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## MailBox

### Public needs protecting from public officials

Senate Bill 342, which will reinstate penalties for filing fraudulent complaints against police and other public officials or employees, should be renamed the Public Official Protection Bill.

If this bill passes, it will have a chilling effect on a citizen's right and responsibility to freely complain to public officials, whose duty it is to protect the public. Any attempt to quiet a legitimate complaint will invite a tyrannical government at every level.

Who is going to decide what qualifies as a fraudulent complaint? Carson City already has a good ol' boy justice system based on who you are, versus who you are not. If you object to their shenanigans and dare to be vocal and complain, you are in for a lesson you will never forget.

Law-abiding citizens have experienced the wrath of public officials who have little tolerance for legitimate complaints. Public officials don't need protection from us; we need protection from public officials!

Rather than trying to place another barrier between our public officials and us, I suggest the legislators enact a bill that would require public officials and employees to act on citizen complaints. Disastrous results have occurred recently when complaints are ignored.

Another argument against this bill is to prevent unprofessional conduct by police or other public employees. All citizens should be encouraged to file a complaint without fear of retaliation. One of the best tools any supervisor has is a complaint. If there is a problem with a particular officer or employee, complaints give opportunity for correction. There may not be

enough evidence to substantiate a particular complaint at that particular time, but that doesn't make the complaint fraudulent.

If the same behavior repeats itself, it will become known when further complaints are received.

The atmosphere as it exists today does not invite legitimate complaints. Why take away the opportunity from citizens to freely bring complaints to the attention of those paid by our tax dollars to administrate our business? It is not farfetched to imagine that the power of this bill could be abused.

This bill reeks of politicians protecting themselves against each other during campaigning time and avoiding accountability from their constituents. Shame on the legislators who are blind to how this bill will impinge freedom of speech upon the taxpayers who pay their salaries to represent us. Laws already exist that protect against fraudulent reports.

A difference of opinion could be construed as fraudulent and result in evolving the good ol' boy system into a legislative-approved dictatorial regime.

Certain public officials in office now are devoid of good discretion and will not hesitate to utilize any option afforded them to quiet the voices of those who seek to remedy a grievance. This would also quiet the voices of victims of crime who have no voice, except for those who speak on their behalf.

I invite anyone to contact me if you have been victimized by public officials, the District Attorney's Offices, the Carson City Sheriff's Office and the Attorney General's Office, particularly if they have failed to perform their duties.

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## Bad law might get worse

The 1999 Legislature passed a law making it a misdemeanor to "knowingly" file "a false or fraudulent written complaint or allegation of misconduct" against a law enforcement officer.

The statute was sensibly stuck down in federal court as a violation of the First Amendment, but only after it was used to harass and intimidate Reno resident Robert Eakins.

Mr. Eakins, who wrote the mayor to complain of his handling by the local police, was rewarded for sharing his thoughts by spending 14 hours in jail.

Nevada police have been

### Around Nevada

steamed ever since that law was struck down. But the rights of citizens to air

their grievances against the "public servants" they employ don't take a back seat to protecting the thin skins of law-enforcement officers.

Unfortunately, the cops have found a champion in freshman state Sen. Warren Hardy, R-Las Vegas. Senate Bill 342, which passed the by a 15-6 vote last week, would compound the errors of the earlier law. If approved by the Assembly and signed by Gov. Kenny Guinn, it would become a crime to make a "false" or "fraudulent" complaint about the "misconduct" of any public employee, elected official or bureaucrat ...

We're disappointed that Hardy and his colleagues remain oblivious to the chilling effect such statutes can have on the everyday give-and-take of an open society, not to mention the arbitrary authority they give bureaucrats, who can abuse the coercive powers accompanying these laws to recklessly intimidate others.

Just ask Mr. Eakins.

— Las Vegas Review-Journal

ASSEMBLY GOVERNMENT AFFAIRS

DATE: 5/14/03 ROOM: 3143 EXHIBIT J. 1061

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