# LEGIS LA LEG

In January, the ACLU of Nevada decided on four priorities we thought we could achieve during the 80th session of the Nevada Legislature: The Justice Reinvestment Initiative, our study on youth confinement in adult jail and prison facilities, Same-Day Registration, and public records reforms.

We achieved each of those goals and more. Coming out of the 2019 session, civil rights advocates are celebrating meaningful advances in criminal justice reform, reproductive freedom, LGBTQ equality, and voting rights.

The 2019 session was the first in United States history with a women-majority legislature. While President Trump continued his attacks on abortion rights, LGBTQ communities, and other vulnerable populations, the Nevada Legislature adopted new laws to protect these affected individuals at the state level.

While so much was achieved, some troubling legislation that puts our liberties at risk, such as budget increases for school police and an expansion of privacy-eroding fusion centers, passed without much opposition from lawmakers. Moreover, under the leadership of Nevada Democrats, the legislature missed several opportunities to pass bold legislation to fully address our state's issues regarding capital punishment, immigration, cash bail, comprehensive sex education, and more despite taking control of both houses of the Legislature and the governor's office during the 2018 midterms.

#### ABOUT THE NEVADA LEGISLATURE

The Nevada Legislature meets once every two years for 120 days. This session, lawmakers proposed 1,157 pieces of legislation, and 637 bills became law. Governor Steve Sisolak issued three vetoes.



## Tyrone Thompson **REST IN POWER**

The ACLU of Nevada was devastated by the sudden death of Assemblyman Tyrone Thompson during the 2019 Legislature.

Assemblyman Thompson was a true leader, a champion of liberty, and a passionate advocate for

vulnerable youth. His dedication to homeless youth, preventing employment discrimination against those with criminal convictions, and ending the school-to-prison pipeline was unmatched.

He would have loved to see new laws that restore voting rights to formerly incarcerated individuals and reforms that will have a significant impact on reducing Nevada's incarceration rates.

During a tough day at the capitol, Assemblyman Thompson always shared a warm smile to comfort us. And even though we did not achieve everything we wanted this session, we know he would have encouraged us to celebrate the things we did achieve and to move forward with patience, kindness, and positivity.

We love you, Tyrone, and we miss you.

The 2019 Legislative Report highlights the major civil liberties victories and losses of the 80th Legislative Session, which ran from February 4, 2019, to June 3, 2019. The ACLU of Nevada tracked and monitored more than 200 bills, provided testimony and educational materials, conducted lobbying visits, negotiated with opponents, and offered amendments to limit the impact of bills we opposed.

#### **CRIMINAL JUSTICE REFORM**

Criminal justice reform was a major focal point of the 80th Nevada Legislature. For decades, the ACLU, partner advocacy organizations and affected persons have fought to dismantle ineffective "tough-on-crime" policies that lead to mass incarceration, over-criminalization, racial injustice, and stand in the way of a fair and equitable justice system. The movement resulted in broad bipartisan support for criminal justice reform at the local, state, and national level.

Here in Nevada, the advocacy of a broad coalition of stakeholders (including ACLUNV, the Progressive Leadership Alliance of Nevada's Mass Liberation Coalition, the Clark and Washoe County Public Defenders' offices, Americans for Prosperity, faith-based organizations, labor unions and more) led to many incremental changes. Although there is much more work to be done to fully address our broken criminal justice system, our efforts contributed to lawmakers' adoption of wide-ranging policies that will have a meaningful long-term impact on criminal justice reform.

#### JUSTICE REINVESTMENT INITIATIVE

The 2019 legislature's criminal justice reform agenda revolved around Assembly Bill 236 — Nevada's first major criminal justice system overhaul in over two decades. AB236 arose from recommendations by the Crime and Justice Institute (CJI) which provided technical assistance to help Nevada address the unsustainable growth of the prison population. CJI's 10,000 hours of intensive research revealed that the state incarcerates at a rate 15 percent higher higher than the National average; the prison admission rate for women is up a shocking 39 percent; 35 percent of incarcerated persons have significant mental health needs; the

majority of prisoners are serving time for non-violent drug or property offenses or for minor parole violations; and more.

AB236, sponsored by the Assembly Committee on Judiciary, reforms Nevada's unjust burglary and theft statutes, expands alternatives to incarceration for those who commit minor parole violations, expands probation eligibility for certain category E felonies, improves responses for those with behavioral health needs, and creates a mechanism to sustain recommended reforms.

Bill sponsors worked tirelessly to earn the approval of all stakeholders, thus many concessions were made. Despite legislators amending out some of the most important provisions at their request, the Nevada District Attorneys Association and Joint Chiefs' and Sheriffs' Association continued to oppose the bill. Critical reforms, such as pretrial felony diversion programs and a stronger overhaul of the state's draconian drug trafficking statutes that unfairly impact low income and minority communities, did not make it into the final version of the bill.

AB236 was a positive first step to implement effective crime prevention and humane treatment of people with behavioral health challenges, but we cannot fix 30 years of problematic policy decisions with one bill in one session. Even in its original form, AB236 would not eliminate all future prison growth, or reduce the current prison population. More will have to be done in the interim. ACLUNV and our partners will monitor implementation and fight to build on the foundation created by AB236.

## RIGHTS OF THE ACCUSED AND THE FORMERLY INCARCERATED

The ACLU of Nevada supported legislation advanced by the Innocence Project that will protect the innocent, including legislation to protect against false confessions (Assembly Bill 107, sponsored by Assembly Judiciary); repealing the statutory time limit to bring forth newly discovered non-DNA evidence to prove one's innocence (Assembly Bill 356, sponsored by Assemblyman William McCurdy); and the establishment of an innocence



Nevada exoneree DeMarlo Berry and his wife, Odelina, pose for a photo after testifying before the Legislature. (Courtesy photo)

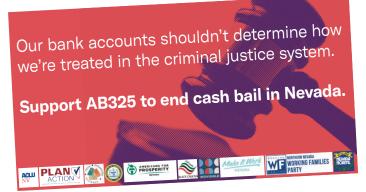
compensation fund to help those who are wrongfully convicted re-enter society and obtain compensation for their loss of liberty (Assembly Bill 267, sponsored by Assemblyman Steve Yeager). DeMarlo Berry, a Nevada resident who was imprisoned for over 22 years for a crime he did not commit, bravely recounted his nightmare to lawmakers. His and his wife Odelia's advocacy changed the state's archaic innocence laws and the lives of other wrongfully convicted Nevadans, and the ACLU of Nevada was proud to be a part of that effort.

The state also took a significant step toward addressing indigent defense services in rural counties (Assembly Bill 81, sponsored by Assembly Judiciary). The ACLU of Nevada has consistently warned that Nevada is not in compliance with its Sixth Amendment obligation to

properly fund the indigent defense system. In November 2017, ACLUNV sued the state over the deficient, unconstitutional public defense system in 11 of our rural counties. Indigent defendants in rural counties receive inadequate legal representation because of financial incentives for contract attorneys to give minimal attention to clients who cannot afford to pay them. AB81 attempts to address this issue by creating a Department of Indigent Defense Services, which will develop caseload standards and request funding for deficiencies.

#### **CASH BAIL REFORM**

Bail reform was a major ACLUNV and PLAN Mass Liberation priority. Our groups organized hundreds of volunteers to speak at hearings and lobby their representatives. However, efforts at true bail reform were unsuccessful, resulting in an interim bail study in the last days of the session (Senate Continuing Resolution 11). Assembly Bill 325, sponsored by Assemblyman Ozzie Fumo, and Assembly Bill 125, sponsored by



#### **ABOUT THE ACLU OF NEVADA**

The American Civil Liberties Union of Nevada was formed in 1966 as a nonprofit, nonpartisan organization that works to defend and advance the civil liberties and civil rights of all Nevadans. Grounded in the principles of liberty, justice, democracy and equality, the ACLU of Nevada works in three areas: Public education, advocacy, and litigation when necessary.

We also work to extend rights to segments of our population who have traditionally been denied their rights, including people of color; LGBTQIA individuals; women; disabled individuals; incarcerated persons; and the poor.

We are an affiliate of the national ACLU comprised of both 501(c)(3) and 501(c)(4) nonprofit organizations, and we are governed by a statewide Board of Directors. Through staffed offices in Las Vegas and Reno, we work on a broad array of issues affecting individual freedom. We receive approximately 1,000 reports of civil rights violations each year.

The ACLU of Nevada is supported by annual dues and contributions from its members and supporters, plus grants from private foundations. We do not seek or receive any government funding. Learn more and sign up to join the fight to defend your rights and liberties at at **www.aclunv.org**.

## DEFENDING OUR RIGHTS

Assemblywoman Dina Neal, died after amendments made the bills unacceptable. The ACLU of Nevada and bail reform advocates will ensure the voice of affected communities is a central focus of the interim study and will continue to fight to end cash bail in Nevada.

The recent decriminalization of marijuana continues to move Nevada toward correcting injustices in marijuana possession convictions. ACLUNV and Legal Aide Center of Southern Nevada assisted Assemblyman William McCurdy in passing Assembly Bill 192, a bill creating a cost-free, streamlined record sealing process for persons with marijuana convictions.

#### **CAPITAL PUNISHMENT**

Two death penalty repeal bills died without receiving a hearing — Assembly Bill 149, sponsored by Assemblyman Ozzie Fumo, and Senate Bill 246, sponsored by Senator James Ohrenschall.

Capital punishment is costly, lacks any significant value as a crime deterrent, is inequitably imposed more often on people of color, and poses significant legal liability for the state. Nonetheless, Nevada prosecutors continue to seek the death penalty despite growing opposition and an array of litigation against the state for misusing certain drugs in their lethal injection protocol. We will continue to fight for abolition of the death penalty through advocacy, legislation and in the courts.

#### PRISON AND CORRECTIONS REFORM

The ACLU of Nevada joined Assemblywoman Danielle Monroe-Moreno in the fight to prohibit the state from contracting with private prisons. Assembly Bill 183 prohibits the use of private prisons to house prisoners in other states and requires that any contracts to house Nevada offenders in out-of-state private prisons sunset by 2022.

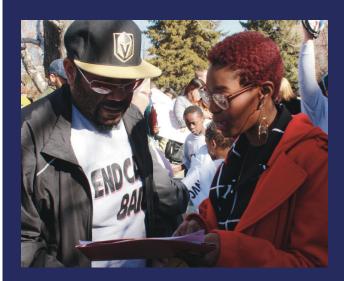
The legislature also passed bills requiring data reporting on the rate of deaths in local jails (Assembly Bill 301, sponsored by Assemblywoman Teresa Benitez-Thompson) and providing for the compassionate release of certain offenders over 65 years of age (Senate Bill 252, sponsored by Senator Joe Hardy).

#### JUVENILE JUSTICE

ACLUNV and child welfare advocates continue to fight for fair sentencing and housing practices for youth tried as adults. We have long advocated to end the practice of sending minors tried as adults to adult correctional

#### **MASS LIBERATION LOBBY DAY**

On March 18, 2019, volunteers joined the ACLU of Nevada, PLAN, Americans for Prosperity, and other groups to lobby for criminal justice and cash bail reforms. Photos: Lu Ann Pillar / ACLUNV







institutions because of its detrimental impact on the child's wellbeing and on community safety. Lack of age appropriate educational instruction, exercise, and other programming fails to prepare the child for life outside of prison resulting in high recidivism rates. In June 2018, we released a report, *Youth Confinement in Nevada*, which examines youthful offender housing standards and practices. That report led to Assembly Bill 449, sponsored by the Assembly Committee on Legislative Operations and Elections, which directs the interim Committee on Child Welfare and Juvenile Justice to thoroughly study this issue with an eye toward moving children to juvenile facilities.

We also supported other efforts to protect children, including the elimination of juvenile court and administrative fees (Assembly Bill 439, sponsored by Assembly Judiciary) and legislation, sponsored by the late Assemblyman Tyrone Thompson, that requires schools to utilize restorative justice practices before punishing or expelling a child (Assembly Bill 168). Although some meaningful legislation was passed, lawmakers missed several opportunities to further

protect these vulnerable youths. Legislators passed bills and approved budgets providing for more police on school campuses which typically results in more students cycling through the school-to-prison pipeline.

Many other reform bills died in the Senate Judiciary Committee, inlcuding legislation that required the presence of an attorney during custodial interrogations of a child, a bill allowing courts to depart from mandatory sentencing schemes for children who commit offenses against their abusers or sex-traffickers, and a proposal to expand Nevada's ban on life-without-parole sentences for juveniles

#### **IMMIGRANTS' RIGHTS**

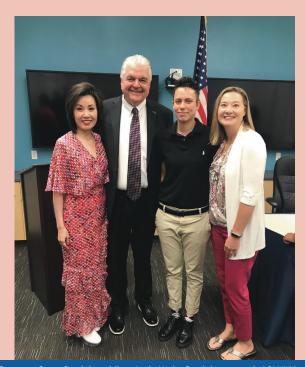
Perhaps the most disappointing outcome of the 2019 legislative session was the lack of meaningful action to create statewide protections for Nevada's immigrant population. Despite strong advocacy by the Nevada Immigrant Coalition (NIC), of which the ACLU of Nevada is a member, the legislature failed to act boldly at a time when anti-immigrant animus is on the rise. The most important immigrant protection bills died early-on in the

#### **VOTING RIGHTS**

Expanding access to the ballot was, arguably, the number one policy priority of legislative leadership and Governor Sisolak. Nevada's unprecedented expansion of voting rights was championed by Assembly Speaker Jason Frierson. His comprehensive voting rights bill, Assembly Bill 345, establishes same-day voter registration, eliminates the need for an excuse to cast an absentee ballot, extends hours for early voting, permits counties to establish voting centers to increase efficiency and voter participation, and more.

We are most proud to celebrate outstanding victories ending discriminatory policies that disenfranchised marginalized communities. Assembly Bill 137, sponsored by freshman Assemblyman Howard Watts, requires the establishment of polling places on tribal lands, correcting an injustice that forced native Americans to travel over fifty miles away from their homes to vote.

After decades of advocacy and incremental policy changes, Nevada passed one of the most progressive rights restoration bills in the U.S. AB431 automatically restores the right to vote to formerly incarcerated persons and individuals on parole and probation, thereby expanding the right to vote to approximately 70,000 Nevadans.



Governor Steve Sisolak and First Lady Kathy Sisolak pose with ACLUNV Outreach Coordinator Rex Reed and Stephanie Alvendia from the Las Vegas People Power group at the bill signing for AB345. Stephanie and the People Power group collected more than 1,200 Nevadans' signatures to show support for same-day registration. (Courtesy photo)



legislative process or were gutted under political pressure.

Freshman Assemblywoman Selena Torres quickly established herself as a champion for immigrants. She worked tirelessly with stakeholders to advance legislation that would have required law enforcement to be transparent about their cooperation with federal immigration officials (Assembly Bill 376), but the bill was amended to simply require law enforcement to inform persons in custody about the purpose of asking questions regarding their immigration status.

Likewise, Assemblyman Edgar Flores continues to lead on this issue, having sponsored a bill prohibiting law enforcement agencies from honoring unconstitutional Immigration and Customs Enforcement detainers (Assembly Bill 281). The bill died after the first hearing, thereby leaving agencies open to inevitable lawsuits.

Lawmakers passed some positive NIC priority legislation, including the creation of the Governor's Office for New Americans, which will provide informational resources to immigrants (Senate Bill 538, sponsored by the Senate Commmittee on Government Affairs); expanded access for victims of crime applying for protected status (Assembly Bill 336, sponsored by Assemblyman Flores), and a bill prohibiting discrimination against immigrants who apply for occupational licenses (Assembly Bill 275, sponsored by Assemblywoman Torres and others).

The ACLU of Nevada and immigrant rights advocates will continue fighting for more significant protections through local government advocacy, at the legislature, and in the courts.

## WOMENS' RIGHTS AND REPRODUCTIVE HEALTH

All eyes were on Nevada's first-in-the-nation women-majority legislature. While states such as Alabama and Georgia backtracked on abortions rights, Nevada lawmakers affirmed the right to choose with the Trust Nevada Women Act (Senate Bill 179, sponsored by Senator Yvanna Cancela and others). The Act repealed antiquated criminalization and consent provisions from the Nevada Revised Statutes.

The women of the Nevada Legislature also passed the Nevada Equal Rights Amendment (Senate Joint Resolution 8), expanded access to contraceptives (Senate Bill 94), created a maternal mortality review committee to address the rising death rate of women during childbirth, and streamlined the pay equity complaint process bringing Nevada closer to achieving equal pay for equal work.



#### LGBTQ+

The ACLU of Nevada supported several measures that will positively affect members of lesbian, gay, bisexual, transgender, and queer communities.

Passage of Assembly Joint Resolution 2 from the 2017 session, spearheaded this session by Assemblywoman Sandra Jauregui, means that Nevadans will vote in 2020 to update the language of our state constitution to match the law of the land following the U.S. Supreme Court's ruling in *Obergefell v. Hodges* which held that it is unconstitutional to ban same-sex marriages. ACLUNV will play a key role in this upcoming election cycle to ensure voters say "yes" to marriage equality.

Assembly Bill 12, sponsored by the Assembly Committee on Government Affairs, streamlines requirements for the state's Department of Veteran Services and ensures that no veterans are denied eligibility for services or programs because they are LGBTQ.

Senate Bill 284, sponsored by Senator Parks and others, creates the Advisory Task Force on HIV Exposure Modernization and requires the task force to study and issue a report on Nevada statutes and regulations that criminalize transmission of HIV, the virus that causes AIDS. Laws against HIV exposure have not been shown to reduce sexual behaviors that put an individual at risk of contracting HIV. Instead such policies stigmatize those living with HIV and deter people from getting tested.

Senate Bill 364, also sponsored by Parks, prohibits discrimination against LGBTQ patients by licensed health care facilities. The measure also protects patients from discrimination based on race, color, religion, national origin, ancestry, age, and other protected characteristics. The ACLU of Nevada applauds the Legislature's efforts to protect LGBTQ Nevadans and combat discriminatory federal policies that target these vulnerable communities.

#### PRIVACY AND TECHNOLOGY

Several pieces of legislation in the 2019 session touched on issues of privacy and technology.

Assembly Bill 45, sponsored by the Assembly Committee on the Judiciary, codifies statewide mass surveillance centers into statute and grants fusion centers the authority to withhold information gathered by the centers from the public. In some jurisdictions, law enforcement officials abused their power by using data obtained from these fusion centers for non-counterterrorism activities. For

example, in 2017, officials in North Dakota used data to investigate private citizens protesting at Standing Rock. The ACLU of Nevada strongly opposed the bill because of its lack of transparency and many liberty-reducing measures, but unfortunately it received widespread bipartisan support and was signed into law.

Assembly Bill 200, sponsored by Assemblywoman Michelle Gorelow, would have authorized police to use a device to download data from a person's cellphone following an automobile crash. The bill as introduced would have created an implied consent to be searched for all drivers on Nevada's roadways—a blatant constitutional violation—and concept the ACLU of Nevada opposes. The bill died after the first hearing due to a strong show of opposition from our members, supporters and other members of the community.

Assembly Bill 226, sponsored by Assemblyman Skip Daly, prohibits a government or business entity from forcing a person to be implanted with a microchip. The ACLU of Nevada works to regulate the use of invasive and abusive surveillance technologies, and in this case, we also worked to make sure individuals had the freedom to pursue digital implants if they chose.

#### PERSONAL AUTONOMY

The ACLU of Nevada once again supported Senator David Parks' effort to bring death with dignity policies to Nevada. Senate Bill 165 would have permitted doctors to prescribe and dispense medications to terminally ill patients who make the deeply personal decision to end their lives peacefully and pain free. Our organization believes patients deserve the freedom to make their own choices regarding end of life care, but the Nevada legislature rejected this proposition and the legislation died after only a single hearing.

WANT TO BE MORE INVOLVED?

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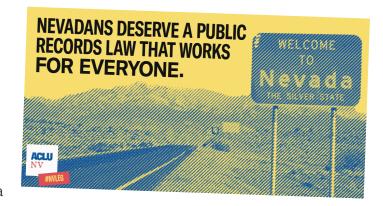
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#### **OPEN GOVERNMENT**

The Nevada Legislature took a huge step toward true transparency by adopting Senate Bill 287, sponsored by Senator Parks. This legislation provides overdue updates to our state's public records law, requiring cooperation from government agencies, and creating civil penalties for noncompliance.

Continuing the effort we started in 2017, the ACLU of Nevada was a leading member of the Right to Know Nevada Coalition, which included think tanks like the Guinn Center, news outlets, the Nevada Press Association, the Society for Professional Journalists, the League of Women Voters, Nevada Policy Research Institute, and individuals across the state. Government lobbyists fought hard to weaken and kill the measure, but we mounted an extensive pressure campaign to convince lawmakers to side with the people. The measure received unanimous approval in the Senate and was adopted by the Assembly in the final few hours of the session.

Although we made significant progress on public records, the Legislature stepped away from open government policies with other measures that had secrecy provisions, including bills on a mass surveillance center (Assembly Bill 45), expanding police officers' rights (Senate Bill 242, sponsored by Senate Majority Leader Nicole Cannizzarro), and state pension information (Senate Bill 224, sponsored by Senator Julia Ratti).



#### **INTERIM SESSION**

The ACLU of Nevada's work continues beyond the legislative session. We work to ensure that our legislative victories are properly implemented and that our losses have minimal negative impact on civil liberties. We also monitor local government activities and respond to community concerns that arise with government agencies, commissions, boards, school districts and elected officials.

Our staff are appointed to several important interim committees including the Advisory Commission on the Administration of Justice, the Nevada Sentencing Commission, and the Attorney General's Open Meeting Law Task Force.

Follow us on Twitter, Instagram, and Facebook @ACLUNV and join our mailing list at www.aclunv.org.



Assemblywoman Danielle Monroe-Moreno and ACLUNV Policy Fellow Nick Shepack present the bill for AB183, which prohibits the state from sending inmates to out-of-state private prisons. (Courtesy photo)



Mass Liberation coalition members and constitutents meet with Senator Dallas Harris to talk about cash bail reforms. (Courtesy photo)

## ACLU of Nevada 2019 Legislative Scorecards

#### WHY THE SCORECARD IS CREATED

As a nonpartisan organization, we created this scorecard for the public to see how lawmakers and the legislature overall measure up on civil liberties issues. This scorecard is for informational purposes and does not reflect an endorsement of legislators who scored well or a rejection of those with low scores. Legislators make many promises during elections, but their votes and the ultimate outcome of legislation reveals where the legislature stands on issues that affect our freedom and liberty.

The 2019 Legislative Scorecard is much more comprehensive this year because we wanted to give members the full picture of issues we track. This session's report contains two scorecards: One that weighs legislators individually, and another that evaluates the civil liberties score of the legislature as a whole.

#### **HOW THE SCORECARD IS CREATED**

Legislators were scored on a variety of bills covering seven main issues areas: Criminal and juvenile justice reform; immigrants' rights; voting rights; open government; womens' rights and reproductive freedom; LGBTQ+ rights; and privacy and technology. We scored only those bills that were ACLUNV and/or partner organization priorities and that were voted on in both houses. Each legislator was scored only on votes they were present for; thus, the score is adjusted for absences.

The year we chose to rate the civil liberties outcome for each chamber of the legislature as well. Lawmakers can only be rated by their votes, but it doesn't paint the whole picture of what occurs during the legislative session. Many great pieces of legislation died without so much as a hearing, the overall intent of some bills was drastically changed by amendment, some terrible bills were introduced and thankfully died, but other bad bills were approved. Rating each house gives a clearer picture on how the legislature actually measured up on issues important to civil libertarians.

FIND THIS REPORT AND SUPPLEMENTAL MATERIALS ONLINE AT WWW.ACLUNV.ORG/2019NVLEG

## Scoring the Legislators

This year we're assigning individual legislators scores by issue area. All of the bills that we included in the scores passed both houses. Legislation supported by the ACLU of Nevada is marked with green text, and legislation we opposed is in red.

1

#### **CRIMINAL & JUVENILE JUSTICE**

The ACLU of Nevada fought hard for criminal justice reforms this session and were successful in several areas. A lot of work remains to do be done to end mass incarceration.

**ASSEMBLY BILL 236** Criminal justice reform omnibus

**ASSEMBLY BILL 107** Recording interrogations

**SENATE CONTINUING RESOLUTION 11** Cash bail study

**ASSEMBLY BILL 183** Ban on private prisons

**SENATE BILL 252** Possible release for geriatric prisoners

**ASSEMBLY BILL 192** Record sealing for marijuana offenses

**ASSEMBLY BILL 356** Factual innocence

**ASSEMBLY BILL 307** Gang databases

**ASSEMBLY BILL 267** Innocence compensation

**ASSEMBLY BILL 319** Criminal history occupational

licensing

**SENATE BILL 173** Record sealing for sex trafficking victims

**SENATE BILL 242** Expanded rights for police

**ASSEMBLY BILL 449** Youth confinement study

**ASSEMBLY BILL 439** Juvenile justice fees

**ASSEMBLY BILL 168** Restorative justice in schools

**SENATE BILL 8** Sex offender parole conditions

2

#### **IMMIGRANTS' RIGHTS**

There were a handful of good bills that will affect Nevada's immigrant communities, but the Legislature failed to take bold steps to protect them from the federal deportation machine.

ASSEMBLY BILL 336 Protected status for victims
SENATE BILL 538 Office for New Americans
ASSEMBLY BILL 275 Occupational licenses for noncitizens
ASSEMBLY JOINT RESOLUTION 6 Census question on
citizenship ASSEMBLY BILL 376 Transparency for
immigration detainees

OPEN GOVERNMENT, PRIVACY & TECHNOLOGY

Updating the Nevada Public Records Act was a big ACLUNV priority this session, but other bills measures touched on transparency, privacy, and technology as well.

ASSEMBLY BILL 45 Statewide surveillance center
SENATE BILL 287 Public Records Act overhaul
SENATE BILL 388 Digital information exempt from public records

\_VOTING RIGHTS

After our work in the 2018 campaign for Automatic Voter Registration, we were very happy to see that voting rights issues were a priority for the 2019 session.

**ASSEMBLY BILL 345** Same-Day Registration and more **ASSEMBLY BILL 431** Rights resotoration for former prisoners

**ASSEMBLY BILL 137** Polling centers on tribal lands **ASSEMBLY BILL 50** City elections on even years **ASSEMBLY BILL 186** National Popular Vote

REPRODUCTIVE & WOMEN'S RIGHTS

While other states were trying to clamp down on abortion care, Nevada's women-led Legislature stepped up to protect reproductive freedoms.

SENATE BILL 179 Trust Nevada Women Act
SENATE BILL 94 Grants for family planning
ASSEMBLY BILL 169 Maternal mortality review committee
SENATE BILL 166 Pay equity
SENATE JOINT RESOLUTION 8 Equal rights constitutional
amendment

LGBTQ+

Several bills will have a positive effect on lesbian, gay, bisexual, transgender, and queer communities.

**ASSEMBLY JOINT RESOLUTION 2** Marriage equality ballot initiative

ASSEMBLY BILL 12 LGBTQ+ veterans
SENATE BILL 284 HIV criminalization study
SENATE BILL 364 Anti-discrimination at medical facilities



Scores indicate the rate at which each legislator sided with the ACLU of Nevada in each policy area.

- 1 CRIMINAL & JUVENILE JUSTICE
- 2 IMMIGRANTS' RIGHTS
- OPEN
  GOVERNMENT,
  PRIVACY &
  TECHNOLOGY
- 4 VOTING RIGHTS
- 5 REPRODUCTIVE & WOMEN'S RIGHTS
- 6 LGBTQ+
- 7 OVERALL ACLUNY SCORE

ASSEMBLY	1	2	3	4	5	6	7
D Alexander Assefa	87%	100%	33%	100%	100%	100%	87%
D Shea Backus	87%	100%	33%	100%	100%	100%	87%
D Teresa Benitez-Thompson	87%	100%	33%	80%	100%	100%	83%
D Shannon Bilbray-Axelrod	87%	100%	33%	100%	100%	100%	87%
D Maggie Carlton	81%	100%	33%	80%	100%	100%	82%
D Richard Carrilo	87%	100%	33%	100%	100%	100%	87%
D Lesley Cohen	87%	100%	33%	100%	100%	100%	87%
D Skip Daly	94%	100%	67%	100%	100%	100%	94%
D Bea Duran	87%	100%	33%	100%	100%	100%	87%
R Chris Edwards	75%	33%	67%	20%	40%	50%	48%
R John Ellison	81%	16%	67%	20%	40%	25%	42%
D Edgar Flores	87%	100%	33%	100%	100%	100%	87%
D Jason Frierson	87%	100%	33%	100%	100%	100%	87%
D Ozzie Fumo	87%	100%	33%	100%	100%	100%	87%
D Michelle Gorelow	87%	100%	33%	100%	100%	100%	87%
R Gregory Hafen	75%	33%	67%	40%	60%	75%	58%
R Alexis Hansen	75%	33%	67%	20%	60%	67%	54%
R Melissa Hardy	75%	67%	33%	40%	80%	100%	66%
D Sandra Jauregui	87%	100%	33%	100%	100%	100%	87%
R Al Kramer	75%	50%	67%	60%	60%	75%	65%
R Lisa Krasner	69%	33%	67%	40%	60%	100%	62%
R Glen Leavitt	75%	33%	67%	40%	80%	100%	66%
D Suzie Martinez	87%	100%	33%	100%	100%	100%	87%
D William McCurdy	87%	100%	33%	100%	100%	100%	87%
D Brittany Miller	87%	100%	33%	100%	100%	100%	87%
D Danielle Monroe-Moreno	87%	100%	33%	80%	100%	100%	83%
D Connie Munk	87%	100%	33%	100%	100%	100%	87%
D Dina Neal	100%	100%	33%	80%	75%	100%	81%
D Rochelle Nguyen	87%	100%	33%	100%	100%	100%	87%
D Sarah Peters	87%	100%	33%	100%	100%	100%	87%
R Tom Roberts	75%	83%	67%	40%	80%	100%	74%
D Greg Smith	87%	100%	33%	80%	100%	100%	83%
D Ellen Spiegel	87%	100%	33%	100%	100%	100%	87%
D Heidi Swank	87%	100%	33%	100%	100%	100%	87%
R Robin Titus	75%	16%	67%	20%	80%	75%	56%

		1	2	3	4	5	6	7
R	Jill Tolles	75%	100%	67%	60%	80%	100%	80%
D	Selena Torres	87%	100%	33%	100%	100%	100%	87%
D	Howard Watts	87%	100%	33%	100%	100%	100%	87%
R	Jim Wheeler	69%	33%	67%	20%	40%	25%	42%
D	Steve Yeager	87%	100%	33%	100%	100%	100%	87%
D	Chris Brooks	87%	100%	33%	100%	100%	100%	87%
D	Yvanna Cancela	87%	100%	33%	100%	100%	100%	87%
D	Nicole Cannizarro	81%	100%	33%	100%	100%	100%	86%
D	Mo Denis	87%	100%	33%	100%	80%	100%	83%
D	Marilyn Dondero-Loop	81%	100%	33%	100%	100%	100%	86%
R	Pete Goicoechea	81%	50%	67%	40%	60%	100%	66%
R	Scott Hammond	81%	67%	67%	20%	80%	100%	69%
R	Ira Hansen	69%	33%	67%	40%	40%	75%	54%
R	Joseph Hardy	75%	50%	67%	20%	80%	100%	65%
D	Dallas Harris	87%	100%	33%	100%	100%	100%	87%
R	Ben Kieckhefer	75%	60%	67%	40%	100%	100%	74%
D	James Ohrenschall	87%	100%	33%	100%	100%	100%	87%
D	David Parks	87%	100%	33%	100%	100%	100%	87%
R	Keith Pickard	81%	67%	67%	20%	80%	100%	69%
D	Julia Ratti	87%	100%	33%	100%	100%	100%	87%
D	Melanie Scheible	81%	100%	33%	100%	100%	100%	86%
R	Heidi Seevers Gansert	75%	67%	67%	40%	80%	100%	<b>72</b> %
R	James Settlemeyer	81%	50%	67%	40%	80%	100%	70%
D	Patricia Spearman	81%	100%	33%	100%	100%	100%	86%
D	Marcia Washington	83%	75%	33%	100%	60%	75%	71%
D	Joyce Woodhouse	87%	100%	33%	100%	100%	100%	87%

## LEGISLATOR SCORECARD

Scores indicate the rate at which each legislator sided with the ACLU of Nevada in each policy area.

- 1 CRIMINAL & JUVENILE JUSTICE
- 2 IMMIGRANTS' RIGHTS
- OPEN
  GOVERNMENT,
  PRIVACY &
  TECHNOLOGY
- 4 VOTING RIGHTS
- 5 REPRODUCTIVE & WOMEN'S RIGHTS
- 6 LGBTQ+
- 7 OVERALL ACLUNV SCORE

# Scoring the Nevada Assembly & Senate

For the first time this year, the ACLU of Nevada is assigning scores for each of our issue areas to both chambers of the Legislature — and we're accounting for good bills that were killed or watered down. Points were earned for passing good bills or for killing bad bills. Likewise, points were lost for killing important legislation or for passing liberty inhibiting bills. Also, each chamber lost one point if good provisions of a bill were amended out and all points if a the intent of a bill was lost. Legislation supported by the ACLU of Nevada is marked with green text, and legislation we opposed is in red.

**Bills That Passed** 

**Bills That Died** 

#### **CRIMINAL & JUVENILE JUSTICE**

**ASSEMBLY BILL 236** Criminal justice reform omnibus **ASSEMBLY BILL 107** Recording interrogations **SENATE CONTINUING RESOLUTION 11** Cash bail study **ASSEMBLY BILL 183** Ban on private prisons **SENATE BILL 252** Possible release for geriatric prisoners **ASSEMBLY BILL 192** Record sealing for marijuana offenses **ASSEMBLY BILL 356** Factual innocence **ASSEMBLY BILL 307** Gang databases **ASSEMBLY BILL 267** Innocence compensation **ASSEMBLY BILL 319** Criminal history occupational licensing **SENATE BILL 173** Record sealing for sex trafficking victims **SENATE BILL 242** Expanded rights for police **ASSEMBLY BILL 449** Youth confinement study **ASSEMBLY BILL 349** Juvenile justice fees **ASSEMBLY BILL 168** Restorative justice in schools **SENATE BILL 8** Sex offender parole conditions

ASSEMBLY BILL 325/125 Cash bail reform
ASSEMBLY BILL 411 Traffic decriminalization
SENATE BILL 246/ASSEMBLY BILL 149 Capital punishment
SENATE BILL 328 Expansion of prank call law
SENATE BILL 353 Recording juvenile interrogations
ASSEMBLY BILL 424 Expands ban on life without parole sentences to all juveniles
ASSEMBLY BILL 158 Departing from mandatory minimums for trafficking victims

#### **IMMIGRANTS' RIGHTS**

ASSEMBLY BILL 336 Protected status for victims
SENATE BILL 538 Office for New Americans
ASSEMBLY BILL 275 Occupational licenses for noncitizens
ASSEMBLY JOINT RESOLUTION 6 Census question on
citizenship

**ASSEMBLY BILL 376** Warnings for immigration detainees

ASSEMBLY BILL 193 Drivers Authorization Cards
SENATE BILL 229 Data protection for immigrants

**ASSEMBLY BILL 281** Local police and immigration detainers

#### **OPEN GOVERNMENT, PRIVACY & TECHNOLOGY**

ASSEMBLY BILL 45 Statewide surveillance center
SENATE BILL 287 Public Records Act overhaul
SENATE BILL 388 Digital information exempt from public records

**SENATE BILL 165** Death with dignity

#### **Bills That Passed**

#### **VOTING RIGHTS**

ASSEMBLY BILL 345 Same-Day Registration and more ASSEMBLY BILL 431 Rights resotoration for ex-prisoners ASSEMBLY BILL 137 Polling centers on tribal lands ASSEMBLY BILL 50 City elections on even years ASSEMBLY BILL 186 National Popular Vote Compact (vetoed)

#### **REPRODUCTIVE & WOMEN'S RIGHTS**

SENATE BILL 179 Trust Nevada Women Act
SENATE BILL 94 Grants for family planning
ASSEMBLY BILL 169 Maternal mortality review committee
SENATE BILL 166 Pay equity
SENATE JOINT RESOLUTION 8 Equal rights constitutional
amendment

#### LGBTQ+

ASSEMBLY JOINT RESOLUTION 2 Marriage equality
ASSEMBLY BILL 12 LGBTQ+ veterans
SENATE BILL 284 HIV criminalization study
SENATE BILL 364 Anti-discrimination at medical facilities

	ASSEMBLY SCORE	SENATE SCORE
CRIMINAL		
JUSTICE	76%	72%
JUVENILE		
JUSTICE	90%	45%
IMMIGRANTS'		
RIGHTS	60%	60%
VOTING RIGHTS	100%	100%
OPEN		
GOVERNMENT,		
PRIVACY &		
TECHNOLOGY	50%	50%
REPRODUCTIVE		
& WOMEN'S		
RIGHTS	83%	83%
LGBTQ+	100%	100%
AVERAGE		
OVERALL	<b>76.6</b> %	<b>69.6</b> %

