it is domestic violence and it just keeps going on. Do they give them one shot at this or multiple shots?

MS. EVANS:
I would defer to Mr. Winkler on that. I believe there is a limit on how many times you can apply for victims of crime compensation funding.

MR. WINKLER:
That is something that each state would dictate how it would work. In our State, if it is the same perpetrator against an individual, they treat it all as one claim. That would mean it is $35,000 max for the actual injuries that were sustained from it.

ASSEMBLYMEMBER ROTH:
Just as a reminder, this is only for reimbursements. If there was an instance where there was a repeat offender, there would still have to be proof that the funding is necessary to reimburse that victim for the financial burden related to the violent offense.

SENATOR ELLISON:
In the Harbor House, [we see] women that are victims of rape or domestic violence, and they allow them to go into this home with their families and stay there until they can get things straightened out. Would they actually be able to qualify there as well?

MS. EVANS:
Absolutely. They would have to have the proof. Working with a victim advocate is actually one of the approved ways of third-party qualification, and they would be qualified to apply for reimbursement rates for things like relocation fees and medical services if needed.

SENATOR KRASNER:
Thank you so much for bringing this good bill. I was just wondering if I could sign on as a cosponsor.

ASSEMBLYMEMBER ROTH:
I would be happy [if you did].

VICE CHAIR FLORES:
I would like to invite those wishing to testify in support of A.B. 329 to please come forward.

JENNIFER NOBLE (Nevada District Attorneys Association):
I am testifying in support of A.B. 329. We'd like to thank Assemblymember Roth for bringing forth this important piece of legislation.

HARRISON EPSTEIN (Clark County Public Defender's Office):
We understand how today's victims can be tomorrow's clients, so we support any and all efforts to prevent the cycle of harm from continuing.

ROBERT GIPSON (Giffords Center for Violence Intervention):
I focus on victim services and compensation reform throughout the country. I came to this work, however, as a son of Nevada, moved to action after the 1 October shooting. The 1 October shooting united our State, and it brought me to the Vegas Strong Resiliency Center [Resiliency & Justice Center], where we serve survivors. In that tradition, Giffords strongly supports A.B. 329, a bill that would continue innovations made after the shooting by opening alternative ways to report victimization.

Current state law requires victims to report and engage with law enforcement for program eligibility, but this does not account for the realities of crime. A majority of victims do not report to police for many reasons. First, victimization is traumatic; trauma survivors are often fearful of being blamed. They have real concerns regarding retaliation, or they lack confidence in the justice system. Assembly Bill 329 would better account for these realities. Additionally, the public safety benefits of alternative reporting can't be understated. When victims work with third-party trauma service providers, they are more likely to cooperate with law enforcement, and these alternative reports can help repair survivors' distrust with police. Further, since most victims do not report, alternative reports will provide the State with a more accurate picture of crime. They'd also play an important role in crime prevention, as more accessible compensation can help to stop cycles of violence. Recognizing the priority of survivor well-being under the VOCA Fix to Sustain the Crime Victims Fund Act of 2021, Congress recently changed federal law to clarify that working with law enforcement is not a precondition for compensation.

Additionally, the DOJ [Department of Justice] has repeatedly stated that programs are not required to mandate victim police reports and engagement. With that flexibility, leading states have opened alternative ways to report, including in Louisiana and in Maryland. This bill would therefore continue Nevada's place among the vanguard while remaining compliant with federal law. To strengthen public safety and ensure our State is victim-centered, Giffords strongly urges the committee to pass this bill.

DORA MARTINEZ (Nevada Disability Peer Action Coalition):
We wholeheartedly support this commonsense bill. Thank you so much for extending the time to submit paperwork. People with disabilities are always the last to find out about things, and I hope that there will be a QR code on the website so people who are blind, hard-of-hearing or people who use ASL can have access to this important resource.

CHAIR SCHEIBLE:
The committee has been sent one letter in support (Exhibit D). Seeing no opposition or neutral testimony, I will close the hearing on A.B. 329 and open up the hearing on A.B. 153.

ASSEMBLY BILL 153 (1st Reprint): Revises provisions relating to the education of incarcerated persons. (BDR 16-234)

ASSEMBLYMEMBER BRITTNEY M. MILLER (Assembly District No. 5):
Today I am presenting A.B. 153, which potentially could provide additional educational and workforce development for incarcerated persons. To provide a little bit of background information, we know that sustainable, gainful employment plays a crucial role in reducing recidivism and facilitating the successful reintegration of incarcerated individuals into society—so much in fact that before I moved to Nevada, I had developed and ran a prisoner reentry program with the number one funder being the federal Department of Labor. Yes, the Michigan Department of Justice provided about 25 percent, but primarily, the funding came from the Department of Labor. Why? Because employment is key.

We know that [employment] is one of the major factors that with education, training and job opportunities is one of the major indicators to reduce recidivism. By equipping individuals with knowledge, skills and educational programs within the correctional facilities, it can significantly improve their prospects upon release. In Nevada, the statewide program of education for incarcerated persons allows school districts, in cooperation with the DOC [Department of Corrections], to operate educational programs within the facilities.

Historically, incarcerated individuals have had limited access to federal student aid. However, recent changes at the federal level have opened up the doors. In fact, even today, there were some visitors on the floor who asked me and said, "I thought people who are incarcerated are not allowed to." I told them that, as of July 2023, incarcerated students enrolled in approved prison education programs are now allowed to. This is the first time since 1994 that they are eligible for Pell Grants—Pell Grants which do not require repayment. Incarcerated individuals, however, are not able to obtain federal student loans.

The change implemented through the Free Application for Federal Student Aid (FAFSA) Simplification Act of 2020 has potential to dramatically increase educational opportunities for incarcerated individuals. One of the keys to the success of the program that I ran back in Michigan was that we did not wait for release to begin the reentry process. That process began about a year before release in the prisons; and among a variety of needs that individuals need upon release, education is one that they can begin working on before release.

The bill itself is pretty similar to a bill I had back in 2021, which was to require FAFSA Nights in the K-12 schools. They're supposed to have two a year, which

enables students to come in with their parents and any necessary materials; school staff and college and university staff would be on hand to assist families applying for FAFSA.

This bill is permissive; it is not a mandate at all. This bill also seeks to have two FAFSA events each year as well. Those two FAFSA events are around the dates that the government tells us are the most likely when the majority of funds will be available, so October and February. What would happen is that each facility could plan and administer in advance such events in the manner that is most suitable. First, each facility, if not already doing so, should provide career planning, which includes information about financial aid. With that financial aid, we want people to always understand what financial aid can cover; it is not just college, it is also skilled trainings. It covers technical institutes and programs as well, so it covers anyone interested in getting trade or certificate program [information]. In the prisons, they could get assistance with completing these forms because these forms have become very complicated over time.

Individuals should receive this at least once in their final year prior to release or once a parole date has been determined. However, there's no stipulation of when a person can ask for assistance based on their sentence; they can ask for assistance or attend these [programs] at any point, but the requirement would make sure that individuals in their last year of sentencing are aware that they can attend. They can also get assistance in applying for online schools or trainings. Facilities, according to the bill, should also establish a means for family members on approved visitation lists to bring necessary documents and attend FAFSA application events. Again, some individuals are fortunate where their families have documentation that would be necessary to apply, and in those cases, enabling people to bring in those documents so their family members can apply. I also am a firm believer that just because we are offering FAFSA to a high school student or an incarcerated individual, that does not mean that the family members can't get assistance and apply for FAFSA as well, as we try to bring the entire family into additional training and certifications.

This measure also encourages coordination with our colleges, universities and even the library districts to assist with applications, informational meetings, registration pamphlets or any other educational or job training. As for the money, because of course that would be a question, I have already stated that

[incarcerated] individuals are not eligible for federal loans. [Regarding the] Department of Corrections, they already have been doing something that we want to use as a model. They've done it with Great Basin College, and so that will be the model that we would have for the financial awards.

What it means is that once someone is determined eligible, the financial award—and just so you know, federally incarcerated individuals will also not be able to receive expenses for anything other than books and course expenses, so it would not go for any type of living arrangements. It would just be for the cost of the tuition, the fees, the books and materials and anything like that—would go to the school, and if there's a refund, they send that directly back to the [U.S.] Department of Education. A lot of students get refunds, and it goes to them, but in this case, the refunds go back to the Department of Education. The financial aid administrator at each college would pay the student account balance electronically, and then send any remainder back to the Department of Education.

Additionally in this bill, another concern that we wanted to address and be proactive about is that any financial aid could not be used for any noneducational expenses such as restitution, commissary, damages, medical technology and anything like that. Also, that financial aid or the attempt to apply for financial aid could not be used as a sanction or an incentive for anyone incarcerated because again, this is a permissive bill, and it is just making sure that that support is available to any inmate who chooses and desires to apply.

In closing, A.B. 153 represents a significant step toward enhancing educational opportunities for incarcerated individuals in our State. By facilitating access to federal student aid and ensuring compliance with established educational standards, this bill aims to empower incarcerated persons to pursue higher education and vocational training. Such initiatives not only benefit the individuals involved, but [they] also contribute to the betterment of society by reducing recidivism and promoting successful integration.

According to the National Conference for State Legislatures, currently, 17 states have no regulatory or statutory ban on people who are incarcerated receiving state financial aid, and New Jersey has recently expanded access. The implementation of A.B. 153 underscores Nevada's commitment to an alignment with what other states are doing for what is necessary to reduce recidivism by

providing equitable educational opportunities for all its residents, including those in correctional facilities.

Moreover, it is important that while supporting individuals with reentry is a public safety matter, it is a prime opportunity to also lessen financial burdens on our State. Part of the reason I brought my first FAFSA bill two sessions ago was to encourage more people to apply and access those federal dollars, as opposed to relying on state support. Again, workforce development is key, and this is an opportunity to provide an individual approach to accessing that federal support. I appreciate your time and consideration and urge your support of this bill.

SENATOR NGUYEN:
You had indicated that this language was permissive, but I see in here it says that the Department [DOC] "shall" do that. When you say that it is permissive, would all of these institutions have to provide this? Can you kind of elaborate on the distinction that you are trying to make there?

ASSEMBLYMEMBER MILLER:
The Department [DOC] will be required to offer and provide the information and [offer] an assistance night. However, there is no requirement for any individual to participate, so the Department will also report to [the Joint] Interim [Standing Committee on] Judiciary, but first, what they are required to do is offer these nights twice a year and then just report what happened—whether or not 1 person or 30 people enroll or access the support.

We are just asking them to make sure that they provide the information and that support is available.

SENATOR NGUYEN:
Do you have any idea if any of the institutions are already helping those that are incarcerated with these FAFSA forms?

ASSEMBLYMEMBER MILLER:
I believe the one in the north connected with Great Basin is. She was available for our first hearing, but I do not believe [she is] here today. They have a connection and speak with the Department as well when they get the tablets and such. That is the goal to have throughout all of the institutions. This would [yield] even greater rates because then individuals would be able to access more online classes and such.

SENATOR NGUYEN:
It is my understanding that there are some Nevada System of Higher Education (NSHE) institutions that currently have programming in our prisons. Do you have that information?

ASSEMBLYMEMBER MILLER:
No, I do not.

SENATOR NGUYEN:
I have also heard that there are no existing NSHE programs for our women who are incarcerated in Florence McClure Women's Correctional Center. Do you have any information about that?

ASSEMBLYMEMBER MILLER:
No, Senator, I do not.

SENATOR NGUYEN:
I see some knowing looks behind you, so maybe during testimony at some point, they might be able to answer those questions.

You said other states have this and allow for grants? I am assuming they are not loans.

ASSEMBLYMEMBER MILLER:
There's a federal prohibition against incarcerated persons getting student loans. This is just the Pell Grants.

SENATOR NGUYEN:
Okay, this is just the Pell Grants.

SENATOR ELLISON:
What if somebody is in a state prison, and they apply for this? When they get out, and they want to go on further with their education, does this follow with them?

ASSEMBLYMEMBER MILLER:
That would be the intent, and that is why we encouraged the offer of support, especially their last year. Whatever classes they are able to access while inside, we want people looking forward. So, if they are continuing that education, yes,

those grant dollars would continue with them, and it is just that we are able to help support them to get that federal Pell Grant.

SENATOR ELLISON:
If they get no federal grant, how do they support themselves when they are trying to go to school, unless they do it at home?

ASSEMBLYMEMBER MILLER:
Senator, I believe you are asking—

SENATOR ELLISON:
If you are out of prison and you are going to keep following whatever education you are going to do, it does not give you any kind of grant money to pay rent, power bills and stuff like that. So, you are going to have to have money coming from somewhere and hope they do not go for a lawyer's degree or something but something smaller.

ASSEMBLYMEMBER MILLER:
First, it is interesting; a lot of incarcerated people do go for their JDs [doctor of law], but I think that your question, while the bill does not address it, is that people who are incarcerated are prohibited from getting all of the available federal aid for things that other students may be eligible for, which would be housing and other living expenses or to get loans. Upon release, that person should be able to [get that aid] because they have to apply to FAFSA every year. So, upon release, they are now in a different status, and those opportunities would be available to them. Of course, there are many challenges to ongoing training or college that all students face.

SENATOR HANSEN:
Overall, [this bill] seems like a great idea. I have a question on Pell Grants. Is there a payback provision on that when they get released? I do not know how the program works.

ASSEMBLYMEMBER MILLER:
The Pell Grants are money that is given to the student and is not expected to be paid back at all.

SENATOR HANSEN:
That's important because we just had a bill [about this]. We have had problems with [incarcerated individuals] getting out; they owe money; they end up not being able to get credit and so forth. Is this limited to people that are very close to getting out? I do not see any point in educating people that are lifers [life-sentenced individuals]. Is there a window of when they are allowed to apply for these, a couple of years before they are going to be released or what?

ASSEMBLYMEMBER MILLER:
It is not limited. It is encouraged that, especially their last year before release, that this is made available to them. However, anyone at any time could access these services. I understand your thought around someone who's in for life and why we would want someone to go to school. They are never going to get out of prison. I would say, as someone who ran a prisoner reentry program and has been in it—I have not personally, but my staff—it can also be used just like a job in prison. By [enabling] someone to focus their energy on education, even if they are never going to get out of prison, it can be something that just personally helps them stay [safe] because while someone's in prison, even if they are never going to get out, we still want them to behave and conduct themselves in a certain way that is safer for themselves and everyone else around. A lot of people will find solace in studies, just like they would in music or watching movies or something like that. I believe it would still be something that we would want to encourage.

SENATOR HANSEN:
My concern is to reduce recidivism rates. This is my eighth session on a judiciary [committee], and we have seen a drop in recidivism because we have had a lot of reentry programs. Even something as simple as getting an ID and things like that have helped. The only question I have on that, though, is on the Pell Grant program. Is that a zero-sum game? Are there a limited number of Pell Grants available? If you are giving a Pell Grant to an inmate, does that mean somebody who's outside of the prison system may not get a Pell Grant?

ASSEMBLYMEMBER MILLER:
You could look at it essentially like that. When I first brought my bill back in 2021, the one thing we know about Nevada is that the number of students who qualified, we were nowhere—and I wish I had it in front of me right now because I could give you the actual statistics—near where we should be for even our high school students [in terms of] applying for FAFSA. We were

leaving an astronomical amount on the table, and a lot of it was the misconception of, "I do not qualify." We know that there's a major difference between someone [who] may think, "Well, I do not get free lunch, so I am not going to qualify for a Pell Grant," but those numbers are completely different.

It is a much higher score for families when it comes to Pell Grants, which are also based on income. It is not that every student is going to get a certain amount or not. It would be one student may get $1,000, and one student may get $6,000. It was to encourage more students because students were also relying on our state scholarships, which were designed to supplement and pay the remainder after financial aid. But students were also saying, "Well, I am getting the scholarship, so I do not have to worry about it," which was still putting a burden.

So, essentially like any program, we could say that it may take away. Right now, I know that not enough and not as many people [are applying for FAFSA]. [There is also] the other idea that folks did not realize they could apply for FAFSA. It is not just for college; it is for training, certificate programs and all kinds of skill trades. We could essentially look at that, but these decisions will be made by the federal government and the universities, not by us. They also would get a smaller amount because they will not get everything that a typical undergrad student would get because we are not covering living, travel and all these other incidental expenses. This is just the course and the required supplies.

SENATOR HANSEN:
Overall, it sounds like a very good idea. I am especially hopeful that the people who are going to be getting back and reintegrating into society have as many opportunities to be as educated as possible to reintegrate into the workforce. I like the idea; I have a few little problems with it, but I think overall it is a great step in the right direction.

CHAIR SCHEIBLE:
We will move now to testimony in support of A.B. 153.

DOUG UNGER (University of Nevada, Las Vegas, Chapter Nevada Faculty Alliance):
I am a member of the Nevada Prison Education Project. The Nevada Prison Education Project is an independent organization that includes teachers from

colleges and universities in the NSHE community groups, justice-impacted students and the DOC. We work together to improve and expand prison education in our State.

Our teachers currently work with higher education prison education programs through Western Nevada College, the College of Southern Nevada (CSN), other NSHE institutions and now also the University of Nevada, Las Vegas. We put our first writing class into Florence McClure Women's Correctional Center last spring. Western Nevada College and CSN have completed Department of Education requirements to qualify for Pell Grant forms, all key to enable registrants to take classes in pursuit of diploma, degree and certificate completions, but these efforts are not nearly enough. Assistance and mentoring to complete the FAFSA, a task which too often presents obstacles for the incarcerated who wish to work to improve their futures, need additional organization and resources.

Assembly Bill 153 offers a solution by further systematizing efforts through the school districts plus a reporting requirement which will help systematize efforts and significantly grow pathways toward earning an education. Multiple studies show that recidivism is reduced proportionally to classes completed, diplomas and degrees earned, and this benefits everyone. This bill will add to hope and help change lives. The Nevada Prison Education Project and the Nevada Faculty Alliance stand in strong support and thank Assemblymember Miller for bringing the bill forward.

TONJA BROWN (Advocates for the Inmates and the Innocent):
We are in support of A.B. 153. Education offers a pathway for those who have paid their debt to society to reenter our communities as productive and contributing members. Programs that prioritize rehabilitation such as education have demonstrated success in reducing repeat offenses and fostering personal growth. By investing in opportunities for reformed individuals, we can break cycles of crime and create safer neighborhoods for everybody.

J. KYLE DALPE (Western Nevada College):
I am president of Western Nevada College here in Carson City, and we do have one of the many prison education programs at the two facilities here in Carson City.

We are in support of A.B. 153, and I am going to quickly answer a few of the things that [have] come up. Normally, inmates who are pursuing higher education classes in the prison rely on scholarships, which we have through our foundation. They require and rely on family members or work that they have done and put money in the accounts, or there is also an appropriation through the State that trickles some money into it. This would give another avenue for access through federal financial aid, which will help pull down some of that aid. As Assemblymember Miller mentioned, we have left money on the table historically from the federal government in the form of Pell Grants to students, and this would help open the door for more of that.

I think Senator Hansen might have asked the question on the FAFSA. As they get out, they fill it out one year; every year it has to be renewed, and then they can keep it going if they still qualify. This is how the FAFSA works, and it is a very complicated form. I have been in higher education for almost 30 years now and every time I fill it out, I have to call my financial aid director. Any time we can put support around those less familiar, it is a good thing, so we are in support of it.

KILEY CRYER (Washoe County Public Defender's Office):
I am an intern with the Washoe County Public Defender's Office here in support of A.B. 153 which is a critical measure that expands access to educational resources and financial aid opportunities for incarcerated individuals. By requiring staff at the Department of Correction's institutions to provide information and assistance in completing FAFSA, A.B. 135 [A.B. 153] recognizes education as a cornerstone of successful reintegration and long-term stability.

One of the most significant barriers faced by formally incarcerated individuals is a lack of financial literacy. Financial literacy, the understanding of how to manage money, access aid programs and make informed economics decisions, is rarely taught and often overlooked. Many incarcerated individuals are unaware of the financial support systems available to them, including federal aid programs that could fund educational and vocational pursuits. Assembly Bill 153 addresses this gap by ensuring that people have the knowledge and assistance needed to access these critical resources.

Financial support is a key component in preventing recidivism. Returning to society after incarceration often comes with immense financial hardships.

Without access to tools and resources on employment, budgeting and financial aid, many individuals and their families struggle to build the stable foundation necessary for successful reentry.

A multipronged approach is necessary to reduce recidivism rates. Educational and financial empowerment go hand in hand in offering incarcerated individuals a real chance at a second life, and for this, we urge you to support A.B. 153.

MR. EPSTEIN:
As you all have heard today, providing information on financial aid to incarcerated people will enhance educational opportunities and give people a better chance at rehabilitation. Holding FAFSA days in correctional facilities will ensure that every person in prisons and jails get the same chance to learn how they can afford college, trade school or vocational school as their nonincarcerated peers. This bill will be an important tool in providing these rehabilitative efforts to incarcerated people across the State.

NICK SHEPACK (Fines and Fees Justice Center):
We want to thank Assemblymember Miller for bringing this bill. The Fines and Fees Justice Center is a proud member of the Nevada Prison Education program here in the State, and the reason for that is we know that access to education is one of the leading causal factors in reducing recidivism. On top of that, when we increase access to these types of grants for individuals who are incarcerated, they rely far less on expensive other types of courses like correspondence courses, which puts money back into our communities and into the pockets of individuals.

Through my time in college, the most difficult thing I did in getting multiple degrees was navigate the FAFSA. The FAFSA office was the land of the most tears at the University of Nevada. I never filled it out correctly the first time once and had to make multiple trips. These types of days where you have individuals who are well-versed in filling out the packets is absolutely necessary if we want individuals who are incarcerated to get access to these types of funds. We support this bill, and I hope you do too.

KAYLAH MAESE (American Civil Liberties Union of Nevada):
We happily support A.B. 153, and we thank Assemblymember Miller for bringing the bill forward. It is really important that we give our incarcerated individuals the opportunity to do the right thing and to get their lives back on

track. Education is such an important aspect of life. Even if someone is incarcerated, let's say for life, it is really important that we give them something to do but give them the same opportunity to broaden their knowledge as well. We support this bill, and we urge the committee to support as well.

CHAIR SCHEIBLE:
Seeing no opposition or neutral testimony, I will now invite the sponsor to provide closing remarks.

ASSEMBLYMEMBER MILLER:
Part of the reason why the bill is permissive is understanding that any time we have expectations of what should happen in our correctional facilities that safety is first and foremost for everyone involved. In speaking with Director Dzurenda about this, we're both confident that the current internal staff is able to handle this and facilitate it as well. They're more than welcome to coordinate with NSHE, bring people in or work with the library districts, but we are confident that the existing staff would be able to do this, and it is also the flexibility from facility to facility of what would be appropriate for their environment.

CHAIR SCHEIBLE:
That concludes the hearing on A.B. 153. We will now move to public comment.

MS. BROWN:
I want to ask this committee to consider some of the bills that will be coming before you this legislative session and in future legislative sessions that are dealing with wrongful convictions, DNA technology, et cetera. I know that things are already happening down in Las Vegas that are going to be dealing with wrongful convictions, and [this] will be one of the topics of conversations going into the 2026 elections. On Wednesday, you're going to be hearing A.B. 63.

ASSEMBLY BILL 63: Revises provisions relating to civil actions for wrongful conviction. (BDR 3-440)

It is something I brought before you being sponsored by Attorney General (AG) Ford. It is germane to the bill. This deals with—which came out of committee on the Assembly side—compensation for those who have been wrongfully convicted. It does not apply to those who are deceased, and it

should. We have given a proposed amendment I submitted today, and I am hoping that it will be heard and passed. Although it will not have the AG as a sponsor, it is germane to the bill. For people who have passed away, family members would receive the compensation for that in a scandal, just like with DeMarlo Berry.

In his situation, we had an individual, the perpetrator, who admitted to the crime, and that is the reason why he was exonerated. These perpetrators are aging, and they are wanting to do the right thing. I am not saying all [perpetrators]; it is a very small percentage, of course, but there are people in prison who spent time in prison for those crimes and have died. In the proposed amendment, we have asked for: exculpatory evidence that had been destroyed and has not been turned over to the defense and was not available resulted in a wrongful conviction or prior to the defendant's death or after the defendant's death—if newly discovered evidence has been found and if a person is exonerated posthumously, the heirs be compensated. I am hoping that you will take this on without the sponsorship of the AG's Office.

Again, there are a lot of things moving forward for 2026 and for those who are running for office. Wrongful convictions of some people—that is something to look at—is holding these individuals accountable, particularly the prosecutors who withhold exculpatory evidence and destroy individual's lives. They go on to become district attorneys and supreme court justices. I can tell you that things are in the works now, and it is happening down in Las Vegas.

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CHAIR SCHEIBLE:
We are adjourned at 3:18 p.m.

RESPECTFULLY SUBMITTED:

Timothy Gibbs,
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
A.B. 194	C	9	Senator Edgar Flores	Letter in Opposition: Ann Sweder
A.B. 329	D	22	Senator Melanie Scheible	Letter in Support: Alliance for Safety and Justice