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Assembly Judiciary Committee
Testimony on AB 337

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Good morning. Mr. Chairman, and members of the Judiciary Committee, it is good to be here today, to see you all again. My name is David Gibson, and I am here representing myself, and the Clark County Public Defender's Office. I am also here representing Mr. Marcus Cooper, the Clark County Public Defender. I am here to speak in favor of AB 337. I am grateful to see that so many of you here have signed on to support this important legislation.

I would like to begin by saying that this bill is important because it is positive. It is a citizenship builder. If we want people to act different, we need to treat them different. In this instance, treating people differently means, treating them the same as we treat everyone else.

Under current law, I challenge any of you to help someone get their right to vote restored, seal their record, or apply for a pardon. It is difficult at best, even with the helpful materials that are published by the District Attorney's Office or the Public Defender's Office.

I believe that this legislation is well thought out. It cuts the confusion out of the process. It happens automatically as a consequence of good behavior; **the convicted person acts like a citizen, he or she gets to be a citizen.** It is natural. This reduces the work the Pardons Board, and the Parole Officers and Probation Officers are responsible for. It makes sure that the process that is

in place in special circumstances presently which is not being followed will happen every time.

The work to change this process will only have to be done one time in each office where the orders granting an honorable discharge from parole or probation are prepared. It would become part of the paperwork that flows in the ordinary course of a person's probation or parole. It saves court-time, attorney-time and it helps people. It does away with awkward situations and requirements that arise under the present way we do these things.

Right now, the convicted person must do a lot of difficult research to even get started. The person must figure out where to go to acquire a certified copy of the record. It must be paid for to be copied. This must be done during regular business hours, hours that usually compete with the hours the person is trying to make a meager living under strained conditions where time off is not an option. It requires transportation and in many instances, help with the kids.

It requires discovering all of the agencies that were involved from the arrest to the sentencing. It requires gaining access to a word processor or in the worst case scenario, a typewriter. Then the fun really begins, the person must figure out how to prepare a legal petition and order, where to file it, who to serve it on and how to participate in the process. All of this just to vote.

I only know this because in the last few months, I have been trying to help these people achieve this restoration of rights. Something as insignificant as a traffic ticket can stand in the way. Something like an unreasonable arrest or an incorrect entry on their scope can stand in the way or even cause the whole process to start.

We need to change this. It affects convicted persons and persons who were inappropriately arrested exactly the same.

I grew up here in Nevada. I have heard stories about the barriers and obstacles that have been put up in order to keep certain members of our society from voting in other parts of our country; tests, fees and so on. The present law in Nevada is similar in many

ways to those barriers. I understand that removing the right to vote has been part and parcel with the punishment from committing crimes. But so also is the time a person must serve either in prison or on probation or parole. The time is logical, but once the time is served, the punishment should stop.

It can be argued that there exists very little a person can do that justifies forever removing their right to vote. I submit that there exists a great deal that justifies restoring that right.

I have been participating in an outreach program in the Public Defender's Office. A few of us, with the encouragement of our boss, Marcus Cooper, have been attending neighborhood meetings at Buena Vista Springs Community Center in North Las Vegas once each month for the last couple of months. It has come to our attention that there is a huge amount of interest in that community in getting records sealed and voting rights restored.

That interest comes because losing your civil rights effects all that an individual tries to do that is positive in our community. A record affects a person's ability to get the simplest of help; housing, work, respect, consideration of those in authority, the right to vote and even visitation rights.

The right to vote is one right that should be the most available to an individual. It puts a person on equal footing with everyone else that competes for the benefits society has to offer.

I am meeting people every day that have a deep desire to contribute to their community. They want to be involved. They want to vote. This is a righteous desire. We should help them.

My hope is that you will pass this bill in its present form. But if that is too much, my hope is that you will at the very least, pass that part that will automatically restore a person's right to vote.

Thank-you.