



Washoe County Public Defender

Jeremy T. Bosler / Public Defender

*Standard of Excellence Since 1969
Attorneys at Law*

Dear Chairman Bobzien, Members of the Education Committee,

My office, has some concerns over AB 64, which is the large education bill brought by the Clark County School District, set to be heard Monday afternoon. As you may know, in addition to adult criminal cases, our office also represents juvenile offenders as well as parents in dependency actions. Most of the bill doesn't concern us, but we would object to subsection 5 of Section 22 (page 45 of the bill). This portion of the bill imposes significant sanctions on parents - including traditional criminal sanctions like community service - for acts of their children. We think that not only is this unjust to the parents, but that it could actually exacerbate the problem by pitting the parents against the school officials. In particular, the suspension of the hunting licenses, the community service, and the ordering of the parents to accompany the children to class are abjectionable. (Ordering the parents to go to the classes could also have a significant negative impact on the parents' employment, further damaging the family dynamic and harming, rather than helping, the troubled child.)

The bill also would allow a juvenile court judge to order parents in these cases to attend counseling if appropriate, or attend a conference with school officials. We think this is arguably already within the discretion of the juvenile court, and a good tool to have available. And of course, nothing currently prevents a parent from attending their child's classes or taking other creative steps with the court's or school's help to get the child back on the straight and narrow.

In extreme cases, current law also allows a juvenile judge to hold a parent in contempt of court, with the various sanctions which my attend such a finding - as much as 25 days in jail. But even that requires some showing of an act (or deliberate failure to act) on the part of parent themselves, creating a closer and more just nexus between the parental actions and parental sanctions.

The proposed amendment below, we feel would address our concerns. I've discussed this with the Clark County Public Defender, who would like to lend their support to this amendment as well.

Thank you for your time and consideration. I am always available for questions or concerns.
Thank you.

Sincerely,

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New language proposed is in ***bolded, italicized, underlined, and in green***. New proposed strikethroughs are indicated with a ~~bracketed double strikethrough in purple~~. Line numbers are maintained from the original for ease in side-by-side comparison, and modified line numbers have been highlighted in yellow.

Section 22 would be amended as follows:

4 ***5. If a child is adjudicated in need of supervision because the***
5 ***child is a habitual truant, the juvenile court may, the first time, the***
6 ***second time or any subsequent time the child is adjudicated to be***
7 ***in need of supervision because the child is a habitual truant,***
8 ***order:***
9 ~~*(a) That any license to hunt or fish issued to the parent or*~~
10 ~~*legal guardian of the child pursuant to chapter 502 of NRS must*~~
11 ~~*be revoked by the Department of Wildlife for the remainder of the*~~
12 ~~*open season;*~~
13 ~~*(b) The parent or legal guardian of the child to perform not*~~
14 ~~*less than 8 hours but not more than 16 hours of community*~~
15 ~~*service;*~~
16 ~~*(c)*~~ ***(b) The parent or legal guardian of the child to attend and pay***
17 ***for counseling sessions with or without the child to improve his or***
18 ***her parenting skills; or***
19 ~~*(d) The parent or legal guardian of the child to attend classes*~~
20 ~~*with the child to ensure the child receives credit for the course*~~
21 ~~*work he or she missed; or*~~
22 ~~*(e)*~~ ***(b) The parent or legal guardian of the child to attend***
23 ***conferences with the child's teacher and appropriate school***
24 ***administrators to address the status of the child as a habitual***
25 ***truant and to develop a plan to ensure that the child attends***
26 ***school.***

Section 32 would be amended as follows:

15 **Sec. 32.** NRS 502.118 is hereby amended to read as follows:
16 502.118 **1.** Upon receipt of a copy of an order of the juvenile
17 court, entered ~~pursuant~~ **pursuant** :
18 ~~*(a) Pursuant to NRS 62E.430, to revoke the license to hunt or*~~
19 ~~*fish of a parent or legal guardian of a child adjudicated to be in*~~
20 ~~*need of supervision because the child is a habitual truant; or*~~
21 ~~*(b)*~~ **Pursuant** to NRS 62E.660, to revoke the license to hunt of a
22 child,
23 _ the Department shall revoke the license.
24 **2.** The revocation of the license ~~to hunt~~ shall be deemed
25 effective as of the date of the order. The Department shall retain the
26 copy of the order.