

SENATE JUDICIARY COMMITTEE  
MINUTES

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Meeting called to order on March 18, 1969 by Chairman Monroe at 9:35 a. m.

Committee members present: Senator Monroe, Chairman  
Senator Dodge  
Senator Hug  
Senator Bunker  
Senator Christensen  
Senator Young.

Committee member absent: Senator Swobe

Legislative counsel: Frank Daykin

Guests: Willis A. Diess, President, Las Vegas  
Police Protective Association.  
Ed Weinstein, Attorney for Las Vegas  
Police Protective Association.  
Rudolph S. Lak, Bureau of Inspectors  
Reno Police Department.

Chairman Monroe advised he had the amendments for SB 353, Page 2, Section 6, sub-section b, changed to "Has the power or right to control; or"

A new sub-section (2) to be added: "For the purposes of this section, in addition to any other reasonable meaning of the words used, a holding company "indirectly" has, holds or own any power, right or security mentioned in subsection 1 if it does so through any interest in a subsidiary or successive subsidiaries, however many such subsidiaries may intervene between the holding company and the corporate licensee or applicant.

Section 11 page 3, lines 20-22, delete from "If not so purchased-- to the end of sub section 3 and insert "The corporation shall purchase the security so offered, or the firm, partnership, trust or other business organization shall purchase the interest so offered, for cash at fair market value within 10 days after the date of the offer"

There was some discussion about this amendment and it was suggested the industry be contacted for their approval.

Chairman Monroe felt they should legislate this within the committee.

There was general discussion as to whether it should be at fair market value or book value.

Mr. Daykin said they had not specified for what amount the stock would be purchased so he would amend it to read for cash at fair market value.

Mr. Daykin will prepare amendments.

Senator Young moved to amend and "do pass".  
Senator Dodge seconded the motion.  
Motion carried.

SB 64 - Increases punishment for assault and battery on peace officers.

Mr. Weinstein, Attorney for the Las Vegas Police Protective Association stated this was a good bill. This does not mean that a person can't touch a policeman without being guilty of a felony. It does provide that any person that commits assault and battery is guilty of a felony. You would have to prove this was an intentional act. This legislation is very much needed as there are new kinds of crimes and activities and a policeman needs to have protection. There has been a lot of trouble in the Las Vegas area and this is needed to hearten the policemen so they know they have someone behind them in enforcing the law. Assault and battery is now a misdemeanor and assault with a deadly weapon a felony.

Senator Dodge asked if they really felt making this a felony is going to be that much more effective. Mr. Weinstein felt it definitely would be much more effective.

Mr. Diess, President of the Las Vegas Police Protective Association stated there were over 33,000 assaults on police officers in the United States and 117 policemen killed in the line of duty. With the riotous situations now these policemen need some time of protection and this will help. They are not concerned with the average drunk that would resist arrest. It is a misdemeanor to assault a policeman but it is a felony to assault an investigator or an F. B. I. member. It is a felony for a police officer to assault a person but only a misdemeanor for a person to assault a police officer. It isn't fair. The policeman is working now under adverse conditions. They have to swear they will uphold the laws of the state, city and United States and all we want is protection. Most states have this law and the federal government has this law and we would like the protection in Nevada.

Senator Young and Senator Dodge questioned Mr. Diess as to the number of cases prosecuted as a misdemeanor and how many they would probably prosecute as a felony.

Mr. Diess felt all of the cases would have been prosecuted as a felony. Four or five had been prosecuted as a misdemeanor before. Most of the states have a law to protect their officers and the federal government protects their officers.

Senator Dodge asked if an officer was prosecuted for assault and battery, would that be handled under a state law? Mr. Diess stated that would come under police brutality, the officer would be suspended and called before the Federal Bureau of Investigation. This is under the civil rights law and handled by federal courts.

There was general discussion as to assault and battery and how far a person could go before it would be considered a felony. Senator Dodge suggested "aggravated assault and battery" might be a better wording. Senator Young felt a person could not place a hand on an officer or touch him without it being considered an assault under this bill. Some officers could take advantage of this.

Senator Dodge suggested different degrees of assault be spelled out in the bill.

Chairman Monroe suggested to amend to read "assault resulting in personal injury to the officer".

This was more acceptable to all.

SB 245 - Increases penalties for assaults on peace officers, firemen and family members

Senator Young stated this was evidently designed to place a penalty on other assaults committed without using a deadly weapon. This was to control riots and people coming in from other states.

Senator Dodge pointed out this also included wife beating. He felt there should be some control on the riot situations where a police officer was assaulted. This would help to control agitators coming into the state and starting a riot.

SB 310 - Amplifies prohibition and increases penalty for crime of interfering with public officers.

Senator Dodge objected to subsection 1, line 8. "Attempts to prevent or deter any person from accepting or holding any public office, trust or place of confidence." He did not feel this was necessary. He also questioned subsection 4 - "officer is engaged in the lawful discharge of his duties"

Mr. Lak from the Bureau of Inspectors, Reno Policy Department stated the average person did not realize what problems could arise by the general public interfering. He cited the case of the explosion in Reno some years ago. There were a number of people just standing around to see what damage had been done and would not pay any attention to the officers who were trying to disburse the crowd.

Some of the members felt the penalty for this was to steep.

There was discussion about "or property" in subsection 4 and Mr. Weinstein stated it was agreeable to the officers to take out this wording.

Chairman Monroe thanked the gentlemen for being present and testifying and said these would be discussed further by the committee members.

Mr. Diess and Mr. Weinstein asked for a report from the committee on any changes they might make.

There being no further business the meeting adjourned.