



Written Statement of Eden Kinlock
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Assembly Committee on Judiciary
Testimony on Assembly Bill 91
April 3, 2025

Thank you, Chair Miller, and members of the Assembly Committee on Judiciary for the opportunity to submit testimony on behalf of FAMM regarding Assembly Bill 91.

FAMM is a nonpartisan, nonprofit organization that seeks to create a more fair and effective justice system that respects our American values of individual accountability and dignity while keeping communities safe. We advocate sentencing policies that are individualized and fair, protect public safety, and preserve families. As part of our national Second Chances Agenda, we support legislatures across the country in creating more pathways for long sentences to be reviewed and adjusted through “second look” mechanisms. As part of our Second Chances Agenda – FAMM published key principles for second look legislation. **FAMM is neutral on Assembly Bill 91 (AB 91).**

Second look laws allow courts or other sentencing review boards (parole board, indeterminate sentence board, etc.) to reevaluate a person’s sentence after a significant period of time in prison and determine if that sentence is still necessary. Second look sentencing laws come in many different forms and we are pleased to see the legislature consider a bill that expands access to sentence modification hearings for individuals serving lengthy sentences. While AB 91 incorporates some very positive features it is not consistent with our key principles.

Broad eligibility criteria is a primary principle for crafting second look policy. Since many people grow out of criminal behavior,¹ the opportunity to demonstrate rehabilitation and be considered for release should be available to all people serving long sentences, without categorical exclusions based on type of offense. The potential fiscal benefits of a second look law are also the largest if people serving the longest sentences are eligible.

Only individuals convicted of Category A and B felonies, who were not sentenced to life without parole, are eligible for sentence review hearings under AB 91. Currently, 555 individuals are

¹ Prescott, J.J., Pyle, B., and Starr, S.B. (2020). Understanding Violent-Crime Recidivism. Notre Dame Law Review, 95:4, 1643- 1698. <http://ndlawreview.org/wp-content/uploads/2020/05/9.-Prescott-et-al.pdf>. 1688-1690

serving life without parole in the Nevada Department of Corrections.² And due to sentencing enhancements—such as Additional and Alternative Penalties, “Three-Strikes,” and Habitual statutes—individuals convicted of any felony category face sentences of up to 20 years or, in some cases, life without parole.³ Recall that second look does not guarantee release; it simply allows decision-makers to assess whether continued incarceration is necessary after all relevant circumstances are considered.

Research supports the idea that decision-makers should revisit old, lengthy sentences. A second look policy with broad eligibility criteria allows decision-makers to determine if the sentence is still in the interest of justice and is an appropriate use of Nevada’s finite public safety resources. The vast majority of people who commit crimes, even very serious crimes, naturally grow out of criminal behavior as they age and mature, making long sentences ineffective and wasteful. While not everyone will be ready to come home, many will be.

Please visit FAMM’s website for more information on [Principles for Second Look](#) for legislators to consider when crafting second look policy. Thank you for your time and consideration of our views. If you have any questions, please feel free to contact me at ekinlock@famm.org.

² Data provided by the Nevada Department of Sentencing Policy on March 19, 2025, based on Nevada Department of Corrections total population on December 31, 2024.

³ See Nev. Rev. Stat. § [193.161](#) to [193.170](#) (Additional and Alternative Penalties); Nev. Rev. Stat. § [207.016](#) (Three-Strikes Law); Nev. Rev. Stat. § [207.010](#) (Habitual Criminal); Nev. Rev. Stat. § [207.012](#) (Habitual Felon).