

The meeting was called to order at 8:05 a.m. Senator Close was in the Chair.

PRESENT: Senator Close  
Senator Hernstadt  
Senator Don Ashworth  
Senator Dodge  
Senator Ford  
Senator Raggio  
Senator Sloan

ABSENT: None

SB 401 Prohibits disclosure of names of victims of sexual assault under certain circumstances.

Florence McClure, Director of Community Action Against Rape, a Crises Center serving Clark County, read her testimony to the Committee. (See attachment A.) She also had some articles which she wished included into the minutes with her testimony. (See attachments B thru G.)

Cal Dunlap, Washoe County District Attorney, stated that he doesn't dispute that there are isolated problems. He stated he realizes that the woman goes through enough problems, and great trauma, without this additional problem. He is in support of the bill, in concept, but feels the wording is not proper. He thinks that it is constitutionally necessary that the pleadings contain the name of the victim, and the wording does not make it clear as to whether or not that is permitted. He stated he will speak to the press in Washoe as he has found them to be quite reasonable in these matters. He felt that the problem started with the booking sheet. When the person is booked, the charge and the victims name, is right there and it is his understanding that the press has pretty free access to the booking sheets.

Larry Ketzenberger, Las Vegas Metropolitan Police Department, stated that they are in support of the concept of this bill. However, they would rather see it as a voluntary procedure rather than a mandatory procedure.

Lee Adler, with the Reno Newspapers, stated he was testifying as a private individual. He stated that he was familiar with the case of the 43-year-old woman that Mrs. McClure had brought out in her testimony. He stated that as a general principal everybody loves the freedom of the press, but there is always a little chipping away. He personally does not use names of victims unless there is a compelling reason for it. In that one case Mrs. McClure stated the woman was home sick and some guy invading her home attacked her. He stated without going into details, he had covered the story and it was extremely complex. It was someone she knew and there were mitigating circumstances. If there ever was a case for publishing someones name, that was it.

Senator Raggio stated that he did not feel that there were abuses by the papers in this area.

Senator Hernstadt asked if Mr. Adler felt that if this were passed there would be inadvertent violations sometimes and then reporters or editors could get arrested.

Mr. Adler stated that he could see the possibilities of that. He stated that in looking at the clip, the reference to the woman's name was in the context of her testifying in court. He felt that if someone in court accuses someone else of a crime, whether it was rape or something else, the accuser should be held accountable.

Senator Hernstadt moved that SB 401 be "indefinitely postponed."

The motion died for lack of a second.

Senator Dodge stated he would be very reluctant to put a piece of legislation like this into the books. He stated he felt that there should be some input from the Reno Newspapers as to what their general policy is.

No action was taken on SB 401 at this time.

SB 397 Reduces penalty for robbery if no deadly weapon is used.

Cal Dunlap, Washoe County District Attorney, stated that the thrust of the bill is to make a distinction in degree, between robbery with a weapon and robbery without, as far as the penalty is concerned. Under the present law the use of a weapon brings about a mechanism under another statute which provides for consecutive penalties. For example, someone is convicted of armed robbery, he gets a 5-year sentence, if is really 5 years, plus 5 years for using a weapon. This bill reduces robbery without a weapon to second degree, which provides that the penalty would be one-to-ten rather than a one-to-five. At the present time when no weapon is used, it automatically becomes a one-to-fifteen. He doesn't feel that there is much reason to pass the bill as it would make the penalties the same. There are numerous cases where a man comes in and simulates a weapon or says he has a firearm. If that man does indeed have a concealed weapon and has not yet displayed it, he is far more dangerous, as the proprietor is more likely to try and take some action and end up getting shot.

Senator Raggio moved that SB 397 be "indefinitely postponed."

Seconded by Senator Sloan.

Motion carried unanimously. Senators Ashworth and Hernstadt were absent for the vote.

334



AB 604 Extends powers of security officers of legislative counsel bureau as peace officers.  
(See minutes of March 30 for previous testimony and discussion.)

Senator Dodge moved that AB 604 be "indefinitely postponed."

Seconded by Senator Sloan.

Motion carried unanimously. Senators Ashworth and Hernstadt were absent from the vote.

SB 395 Expands powers of guardians.

Orvis Real, Representing the NRTA and the AARP, stated that they are very interested in any modifications that are made concerning guardianships. He stated in looking at this bill and SB 398, they do give additional safeguards to wards. He stated that there is another bill, AB 511, which ties in with these two bills, but it is still on the Assembly side. There are certain phases of the guardianship law, as it now exists, which takes away all of the ward's rights and makes them more of a prisoner than many of the people in the State Prison.

The Committee after some discussion agreed that the language should be taken out that refers to "gifts consistent with the ward's standard of living." They also agreed that Sections 2 and 3 should be deleted and on line 6 put in "sell, lease or place in trust." Also, that NRS 159.113 and 159.127 should conform.

Senator Raggio moved that SB 395 be passed out of Committee with an "amend and do pass" recommendation.

Seconded by Senator Ashworth.

Motion carried unanimously. Senators Sloan, Ford and Hernstadt were absent for the vote.

SB 398 Revises provisions of law concerning estates of decedents and minors.

After some discussion by the Committee it was agreed that there should be some amendments made to this. The language should be made clear so that the only place the affidavit is filed is with the clerk of the court. The language that states that the decedent must be a resident of the state at the time of his death should be deleted, and make sure that this goes only to personal property.

Senator Close stated he would get the language drafted and bring it back for Committee approval.

No action was taken on SB 398 at this time.

SB 131 Increases penalties for violation of certain gaming laws. (See minutes of February 28, March 1, 13, 26 and 30 for testimony and discussion.)

After a short discussion by the Committee, they agreed that they needed to get the gaming people back in to clarify some of the language. It was not clear what was going to be forfeited to the State, or even why that language was in here. It was also brought out that Section 1 was supposed to be the only section that was a felony and also NRS 465.010 is being repealed and the Committee felt this might not track with what they were trying to do.

No action was taken on SB 131 at this time.

AB 227 Removes distinctions based on sex from statutes regulating prostitution.

Senator Close stated that there were a couple of amendments that should be put into this to pass it. First, Larry Ketzenberger had testified that "being of previous chaste character" should be in Section 1. Otherwise it would be taking out all the sexualistic terminology.

Senator Hernstadt moved that AB 227 be passed out of Committee with an "amend and do pass" recommendation.

Seconded by Senator Raggio.

Motion carried unanimously. Senators Sloan, Ford and Ashworth were absent for the vote.

AB 378 Permits district attorney to certify photographs of certain property held as evidence and return property to owner before trial.

The Committee went over the changes that were previously recommended. The only change from the original was to take out lines 29 thru 34 completely.

Senator Raggio moved that AB 378 be passed out of Committee with an "amend and do pass" recommendation.

Senator Hernstadt seconded.

Motion carried unanimously. Senators Sloan, Ford and Ashworth were absent for the vote.

Senator Close stated that he had some BDR's for Committee introduction. The following ones were unanimously approved for Committee introduction.

BDR 16-1458 This came from Senator Ford and deals with family assault. (SB 439)



- BDR 16-1809 This also came from Senator Ford. "Limits the duration of and expands reasons for temporary furloughs for prison inmates." (SB 438)
- BDR 16-1750 Requested by Jean Ford. "Requires counties to provide counseling and medical treatment for sexual assault victims. Senator Ford stated there is a conflict in the law when it was passed two years ago. One section makes it mandatory and one makes it optional. (SB 437)
- BDR 16-318 This was requested by Senator McCorkle. "Authorizes the director of Department of Corrections to transfer offenders to corrections outside of the state." (SB 448)

The following bill was rejected for Committee introduction.

- BDR 14-320 This was requested by Senator McCorkle. "Changes the method of inflicting the death penalty from lethal gas to a lethal injection.

Senator Close stated he also had a bill draft request from the Resort Association. It would limit the civil liability of innkeepers for the theft, loss or destruction of property belonging to guests.

The Committee after a short discussion agreed to have it drafted for Committee introduction.

The meeting adjourned at 10:50 a.m.

Respectfully submitted,

Virginia C. Letts  
Virginia C. Letts, Secretary

APPROVED:

Senator Melvin D. Close, Jr., Chairman

SENATE JUDICIARY COMMITTEE HEARING  
ON SB 401

Room 213

April 9, 1979

I am Mrs. Florence McClure, Director of Community Action Against Rape, a crisis center serving Clark County, Nevada area.

SB 401 with certain amendments is needed to protect victims. On May 27, 1977, soon after the 1977 session of the Nevada Legislature ended, newspaper articles appeared in the Las Vegas Sun and the Las Vegas Review-Journal with a dateline of Carson City (UPI) and Fresno (UPI) in which victims of sexual assault were being named in the releases.

I am a true believer when it comes to the First Amendments Rights to the Constitution with regards to the press and its freedom. I did some soul-searching as I knew if it became common practice for the news media to use the name of victims, women would not report the crime -- they would feel it was not worth the hassle and decide to forget it. I decided to write the UPI in Reno and ask for their reasoning in naming a 43-year-old victim in their release; since I had seen Cy Ryan's name on releases from Reno, I directed the letter to his attention. A copy of that letter and the newspaper items will be given you with this presentation. A copy of the letter to Mr. Ryan was also sent to Fresno UPI, Russ Nielson of UPI Reno and Myram Borders of UPI Las Vegas. No answer received, so later in the month I called the Reno UPI Office and talked to a Jeff Dornan. He said he had written the news release on the Carson City woman; he said he could do a better job if he used the victim's name and I told him the reporters in Clark County were able to write excellent stories and only used the term "victim" instead of the name. When



I got through explaining the victim's trauma and the fact that women would not report the crime if the media used their names, I felt he would not again use a victim's name and I had nothing to worry about.

However, on September 18, 1977 a news release from Reno UPI appeared in the Las Vegas Review-Journal, wherein the name of a victim of attempted rape was printed and the name of a victim of rape by the same offender was printed. These crimes occurred on August 2, 1977 but the offender/<sup>age 19</sup>was not bound over on them until his conviction a week earlier on "indecent exposure." What good did it serve the public to know the names of the two young girls, one of Carson City and the other of Reno? Because of society's feelings about sexual assault or rape, there is still a stigma attached. Carson City is a small town and I can just see these women walking down the street and being greeted by friends and there being periods of awkwardness. This 19-year-old man used a gun to commit these crimes, one escaped by running but the other might have froze and could not run -- further, most of the experts tell women, do not fight or try to escape if he has a gun or a knife on you.

This time, I called Mr. Russ Nielson of UPI Reno. I identified myself and told him I was disappointed that they found it necessary to print the name of victims of sexual assault. He told me, "What with women's lib, I feel it is all right to print their names." I told him that the trauma of victims of sexual assault has nothing to do with women's lib -- I must have talked to him about 15 minutes but felt I had made no headway with my arguments. I then started talking to every reporter and media person in Clark County about this

-3-

dilemma. They were all sympathetic and said they would never print the name of victims or use them in electronic media either. They recognized that victims would not report.

There are, I feel, two ways to cut down the crime rate as pertains to sexual assault -- education for prevention so the opportunities for the commission of the crime are removed and to get the recidivist rapist off the streets and into jails and prisons. Rape is still the highest recidivist crime at 71%.

One of the first things a victim asks a counselor is, "Will my name appear in the newspaper?" We assure our victims that this will not occur in Clark County as our media people have the highest integrity. When those wire service stories from Reno UPI started coming down and were printed verbatim in our local papers, I called the editors of our papers and asked if they would take out the victim's name and replace with the term "victim." My reasoning was that local citizens, reading the paper might think Clark County reporters were now using victims' names and they might not notice the Reno dateline. They agreed and to this day, they have not used and in fact I have not seen many stories lately; perhaps they decided not to run the release.

When I called Mr. Nielson in July of 1977, one of the questions he asked me, "If your reporters in Clark County don't print the names and do what you want, why are you worried about us." I told him that my thinking was state-wide and often even national -- I was not confined just to helping the victims of Clark County. I told him then of my work at the 1975 and 77 sessions of the legislature.



-4-

I have talked to a woman police officer who does the indepth reporting on sexual assaults in the Reno area. She admitted to me that women who knew their names might be printed would not even report the crime.

Research with the Counsel of State Governments in Washington, D. C. and with the National Advisory Counsel on Rape Prevention and Control of the National Institute of Mental Health indicate that a number of states have found it necessary since 1974 to pass laws prohibiting the media from giving out the name of victims of sexual assault in their releases. FREEDOM OF THE PRESS -- I believe in it! I have written numerous articles on the shield laws for women's organizations -- we cannot maintain a democracy if they do not have freedom. HOWEVER, WHEN IT COMES TO RELEASING THE NAMES OF VICTIMS OF SEXUAL ASSAULT, they are going beyond the boundaries of human decency. Perhaps some, like Mr. Russ Nielson, feel that women's lib warrants this new tactic -- a sort of "getting back" at it. I reiterate, there is no correlation! A 43-year-old woman, home sick in bed, has a man enter her home and attack her. What does that have to do with women's lib?

As to the provision outlined in SB 401, the victim should not have to make the request that her name not be given out. She is ordinarily under too much trauma to think of this or even know that she is the one who has to make the request. Further, the giving out of the name would have to be prohibited at a much earlier date -- when the police enter the case....when the crime occurs. There is a terrible time lag when a case file leaves the police department and the District Attorney's Office gets in touch with the victim.

-5-

My big crusade right now is to cut this lag down. I have had victims call and tell me they felt the District Attorney and Judges had been bought off by the defendant because months had gone by since their case file went to the D. A. and no one had contacted them. Right now, many deputy D. A.'s are not even taking time to talk to the victim before they go into a preliminary hearing. Often, they do not spend any time with them prior to going into district court. I feel the state has lost a number of cases because of this practice. I know they are busy -- are overloaded with cases; we have another problem too -- many of them have recently passed the bar and are not seasoned. No doubt some of them are afraid to try the cases but do not want to admit it. A recent study by the Law Enforcement Assistance Administration indicates that prosecutors do not wish to handle sexual assault cases as they are often hard to "win" and they do not want any "losses" on their records. What is the poor victim to do? Doctors do not want to have sexual assault victims as patients as they do not want to take time off to testify in court and the prosecutors do not want to prosecute! You can't blame victims for their hesitancy in going ahead with the case. They do not go ahead to have revenge on the offender -- they do it so the offender will, hopefully, not be able to commit the act against another woman.

More young men are victims -- a 14-year-old boy was recently sexually assaulted in Clark County by two men; one man pleaded guilty and was sentenced this past week. It may be necessary to go to trial with the other. Do you think that 14-year-old boy would have gone ahead with the case if his name were printed in the paper. Men, I am sure would report less than women.



I do not wish to cut the press off from needed information. I want the sexual assaults reported in the papers so the people will be aware of what is happening and make efforts to protect themselves. Our rape crisis center had 23 victims to assist last month -- a record for us. All of these were not reported in the paper -- just a few -- sometimes I feel reporters do not release such in the paper because we are a tourist state and it might be "bad for business." People who are victims come to us voluntarily -- they know about our service from friends, from the hospital, from the police, etc. Therefore, the 23 I quoted are not the total for Clark County for the month, just those who asked for help.

In 1977 I had hoped that the Nevada Press Corps would pass a Resolution or Policy that names of victims of sexual assault would not be used in the media. It has not come to pass to the best of my knowledge.

I do not feel that the name should be released even after the "prosecution ends in a conviction or acquittal." The name should only be released when the victim is also killed in the commission of <sup>the</sup> crime. Also, it appears that celebrities would not be granted the same "privacy rights" of the average citizen; Connie Francis for instance. She brought a civil suit against Howard Johnson and therefore it became a different situation.

I find nothing wrong with Subsection 2, lines 7 and 8; it is the defendant's constitutional right. I do not wish residence address given out because of my experience with prior intimidation of victims.

I am sure something can be drawn up that will meet the needs of the press and the citizens also.

## COMMUNITY ACTION AGAINST RAPE



~~XX~~  
 2432 Natalie, Las Vegas, Nevada 89121

July 5, 1977

Mr. Cy Ryan, Branch Manager  
 United Press International  
 State Capitol Building  
 Carson City, Nevada 89701

Dear Mr. Ryan:

An article appeared in the Las Vegas Sun on May 27, 1977, which was entitled, "Woman States She Was Beaten, Raped, Choked," This release carried the name of the victim. It is my understanding that four states have laws prohibiting the use of the victim's name in the story but the others have a code that they will not use the name. I am aware of the case a Georgia father took to the U. S. Supreme Court but besides being sexually assaulted, she was murdered. Further, celebrity victims are governed by laws that do not apply to the populace as a whole.

I felt this inclusion of the victim's name in the May 27 article was an oversight as I had not seen such happen in over 3 years I have been working with rape victims. However, this evening's Las Vegas Review Journal carried a UPI story with dateline of Fresno which gave the name of a 15-year-old victim who had been abducted with her younger sister and been sexually attacked.

Has the print media changed its policy of not naming victims of sexual assault? The name of the victim, unless she is murdered, is not of real interest to the reading public -- there is no need to know. In no way do I wish to see an erosion of rights under the 1st Amendment to the Constitution.

I applaud the recent decision of the U. S. Supreme Court relative to capital punishment not being warranted in rape cases; not necessarily for the same reasons they give. I do not want the penalty to be the same for rape as murder; the offender may be inclined to kill the victim if the penalty is the same and she can identify him. Many feel that with a lesser sentence, more convictions will result.

May I hear from you?

Sincerely,

*Florence McClure*

Florence McClure, Director

Enclosures: Cited Newsclippings

CC: Myram Border, UPI - Las Vegas  
 Russ Nielsen, Nevada State Journal  
 UPI - Fresno, California



## FBI enters kidnap case of young Fresno girls

FRESNO (UPI) - The FBI Tuesday entered the case of two young girls kidnaped from a shopping center last week and held captive for four days before being released in Bakersfield.

Authorities searched for the man who kidnaped Christina Alcorn, 7 of Reedley, and her cousin, Norma Milligan, 15, of Santa Cruz, while they were shopping last Tuesday night. The older girl had been sexually attacked.

The girls allegedly were lured into the abduction by a man who told them the Alcorn girl's mother had been injured in a traffic accident and then took them to the supposed site.

The girls were released in good physical condition in Bakersfield late last Saturday night.

They told officers the man had held them in a motel in the San Diego area and police said the 15-year-old was raped repeatedly.

The girls told officers the kidnaper used a knife to threaten them and also showed them a pistol. They said he claimed he was a member of the Symbionese Liberation Army.

July 5, 1977  
 San Diego  
 Fresno

## Woman States She Was Beaten, Raped, Choked

CARSON CITY (UPI) - A Carson City woman testified Wednesday she was beaten, raped and then choked until she lost consciousness last October by Kelly Cecil Cooper.

Dorothy Condos, 43, testified during Cooper's trial on charges of forcible rape and attempted murder. She told the Carson District Court jury she was home sick in bed when she heard a noise. She said when she went to investigate, Cooper came in, and assaulted her.

*Sum*

5-27-77

6—Las Vegas Review-Journal—Wednesday July 13, 1977

## SF Pastor Charged In Kidnap

SAN FRANCISCO (UPI) — Louis Adolfo Barbosa, 30, pastor of a tiny church in Hayward and the father of a 3-year-old daughter, Tuesday was arrested on suspicion of kidnap and rape in the abduction of two girls in Fresno.

The suspect took his young victims to the San Diego Zoo and twice traveled with them on sightseeing excursions into Mexico during a three-day period he forcefully kept them in a motel in San Ysidro, the FBI said.

He is to be arraigned Wednesday before U.S. Magistrate David R. Urdan on federal charges of kidnaping Christina Alcorn, 7, of Reedy and Norma Milligan, 15, Santa Cruz, said Charles R. McKinnon, special agent in charge of the San Francisco FBI office. Bail was recommended at \$130,000.

Barbosa was arrested without incident at 6:10 p.m. in the minister's Hayward home, located alongside his church, the Evangelical Zion Apostolic Temple. It culminated a joint week-long investigation by detectives of the Fresno Police Department, and FBI agents in San Diego, Fresno and Santa Cruz.

An affidavit filed by the FBI said that on June 28 Barbosa approached his victims while they waited for Christina's mother in a shopping center in Fresno. Using the ruse that Christina's mother was involved in an auto accident, Barbosa lured the girls into his car then kidnaped them at knifepoint.

They drove to San Diego and checked into a motel near the border. While there they visited the zoo and twice traveled into Mexico, the FBI said.

*Las Vegas Sun*  
7-13-77



### Pastor faces kidnap charges

SAN FRANCISCO national, took his young (UPI) — Louis Adolfo Barbosa, 30, pastor of a tiny church in Hayward and the father of a 3-year-old daughter, today faced charges of kidnap and rape in the abduction of two girls in Fresno.

The suspect, a Mexican

victims to the San Diego Zoo and twice traveled with them on sightseeing excursions into Mexico during a three-day period.





# insight

Distinguished Service to the Well Being of Mankind

Friday, December 22, 1978

*Publicly - Rape Victims*



## Editorial

### Rape Victims Should Not Be Identified

An Arlington, Va., publisher has broken with newspaper tradition to initiate a policy we feel is not in the public interest.

The Northern Virginia Sun, in an editorial stating the new policy of publisher Herman J. Obermayer, said it would print the names, ages and addresses of rape victims when cases reach the trial stage. Even more reckless, Obermayer said the next step would be to "go the full route" and print names of rape victims when they file a complaint, even before an arrest is made. He reasoned that anything less than printing names of both victim and suspect would be uneven coverage.

#### Irresponsible Journalism

There is no law preventing a newspaper from printing the names of rape victims or any victims in an open trial, nor is it likely such a law could pass Constitutional muster. The U.S. Supreme Court held in March 1975 that the news media cannot be held liable under invasion of privacy claims for accurately reporting information in public judicial records.

However, such irresponsible journalism would largely void years of work by police,

legislatures and women's groups to combat rape by encouraging victims to report the crime and follow through with prosecution.

Rape is a crime of violence, not lust. Victims are almost always selected at random. Yet, today, the victim of this violent crime fears — and, unfortunately, often with justification — that she will be stigmatized by neighbors and acquaintances, subject of unsympathetic conversation and gossip, if her name is publicized as the victim of a rape.

#### Public Interest

The main impetus given a woman to subject herself to the trauma of investigation and prosecution of a rape case is to put the rapist in prison so he does not have the opportunity to attack another woman. This argument has given many women the courage to go through the entire judicial process in order to see justice served.

We feel this progress in getting women to trust the judicial system in rape cases would be quickly negated if newspapers decided to print the names of victims. A newspaper must print the news and the facts relevant to that news;

this is its function. But in some cases newspaper must look at a larger picture and always consider the public interest.

We think the new editorial policy of the Northern Virginia Sun will hamper rape reporting and prosecution. We believe, in this case, the harm of suppressing information is far less than the harm the publication of the information will do to society. We hope, and are confident, the policy of the Northern Virginia Sun will not set a trend in newspapers.

#### Protect Victim

The Las Vegas SUN will continue to withhold names of rape victims, both in arrests and trials in all but exceptional cases where we feel it is absolutely necessary. We hope other newspapers will agree.

Maybe someday the printing of the name of a rape victim, like that of any other victim of crime, will evoke nothing but anger at the perpetrator of the crime and empathy for the victim. But we, as a society, are not there yet and until we are, the Las Vegas SUN will continue to withhold the names of the unfortunate victim.



LAS VEGAS SUN

1-30-78

vista

Page 1, col 1

But Don't Say So

1-30-78

L.U. Sun

## You May Not Like It

Dear Ann Landers:

I'm late with this but I won't sleep until I have it off my chest.

Christmas is supposed to be a special day and not one for hurt feelings. So why can't a person just say, "Thank you," instead of "I already have three of these," or "What did you get this for?" or "You shouldn't have gotten me anything. It wasn't necessary."

The kids saved all year and bought their father a very nice gift. The first words out of his mouth were, "I don't need that." When he saw how disappointed the kids were he said, "I was only kidding." Of course the damage was already done. If you have to say, "I was only kidding," you weren't, and they know it.

It doesn't make any difference how much the gift cost or whether you can use it or not. The polite response is

"Thank you." Sorry to inject this sour note but I had to tell somebody. — No Smiles Today  
Dear No Smiles: I'm glad you chose me. It's amazing how many people can give gracious-

is going to print the names, ages and addresses of rape victims in his paper. He claims the custom of protecting the anonymity of rape victims does not serve the cause of justice



ly but have no concept of how to receive. Thanks for providing the perfect example.

Dear Ann Landers:

I know you newspaper people usually stick together but I would like to know if you will venture an opinion on something I find appalling. If I am overreacting please tell me.

A newspaper publisher in Virginia has announced that he

and that both the victim and the accused should be identified, because anything less "results in uneven coverage."

Where do you stand? —  
Modesto Bee Stinger

Dear Stinger: I disagree with the publisher. A woman who has been raped suffers enough without having to carry the added stigma of the publicity. It's bad enough that those close to her know. To have it announced in the press would be extremely humiliating. And what for?

I hope that publisher thinks it over and changes his mind.

COPYRIGHT 1978 FIELD ENTERPRISES, INC.

## Editor To Identify Victims

ARLINGTON, Va. (UPI) — Newspapers traditionally avoid publication of the names of rape victims, but a Virginia newspaper publisher says he will print their names in the interest of justice despite criticism since he announced the policy.

Herman J. Obermayer, the editor and publisher of the Northern Virginia Sun, outlined the paper's new policy in a Dec. 16 editorial in which he said victims' names, ages and addresses would be printed.

"I am convinced this custom (of protecting the anonymity of rape victims) does not serve the cause of justice," he wrote. "Both victim and accused should be identified. Anything less results in uneven coverage."

Obermayer noted, "The spe-

cial treatment newspapers give rape victims is not required by statute, and very rarely by court order." In March 1975, the U.S. Supreme Court ruled the news media cannot be held liable under invasion of privacy claims for accurately reporting information in public judicial records.

The Sun's policy is now limited to rape trial coverage. "If you get to the point of a trial, where you're seeing a very serious penalty from the state, it cannot be done anonymously. You have to run the risks," he said in an interview.

Obermayer added, "Next I think we'll go the full route," meaning the names of women who file rape complaints will be published, even if there has not been an arrest in the case.

The Sun's new policy has drawn criticism from some readers, according to Obermayer. He said the paper received a few subscription cancellations, a "fair share" of critical letters and some threats of cancellation when the first

story with the name of a rape victim is printed.

Since Obermayer's editorial appeared, the Sun has not covered any rape trials so the new policy remains untested.

Arlington Commonwealth's Attorney William S. Burroughs Jr. is an opponent of the policy and clashed with Obermayer over an earlier rape case, which Obermayer said "bothered me enough so I established this policy."

Obermayer, who also believes proceedings in juvenile court should be open to the news media, acknowledged women might suffer as a result of his policy, but said rape victims should get no special press treatment.

"Those who argue for rape complainant anonymity say it is cruel and harsh to impose additional pains on innocent crime victims. They are right.

"But justice is cruel and harsh. A man convicted of rape can go to jail for life," he wrote.

Las Vegas Sun 12-29-77

Sunday, April 10, 1970 — 1st Edition — Reno Evening Journal — 549

## List to participate in state press convention

A governor, a former governor, three newsmen and three legislators.

What do they have in common?

They're all on the program of the 1970 convention in Elko of the Nevada State Press Association. Dates are May 4, 5 and 6, and the new Elko Convention Center is headquarters for all meetings.

Governor Robert List will speak at the wind-up banquet Saturday night and hand out three top newspaper awards—community service plaques to daily and weekly newspapers plus an award to Nevada's top young journalist.

Former Governor Mike O'Callaghan, now a Las Vegas newspaper executive, will be the principal figure during the Saturday awards luncheon and will distribute newspaper bouquets to deserving recipients in a variety of contest categories.

Newsmen participating in the convention include Russ Nielsen of United Press International; Brandon Riley of the Associated Press and Columnist Rollin Melton of Reno Newspapers, Inc., a director of the Grand Union, Inc.

Legislators on the pro-

gram include Sen. Herman Glaser and Assemblyman Dean Rhoads, both of Elko, who will discuss land legislation; and Steve Corbett, Reno, who will talk about legislation affecting the newspaper industry now pending before the 69th session of the state legislature.

Melton will discuss "The Responsibility and Future of a Changing Press Serving a Changing Society — in Nevada, in America". A former president of NSPA, Melton began his newspaper career as a printer's devil in Fallon and progressed through the ranks to become Publisher of Reno

Newspapers.

He then went on to become president of Nevada Newspapers and later rose still higher to become publisher and president of Grand Union Co. Inc., the largest newspaper chain in Nevada.

Melton said that position not long ago he returned to Nevada and took a column in *Journal*. He is author of a popular column in *Reno Newspapers* with views containing both local and national perspectives. He's recognized nationally as one of the leading authorities on newspaper management.



---

---

SENATE BILL NO. 395—SENATOR DON ASHWORTH

MARCH 28, 1979

Referred to Committee on Judiciary

SUMMARY—Expands powers of guardians. (BDR 13-1419)

FISCAL NOTE: Effect on Local Government: No.  
Effect on the State or on Industrial Insurance: No.



---

---

EXPLANATION—Matter in *italics* is new; matter in brackets [ ] is material to be omitted.

AN ACT relating to guardianships; expanding the powers of guardians; and providing other matters properly relating thereto.

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

- 1 SECTION 1. NRS 159.113 is hereby amended to read as follows:  
2 159.113 1. At any time after his appointment, the guardian of the  
3 estate may petition the court for an order authorizing the guardian to:  
4 (a) Invest the property of the ward.  
5 (b) Continue the business of the ward.  
6 (c) Borrow money for the ward.  
7 (d) **[Complete]** *Enter into contracts for the ward or compel the*  
8 *performance of contracts of the ward.*  
9 (e) Make gifts from the ward's estate or make expenditures for the  
10 ward's relatives.  
11 (f) Sell, lease, *place into any type of trust* or surrender any property  
12 *or contingent or expectant interest in any property* of the ward.  
13 (g) Exchange or partition the ward's property.  
14 (h) Obtain advice, instructions and approval of any other proposed  
15 act of the guardian relating to the ward's property.  
16 (i) *Release the power of the ward as trustee, personal representative,*  
17 *custodian for a minor or guardian.*  
18 (j) *Exercise or release the power of the ward as a donee of a power*  
19 *of appointment.*  
20 (k) *Change the residence or domicile of the ward.*  
21 2. **[Any such petition shall]** *The petition must* be signed by the  
22 guardian and contain:  
23 (a) The name, age, residence and address of the ward.  
24 (b) A concise statement as to the condition of the ward's estate.  
25 (c) A concise statement as to the advantage to the ward of or the  
26 necessity for the proposed action.  
27 (d) The terms and conditions of any proposed sale, lease, partition,

---

---

ASSEMBLY BILL NO. 227—ASSEMBLYMAN HAYES

JANUARY 30, 1979

Referred to Committee on Judiciary

SUMMARY—Removes distinctions based on sex from statutes regulating prostitution. (BDR 16-575)

FISCAL NOTE: Effect on Local Government: No.  
Effect on the State or on Industrial Insurance: No.

EXPLANATION—Matter in *italics* is new; matter in brackets [ ] is material to be omitted.

---

---

AN ACT relating to prostitution; removing distinctions based on sex from statutes regulating prostitution; and providing other matters properly relating thereto.

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

- 1 SECTION 1. NRS 175.301 is hereby amended to read as follows:  
2 175.301 Upon a trial for procuring or attempting to procure an  
3 abortion, or aiding or assisting therein, or for enveigling, enticing or  
4 taking away any [female] person of previous chaste character, for the  
5 purpose of prostitution, or aiding or assisting therein, the defendant shall  
6 not be convicted upon the testimony of the [woman] person upon or  
7 with whom the offense [shall have] *has allegedly* been committed, unless  
8 [she is] *the testimony of that person is* corroborated by other evidence.  
9 SEC. 2. Chapter 201 of NRS is hereby amended by adding thereto  
10 a new section which shall read as follows:  
11 *As used in NRS 201.300 to 201.440, inclusive, unless the context*  
12 *otherwise requires:*  
13 1. "Prostitute" means a male or female person who for a fee engages  
14 in sexual intercourse, oral-genital contact [or persons] to place, his [wife]  
15 organs or other intimate parts of a person for the purpose of arousing  
16 or gratifying the sexual desire of either person.  
17 2. "Sexual conduct" means any of the acts enumerated in sub-  
18 section 1.  
19 SEC. 3. NRS 201.310 is hereby amended to read as follows:  
20 201.310 1. Any person who by force, fraud, intimidation or threats,  
21 places, or procures any other person [or persons] to place, his [wife]  
22 spouse in a house of prostitution or lead a life of prostitution [shall be]  
23 is guilty of pandering and upon conviction thereof shall be punished:  
24 (a) Where physical force or the immediate threat of such force is

Original bill is 6 pages long.  
Contact the Research Library for  
a copy of the complete bill.

**A. B. 378**

ASSEMBLY BILL NO. 378—ASSEMBLYMEN HICKEY, MAY, BERGEVIN, HARMON, SENA, HORN, BARENGO, HAYES, DINI, CHANEY, CAVNAR, JEFFREY, FITZPATRICK, MANN, RUSK, BREMNER, MALONE, MARVEL, POLISH, ROBINSON, BANNER, COULTER, GETTO, MELLO, VERGIELS, WEISE, GLOVER, BENNETT, FIELDING, TANNER, STEWART, CRADDOCK, PRENGAMAN, BRADY AND WAGNER

FEBRUARY 12, 1979

Referred to Committee on Judiciary

SUMMARY—Permits district attorney to certify photographs of certain property held as evidence and return property to owner before trial. (BDR 4-1063)

FISCAL NOTE: Effect on Local Government: No.  
Effect on the State or on Industrial Insurance: No.

EXPLANATION—Matter in *italics* is new; matter in brackets [ ] is material to be omitted.

AN ACT relating to evidence; providing for certification by the district attorney of photographs of certain property held as evidence and for return of the property to its owner before trial; and providing other matters properly relating thereto.

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

- 1 SECTION 1. NRS 52.385 is hereby amended to read as follows:  
2 52.385 1. At any time after property [which is alleged to have been  
3 stolen or embezzled] *of any person other than the one accused of the*  
4 *crime of which the property is evidence* comes into the custody of a peace  
5 officer, the rightful owner thereof may [ , with the prior approval of the  
6 prosecuting attorney, petition] *request* the district [court in] *attorney of*  
7 the county where the property is located [for the return of such property.  
8 The petition shall] *to return the property to him. The request must allege*  
9 that:  
10 (a) The [petitioner] *requester* is the rightful owner of the property;  
11 (b) The only relevance of [such] *the* property as evidence in the trial  
12 [of the person accused of stealing or embezzling such property] is for  
13 visual identification; and  
14 (c) A photograph of [such] *the* property, accompanied by a detailed  
15 measurement of [such] *the* property, is sufficient for the visual identifica-  
16 tion of [such property.] *it.*

Original bill is 2 pages long.  
Contact the Research Library for  
a copy of the complete bill.