

**PLAN**

Progressive Leadership Alliance of Nevada

# FACING RACE

2011 LEGISLATIVE REPORT CARD  
ON RACIAL EQUITY

NEVADA

The Nevada Racial Equity Report Card is a collaborative effort of PLAN and Applied Research Center.



PLAN uses research, public education, leadership development and grassroots organizing to build power and create more humane solutions to Nevada's problems. Our mission is to build collective strategic action among coalition partners in order to deepen democracy and achieve greater social justice in Nevada.



**APPLIED RESEARCH CENTER**

*Racial Justice Through Media, Research and Action*

Cover Photo: istockphoto

# INTRODUCTION

**THE HISTORY OF OUR GREAT STATE IS BLEMISHED WITH A PATTERN OF INSTITUTIONAL AND CULTURAL ABUSE** – sometimes marked by violence – toward communities of color. The town fathers of Reno burned Chinatown to the ground twice.<sup>1</sup> The United Nations Committee on the Elimination of Racial Discrimination found as late as 2006 that Western Shoshone people were “being denied their traditional rights to land.”<sup>2</sup> Nevada enacted four miscegenation laws and a school segregation statute (prohibiting blacks, Asians and Native Americans from attending public schools) between 1865 and 1957.<sup>3</sup> Nevada schools were not desegregated until the 1960’s.

More recently, when Nevada’s boom went bust, communities of color were hardest hit by foreclosures, bankruptcies and unemployment. When the poverty rate nearly doubled in Nevada between the years 2000-2010, the disproportionate share was borne by people of color. Disparities in health outcomes, graduation rates and other leading indicators of social well-being continue to plague the Silver State.

Ordinary people worked hard over the years to eradicate the worst forms of racism in Nevada. We can build on their efforts and make 21<sup>st</sup> century Nevada a state where all people have equal access to education, health care and economic resources

In 2009, the Progressive Leadership Alliance of Nevada released Nevada’s first report card to hold state decision-makers accountable for the votes they cast on bills related to racial equity. The report card documented stark disparities along racial lines in key indicators relating to education equity, economic equity, health equity and civil rights. These indicators measured what we value, whom our institutions serve and what kind of state we will become. We called on Nevada leaders to make racial equity a top state priority in order to avert continued crises and to promote well-being for all people in the state.

The 2011 report shows some lawmakers are willing to step up for all Nevadans, not just the wealthy. Through voting records, the report documents the commitment of the 2011 Legislature to strengthen Nevada’s infrastructure with policies that promote equity and opportunity in our state. It also documents Governor Sandoval’s veto of seven out of fifteen bills that promised to advance racial equity in Nevada.

Racial disparities are rooted in policy decisions and institutional actions dating back prior to statehood, and they are grounded in our national history. They are not solely the result of legislative activity or the Governor’s veto pen. However, the future prosperity of Nevada’s entire population is at stake as public investments in education, health care and workforce development are undermined. The passage of a new state budget, with \$700 million in additional cuts above the last biennium, will crush the aspirations of parents for their children to lead a better life in Nevada. As seen with the current financial crisis facing Nevada, the hardest hit will be communities of color. The racial fault lines are growing deeper.

At the same time, people of color are moving from the minority to the majority population in Nevada. Whites make up 54 percent of the population, compared to 65 percent in 2000. Latinos comprise 27 percent of Nevada’s population, up from 20 percent in 2000. Even more telling is that Nevada has the second largest racial generation gap in the nation, in which 20 percent more of our children are of color than adults.

| 2010 CENSUS: POPULATION BY RACE AND ETHNICITY |                 |                  |
|---|-----------------|------------------|
| RACE  | % OF POPULATION | CHANGE 2000-2010 |
| WHITE ALONE                                   | 66.2%           | 19.0%            |
| LATINO ALONE                                  | 26.5%           | 81.9%            |
| BLACK ALONE                                   | 8.1%            | 61.4%            |
| ASIAN ALONE                                   | 7.2%            | 116.5%           |
| PACIFIC ISLANDER ALONE                        | 0.6%            | 100.2%           |
| AMERICAN INDIAN/<br>ALASKA NATIVE ALONE       | 1.2%            | 21.4%            |
| OTHER RACE ALONE                              | 12.0%           | 103.8%           |
| MULTIRACIAL                                   | 4.7%            | 65.0%            |

We applaud the leaders in the 2011 session who championed laws to address and promote opportunity and equity for all. For those who have prevented meaningful progress from happening, be warned that Nevada is no longer a place where racial disparities are “swept under the rug.”

## ABOUT THIS REPORT

**THIS RACIAL EQUITY REPORT CARD EXAMINES LEGISLATION INTRODUCED IN THE 76<sup>TH</sup> SESSION** of the Nevada Legislature that directly impacted Nevada’s communities of color. It also scores each chamber of the state legislature, as well as the Governor, on their responses to these bills.

To be considered for the report card, bills must have met at least one of the following criteria:

- Does the legislation explicitly address racial disparities and work to eliminate racial inequities?
- Will the legislation help eliminate barriers to access to public benefits and institutions for communities of color?
- Does the legislation advance enfranchisement and full civic participation for everyone in the state?
- Will the legislation protect against racial violence, racial profiling and discrimination?
- Does the legislation preserve, protect and/or strengthen the ability of American Indian tribes to exercise their rightful sovereignty?

The report card evaluates four major areas of legislation: education equity, economic equity, health equity and civil rights. The last major section, institutional racism, reviews legislation that would have increased or exacerbated existing racial disparities. Each area of the report card provides background information, context and data that detail Nevada's current reality, as well as discussing how the proposed legislation would have addressed persistent racial inequities.

Legislators' scores are made up of two primary components: leadership and legislative votes. Ninety percent of each legislator's score came from their votes, with votes in support of racial equity legislation increasing their score and votes against decreasing their score. The last ten percent of the score comes from the legislator's leadership in sponsoring racial equity legislation. Points were deducted for introducing institutional racism bills. One hundred percent of the Governor's grade was determined by whether he signed or vetoed racial equity bills that came to his desk.

## EXECUTIVE SUMMARY

**THE 2011 NEVADA LEGISLATIVE RACIAL EQUITY REPORT CARD TRACKED A TOTAL OF FIFTEEN BILLS** that were important for communities of color. Overall, the bills set out to increase access to state services, close racial disparities and strengthen enforcement against those disparities in four areas: education equity, economic equity, health equity and civil rights. All fifteen made it to the Governor's desk. The Governor vetoed seven of those bills. Following is a summary of the key findings:

Overall, both the Assembly and the Senate passed all fifteen pieces of racial equity legislation. Twenty-six assembly members received a score of 90 percent or higher, and sixteen received a score of 58 percent or lower. Ten senators received a score over 90 percent, one received a grade of 84 percent, and ten received a grade below 48 percent.

The Governor received a score of 53 percent for his vetoes of seven of the fifteen racial equity bills. Because of the late veto of these bills after the session had adjourned, there was no opportunity for the Legislature to override those vetoes. Thus, all seven of those bills died.

A total of eight pieces of racial equity legislation became law: two bills in education equity, three in economic equity, one in health equity and two in civil rights.

Five bills were highlighted as missed opportunities, and an astonishing sixteen bills were highlighted in the institutional racism section as bills that reinforced racial inequities. Ten legislators earned three negative points in the grading system for each institutional racism bill for which they were the primary sponsor. Seven legislators introduced racial equity legislation giving them three additional points for each bill introduced.

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*The Governor chose to veto seven of the fifteen racial equity bills passed by both the Assembly and the Senate this Legislative session.*

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# EDUCATION EQUITY

## NEVADA RANKS DEAD LAST IN THE NATION FOR GRADUATION RATES.

Fewer than 42 percent of Nevada's children graduate from high school, the lowest rate in the nation. It is more than twelve percentage points behind penultimate New Mexico.<sup>4</sup> Students of color number 244,810, or 57 percent, across the state.<sup>5</sup> Adding insult to injury is the fact that graduation rates for students of color in Nevada fall twenty percentage points behind their white peers.<sup>6</sup> The US Census projects that Nevada is on the cusp of once again becoming a majority-minority state. This trend means that an overwhelming majority of our children will not graduate from high school. With ratios of graduation rates along racial lines greater than 2:1, this fact will only serve to exacerbate racial inequities for generations to come.

An ongoing war against the education system and, as a consequence, our students of color continues to manifest with alarming cuts to vital lifelines for our schools. Instead of investments in our future, Nevada now suffers from a starved institution that has led to the highest percentage of adults without a high school diploma in the nation.<sup>7</sup> Taking into account the well-documented earnings gap between graduates and dropouts, Nevada's would-be class of 2010 will lose more than five billion dollars in income.<sup>8</sup> Conversely, if the racial disparities in graduation rates were eliminated within the next seven years, Nevada's personal income would increase by over two billion dollars. This Legislative session saw the passage of three bills addressing these issues, with one bill vetoed by the Governor.

## LEGISLATION CONSIDERED IN THE 2011 SESSION

### AB224- Revises provisions governing parental involvement in education

#### Lead Sponsor: Assemblywoman Benitez-Thompson

AB224 creates the Office of Parental Involvement and Family Engagement within the Department of Education. It is well-documented that parental involvement increases a student's chances for academic success. Through several methods, such as revisions in reporting and planning along with staff training programs, the overall goal of this bill is to increase parental involvement and family engagement.

According to the US Department of Education, parents from minority groups participated in certain school activities at significantly lower rates than did the parents of white students. 54 percent of white parents volunteer or serve on school committees, while only 32 percent of Latino parents do the same. Furthermore, parents from every minority group were found to attend a school or class event at much lower percentages than their white counterparts.<sup>9</sup> In summary, AB224 is aimed at narrowing the racial divide in parental involvement in children's education.

✓ *Signed into law*

### AB233- Revises provisions governing the circumstances under which a pupil may receive credit for a course of study through alternative methods

#### Lead Sponsor: Assemblyman Bobzien

Current law allows pupils to gain credit for a course that they did not attend provided they demonstrate competency through an examination prescribed by the State Board of Education. AB233 expands existing law to allow for credit through passage of an exam developed by the principal and teacher or passing an exam the principal deems as rigorous, or more so, than the State Board exams.

This new law will assist more students with completing their high school education.

Statistics in Nevada point to a disproportionate rate of high school dropouts among students of color. Native American, African American and Latino students leave school without graduating at rates 20 percent higher than their white counterparts. The enactment of AB233 will provide more opportunities for minority students to complete their high school education and receive a full diploma.

✓ *Signed into law*

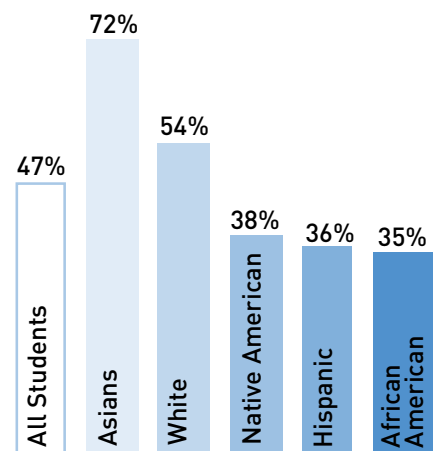
**AB 456- Revises provisions governing the attendance of pupils and graduation from high school • Introduced by Assembly Education Committee**

This bill would have allowed high school seniors not receiving passing scores on all sections of the proficiency tests to receive diplomas. AB456 would have also established a bridge between the school administration and the legal guardian or parent to cooperate and address the status of the child as a habitual truant. The last section of the bill would have addressed provisions regarding student employment, lowering the number of hours allowed to work from 48 to 20 hours a week.

Myriad statistics illustrate the education gap that persists in our state, leading many Legislators to question the status quo. Education disparities are seen in the outcome of exams, particularly in the math section. Latino and African American students, roughly 31 and 11 percent respectively of the students taking this test, comprise 43.9 and 20.5 percent of those failing. Studies also suggest that the passage of this bill would have allowed approximately 100 more students to graduate from high school. A number of students that would have otherwise passed the score fell only a few points short on only one portion of the four-part test. With the estimated turnout rate, the successful passage of this bill would have helped students of color earn a passing grade and receive their high school diploma.

*Passed Assembly, Passed Senate, Vetoed by Governor*

**Nevada’s Graduation Gap**



From: Alliance for Excellent Education

**MISSED OPPORTUNITIES**

**AB 314- Revises provisions governing a course of instruction on sexual health education • Lead Sponsor: Assemblyman Bobzien**

AB314 would have required comprehensive and medically-accurate sexual health education in every school district in Nevada while strengthening opportunities for parents and local communities to determine the curriculum that best serves our students. The teen pregnancy rate in Nevada is high for all young women, but it is alarmingly disproportionate for young women of color. Young African American women are twice as likely to experience pregnancy as young white women, and young Latinas are three times as likely. In addition, young Asian women in Nevada experience pregnancy at almost double the national rate for that group. Without effective sexual health education in our schools, young women and men of color will continue to be disproportionately impacted by the challenges that come with unintended pregnancies and sexually transmitted diseases (STDs).

Teen pregnancy cost \$67 million in federal, state and local dollars *in Nevada* in 2004. The teen birth rate in the state actually declined 31 percent between 1991 and 2004, saving taxpayers an estimated \$37 million in 2004 alone. However, the number of births to teens remains high. Between 1991 and 2004 there have been more than 48,900 teen births in Nevada, costing taxpayers just under a billion dollars over that 13 year period.<sup>10</sup>

*Died In Committee*



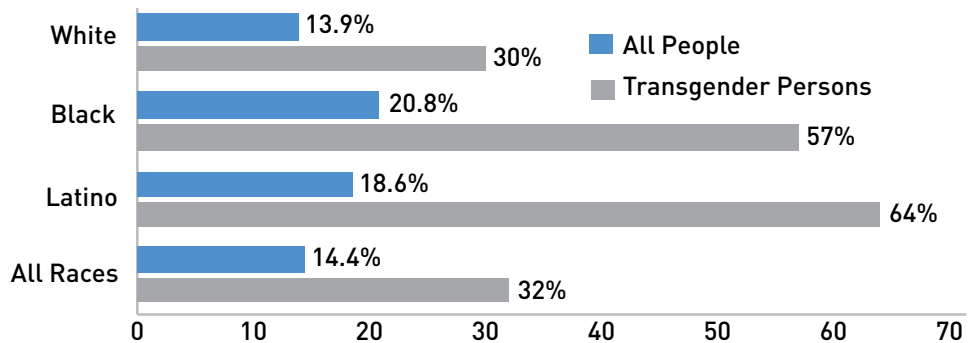


# ECONOMIC EQUITY

**THERE MAY BE NO MORE FAR-REACHING AND LONG-LASTING IMPACT ON RACIAL DISCRIMINATION THAN THOSE FACTORS CAUSED BY ECONOMIC EQUITY.** Even our lifespan and predictors of our health outcomes, as well as those of our children, are best predicted by our wealth or ‘class’ status.

Nevada’s economic crisis continues to disproportionately impact people of color. Nevada currently has the highest unemployment rate in the nation at 12.9 percent. Nationally, white workers had an unemployment rate of 7.7 percent, compared to rates of 13.8 percent for black workers and 12.3 percent for Latino workers.<sup>11 12</sup> These employment disparities are exacerbated by the fact that 20 percent of all black workers are public employees, compared to 16.3 percent for all others. Therefore, as federal, state, and local governments continue to lay off workers and cut benefits, the disparate impact for black communities is profound. Efforts to help people keep their homes and maintain employment with a living wage will not only benefit all families, but it will also help prevent families of color from falling into an economic abyss.

## Nevada Unemployment Rates by Race



Note: Statewide Unemployment Rates are 2010 Averages (Source: “Employment status of the civilian noninstitutional population by sex, race, Hispanic or Latino ethnicity, marital status, and detailed age, 2010 annual averages,” Bureau of Labor Statistics)

These data compiled by PLAN in, Advancing Transgender Equity, 2011

## LEGISLATION CONSIDERED IN THE 2011 SESSION

### **AB154- Enacts provisions which guarantee certain rights to children placed in foster homes in this State • Lead Sponsor: Assemblyman Frierson**

A well-received bill in the Nevada Legislature, AB154 provides a failsafe mechanism for children living in foster care. Designed with the input of foster children themselves, this legislation establishes a ‘Bill of Rights’ for those in the foster care system. Access to adequate food, clothing, shelter and medical care, and freedom from discrimination, abuse, neglect and corporal punishment are clearly delineated. Children will now be informed of their rights in an age-appropriate manner and provided with a written copy.

While beneficial to all our children, AB154 is an additional success in terms of racial equity. African American children represent around 8 percent of Nevada’s child population, yet total 25 percent of our children in the foster care system.<sup>13</sup> With African American children three times more likely to experience displacement from their homes, this bill will have positive impact on children of color.

✓ *Signed into law*



**AB211- Prohibits discriminatory employment practices based upon the gender identity or expression of a person • Lead Sponsor: Assemblyman Aizley**

AB211 adds to the state's existing *Employment Nondiscrimination* statutes. Prior law held that it is unlawful employment practice to fail to hire, to fire, or otherwise discriminate against a person, or to limit or segregate or classify an employee on the basis of race, color, religion, sex, sexual orientation, age, disability or national origin. This Act adds gender identity or expression to the list of protected categories and authorizes the Nevada Equal Rights Commission to investigate allegations of discrimination based on these factors.

Nevada currently ranks highest in the nation in unemployment rates, with racial disparities contributing to unemployment rates in communities of color at one-third higher than rates experienced by whites.<sup>14</sup> Numerous national and state studies show that transgender people of color experience employment discrimination at rates several times that of the general population and nearly double that of white transgender people.<sup>15</sup> In 2010-11, PLAN conducted the largest transgender-specific survey on discrimination to date. This survey revealed pervasive discrimination in all areas which were compounded by the discrimination experienced based on racial differences.<sup>16</sup>

✓ *Signed into law*

**AB300- Revising provisions providing for mediation in certain actions for foreclosure • Lead Sponsor: Assemblyman Frierson**

Existing law allows homeowners facing foreclosure the right to request mediation with their lenders in order to negotiate alternative terms, including those of short sales and loan modifications. AB300 would have increased the options available to mediators and homeowners in that process, including the ability to seek sanctions against lenders who do not act in good faith during mediation and the ability to petition for judicial review of the mediation results. The bill also would have protected homeowners from being assessed fees by their lenders for simply exercising their right to participate in mediation and would have created more data collection and reporting, increasing transparency in lender participation in the mediation process.

Nationally, between 2007 and 2009, African Americans were 76 percent more likely than whites to be foreclosed on; Latinos were 71 percent more likely and Pacific Islanders 40 percent more likely.<sup>17</sup> While AB300 offered assistance to all Nevada families facing foreclosure, it would have served to keep people of color in their homes and preserved the diversity of homeownership.

*Passed in Assembly and Senate, Vetoed by Governor*

**SB159- Makes various changes governing offenders  
Lead Sponsor: Assemblywoman Flores and Senator Gustavson**

AB159, resulted from the combination of two bills through the amendment process: AB92 sponsored by Assemblywoman Flores and SB159 sponsored by Senator Gustavson. The bill assists prisoners with the re-entry process by providing the newly released with more information about obtaining employment as well as a waiver of fees to acquire documents needed for a faster and more humane reintegration into society. The bill also waives fees for the issuance of ID cards, birth certificates and duplicate driver licenses for the formerly incarcerated for a period of 90 days following release.

Senator Gustavson's original bill sought to place more non-violent offenders into alternative sentencing programs as a requirement of probation and to have the courts create a trust for money earned by probationers. The Assembly Judiciary Committee amended those sections out.

Data have continually demonstrated the disparate nature of our criminal justice system. As such, a disproportionate number of people of color make up the state's

incarcerated population. Combined with the disparate rates in unemployment, under-employment, and economic hardship, this bill will help place many living at the margins on a path to betterment for themselves and their families.

✓ *Signed into law*

## MISSED OPPORTUNITIES

### AB 457- Revises provisions governing Universal Energy Charge Introduced by Assembly Commerce and Labor Committee

AB457 would have increased the mill assessment on energy bills, establishing the Fund for Energy Assistance. This fund would have provided energy assistance to the substantial numbers of Nevada households who have found themselves in need - an increase from 21,900 in Fiscal Year 2009 to 32,600 in Fiscal Year 2011. The specific calculations, mills per therm or kilowatt hour, basically translate into a rate of .0064. Rate-payers with an average monthly bill of \$100 would have been assessed 64 cents instead of the current 32 cents.

According to the 2011 U.S. Census, the rates of people living in poverty are higher for people of color than for whites. In 2008, 24.7 percent of African Americans lived below the poverty level as compared to 11.2 percent of whites. Current Census data show that white Nevadans make up 66.2 percent of the state's population and African Americans make up 8.1 percent. Thus a disproportionate number of black Nevadans live in poverty, nearly three times the rate for white families. These families would certainly benefit from much-needed assistance on their energy bill.<sup>18</sup>

*Died in committee*

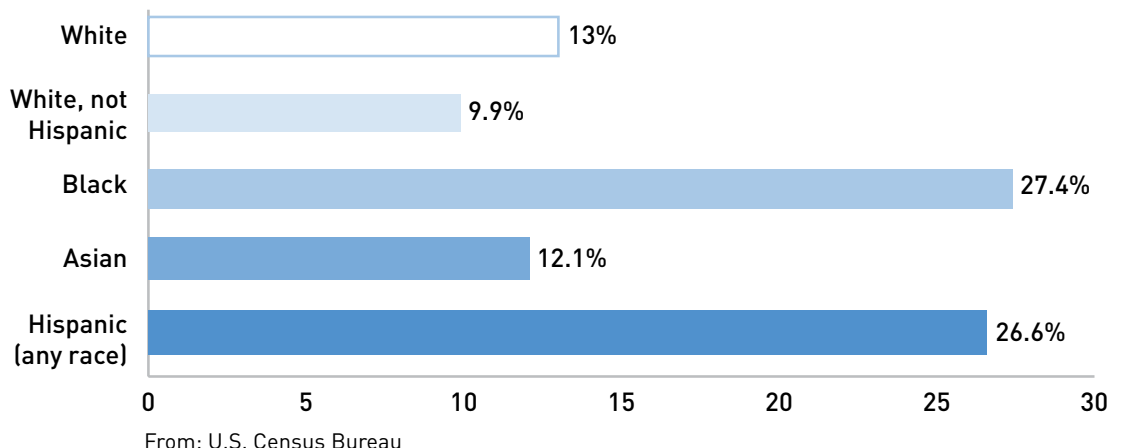
### SB359- Revises provisions relating to contracts with governmental entity Lead Sponsor: Senator Horsford

Section 15 of this legislation would have required a person who is awarded a contract for a public work to report information concerning the race, ethnicity, age and gender of employees and applicants for employment on the public work.

Currently there is no data collection in public jobs to support claims of underrepresentation for people of color that is known to exist but supported by only anecdotal evidence. With higher rates of poverty for people of color, public jobs are essential for changing those statistics.<sup>19</sup> This bill would have helped foster a more transparent and equitable system.

*Passed in Senate, no vote in Assembly*

## People and Families in Poverty by Race/Ethnicity: 2010



# HEALTH EQUITY

## HEALTH EQUITY ARE THOSE DIFFERENCES IN A POPULATION'S HEALTH THAT CAN BE TRACED TO UNEQUAL ECONOMIC AND SOCIAL CONDITIONS

that are systemic and unavoidable to those impacted, making such inequities inherently unjust and unfair. The conditions driving health inequity are the consequence of our public policies and not naturally systemic or inevitable; we can change them.

Infant mortality, a leading indicator of community health and well-being, indicates the vast health disparities between whites and other minority groups in Nevada. The infant death rate for whites in Nevada is 5.6 per 1000 births, compared with 12.2 for African Americans.<sup>20</sup> Life expectancy for African Americans in Nevada is nearly 10 years shorter than that of whites.<sup>21</sup> About 35 percent of Latinos and 18 percent of African Americans in Nevada are uninsured, compared with about 15 percent of whites.<sup>22</sup>

Based on what we know about racial disparities in Nevada's unemployment/underemployment rates, minorities in this State will no doubt fare much worse as these numbers are updated.



| HEALTH INDICATOR                                      | WHITE | BLACK | LATINO | NATIVE AMERICAN |
|---|-------|-------|--------|-----------------|
| INFANT MORTALITY (deaths per 1,000 live births)       | 5.6   | 12.2  | 4.5    | 11.2*           |
| DIABETES MORTALITY RATE (deaths per 1,000 population) | 15.0  | 24.6  | —      | —               |
| ANNUAL AIDS CASE RATE (per 100,000 population)        | 12.4  | 59.8  | 15.4   | 9.8             |
| ENROLLED IN MEDICAID                                  | 3.9%  | 24.0% | 9.6%   | —               |
| UNINSURED   | 15%   | 18%   | 35%    | —               |

*Note: — denotes insufficient data*  
*Note: \* denotes data combined from 2000-2004 from the Urban Indian Health Institute*

Nevada's health care system has been plagued with skyrocketing medical costs and insurance premiums, rising numbers of people without access to care, and increasing racial disparities in access to affordable care as well as in health outcomes. For minority groups in Nevada as well as nationwide, life expectancy is shorter, chronic illness is more prevalent, and disability and disease are more common. Yet, fewer treatment options and lower-quality care abound. Despite the growing evidence of racial disparities in medical care and health outcomes, Nevada currently has no system for collecting comprehensive data to identify why these differences persist. Several bills addressing these problems were introduced in the 2011 Legislative Session.

## LEGISLATION CONSIDERED IN THE 2011 SESSION

### **AB137- Revises provisions governing programs of nutrition in public schools Introduced by Assembly Committee on Education**

AB137 would have provided a school breakfast program after the bell at certain eligible public schools. It also would have institutionalized the policy of using performance measures to track school districts' efforts to feed hungry kids. Nevada ranks 53<sup>rd</sup> in feeding eligible hungry children both breakfast and lunch, trailing behind Washington, D.C., Puerto Rico, Guam and every state in the nation. Nevada leaves \$43 million dollars in Washington D.C. for feeding eligible hungry children breakfast.

Recent studies have demonstrated significant adverse outcomes for children living in homes with inadequate nutrition or food insecurity. Lower math scores, anxiety, tardiness, absenteeism, grade repetition, difficulty with peers and psychosocial dysfunction have been associated with food insufficiency in children.<sup>23</sup>

The implementation of a school breakfast program would have benefited communities of color, due to higher rates of food insecurity in those households. Latinos experience food insecurity at a rate of 26.9 percent, while the national average is 14.7 percent. Latino families are also more likely to live in a neighborhood where healthy food options are either unavailable or unaffordable to most families. Additionally, Latino children are less likely to receive assistance from the Supplemental Nutrition Assistance Program than their non-Latino and African American peers.<sup>24</sup>

*Passed in Assembly and Senate, Vetoed by Governor*

### **SB440- Creates the Silver State Health Insurance Exchange to provide services relating to the purchase and sale of health insurance by residents and certain employers of this State. • Introduced by Committee on Finance**

SB440 creates the Silver State Health Insurance Exchange (HIX), which is required to create and administer a state-based health insurance exchange, facilitate the purchase and sale of qualified health plans, provide for the establishment of a program to help certain small employers in Nevada in facilitating the enrollment of employees, and perform other duties that are required under the Patient Protection and Affordable Care Act (PPACA) of 2010.

Nevadans do not have equal access to health care. Racial and ethnic minorities have higher rates of illnesses, fewer treatment options, and reduced access to care in this state.<sup>25</sup> <sup>26</sup> These groups are also as much as twice as likely to be uninsured.<sup>27</sup> The provisions of the PPACA direct the State's HIX to prohibit insurers in the exchange from denying coverage based on a person's medical history, including genetic discrimination, which disproportionately hurts minority populations since they have 10 percent more chronic disease compared to whites.<sup>28</sup> Finally, the reform legislation will require any health care program to report on race, ethnicity, gender, and socioeconomic status in order to better understand health disparities.

*✓ Signed into law*

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*Nevada ranks 53rd in feeding eligible hungry children both breakfast and lunch, trailing behind Washington, D.C., Puerto Rico, Guam and every state in the nation*

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## MISSED OPPORTUNITIES

### **AB309- Would have created the Office of the Consumer Advocate within the Division of Insurance • Lead Sponsor: Speaker Oceguera**

AB309 would have required the Governor to appoint a Consumer Advocate within the Division of Insurance to intervene in and represent the public interest with regard to changes in rates for health benefit plans sold in Nevada. The Consumer Advocate would have the authority to hold public hearings regarding any changes to insurance premium rates. The bill also would have required health benefit insurers to provide the Consumer Advocate with information concerning health benefit plans and costs associated with such plans with such information made available online and at public hearings to the general public.

Currently, the Commissioner of Insurance has exclusive authority to regulate insurers in the State and approve or disapprove proposed rate increases. This system lacks transparency and leaves all Nevada consumers without a voice in these matters. Changes to insurance policies and skyrocketing insurance premiums growing at a rate of over 50 percent over the last few years put Nevada's most vulnerable citizens at even greater risk.<sup>29</sup> With the wide and continually increasing income disparities that exist along racial lines in Nevada, our poor and communities of color are most at risk from even minor changes in benefits or increases in insurance premiums. Also, with Nevada's large immigrant populations, language barriers for many communities will prevent appropriate disclosure and understanding of rights when insurance premiums rise or changes in policy notifications are sent to consumers. A Consumer Advocate position with the Division of Insurance would have helped to alleviate this problem.

*Passed in Assembly and Senate, Vetoed by Governor*



# CIVIL RIGHTS

**SOME BELIEVE THE SUCCESSES OF THE CIVIL RIGHTS MOVEMENTS FOR MINORITY GROUPS HAVE ALL BUT ELIMINATED RACIAL INJUSTICE;** others further assert that we have entered a “post-racial” age where racism and racist attitudes are so uncommon that discussion around race and the enforcement of civil rights laws actually holds society back. However, the recent racially-charged discourse on immigration, terrorism, social welfare programs, and the pervasive myth of President Obama’s birth are evidence to the contrary, illuminating the fact that race and racism are still very much a part of our inherited collective psyche.

Statistics point to the need for the protection and enhancement of civil rights today as much as ever. Racial minorities are underrepresented in elected positions at nearly every level, due in part to our history and habits in drawing political boundaries and conducting our elections. Ex-offenders, disproportionately people of color, find themselves deprived of their voting rights in many states, facing often insurmountable barriers to gainful employment and re-integration in our society.<sup>30</sup> The deficits in civil rights for LGBT people are also exacerbated for those who are racial minorities in addition to sexual minorities. It is clear that protections for human dignity and civic participation must be expanded in order to advance racial equity in Nevada.

| 2005 INCARCERATION RATES PER 100,000 |       |       |        |
|--------------------------------------|-------|-------|--------|
|                                      | WHITE | BLACK | LATINO |
| NATIONAL                             | 412   | 2290  | 742    |
| NEVADA                               | 627   | 2916  | 621    |

*The Black to White incarceration ratio in Nevada is 4.7 to 1*

## LEGISLATION CONSIDERED IN THE 2011 SESSION

### **AB136- Revises provisions governing credits for offenders sentenced for certain crimes • Introduced by Assembly Judiciary Committee**

AB136 would have expanded current law to include an additional category for felony offenders to qualify for credit-earning programs. Credits are earned in these programs through completion of educational and occupational achievements and are deducted from the incarceration term until the offender becomes eligible for parole.

Statistics from 2010 demonstrate an alarming inequality; African Americans make up 28.72 percent of the current prison population, despite being only 7.7 percent of Nevada’s total population.<sup>31 32</sup> Inequities are apparent in the number of people of color who are incarcerated in Nevada. The Governor’s veto equals an obvious loss for all category B offenders that would have been eligible to earn credits under AB136, but especially for the disproportionate number of African Americans in the correctional system.

*Passed in Assembly and Senate, Vetoed by Governor*

**AB301- Revises provisions governing the restoration of civil rights for ex-felons**

**Introduced by Assembly Legislative Operations and Elections Committee**

Despite being a fundamental Constitutional right, Nevada law only permits those convicted of certain specified felonies a restoration of voting rights. AB301 would have expanded the law to include any class of felony. This bill also would have lifted the roadblocks in current law affecting voter registration, cancellation of registration and challenges to the right to vote of a person convicted of a felony.

In the Nevada Department of Corrections' 2009 Fiscal Year Report, it was noted that the correctional population has a larger proportion of African Americans than the general state population.<sup>33</sup> The veto of AB301 is an unfortunate missed opportunity for the expansion of civil rights, particularly for Nevada's African American community.

*Passed in Assembly and Senate, Vetoed by Governor*

**SB304- Provides for redistricting of election districts in Carson City and the Cities of Henderson, Reno and Sparks, contingent upon voter approval**

**Lead Sponsor: Senator Leslie**

SB304 would have put before the voters in the cities of Reno, Sparks, Carson City and Henderson the question of ward voting. If approved by the voters in each of those respective cities, the bill would have changed the city charters and allowed minority voters to have their votes adequately reflect their choices in our representative democracy.

In Reno, which currently has one at-large seat, the bill would have created six equally divided City Council voting wards. At present, candidates for the Reno City Council are nominated in primary elections by voters in their own ward. However, in general elections, voters cast ballots for each seat on the City Council. A city-wide campaign currently creates disadvantages and racially inequitable challenges for candidates to win in city-wide contests despite the strong support of the voters in their own neighborhoods or wards.

A current snapshot of these municipal bodies demonstrates a high degree of under-representation for minority groups among elected officials. The City Councils of Reno and Sparks, as well as the Board of Supervisors for Carson City are all devoid of minority group members despite having minority population percentages of 37.5, 38.6, and 29.3 respectively. Henderson, with 31.3 percent people of color, is closer to the mark having one woman of color on its five-member body.<sup>34</sup>

*Passed in Assembly and Senate, Vetoed by Governor*



**SB331- Revises provisions relating to unlawful discrimination based on sex and gender identity or expression in places of public accommodation**  
**Lead Sponsor: Senator Leslie**

SB331 extends existing protections against discrimination from the full and equal enjoyment of the goods, services, facilities, privileges, advantages and accommodations of any place of public accommodation without discrimination or segregation on the basis of sex and gender identity or expression. Places of public accommodation include not only public gathering places but also hospitals, shelters, emergency services, health care providers, banks, pharmacies and public transportation. The Act also authorizes the Nevada Equal Rights Commission to investigate practices of discrimination based on gender identity or expression.

Disparities in access to health care and discrimination in areas of public accommodation for people of color is well-documented. While 53 percent of transgender Nevadans report discrimination in accessing public services such as life-saving medical care, this discrimination was nearly universal for transgender people of color. As with other forms of discrimination, the effects due to anti-transgender bias and racism in places of public accommodation are cumulative.<sup>35</sup> This bill will help all of our transgender brothers and sisters live up to their full potential, but this is doubly true for transgender people of color.

✓ *Signed into law*

**SB368- Prohibits discrimination in housing and certain other transactions involving real property on the basis of sexual orientation or gender identity or expression • Lead Sponsor: Senator Parks**

SB368 expands the *Nevada Fair Housing Law*, which prohibits discrimination in housing, including selling or renting a dwelling, on the basis of race, religious creed, color, national origin, disability, ancestry, familial status or sex, to include sexual orientation or gender identity or expression. The law's enforcement provisions, including the authority to file a complaint with the Nevada Equal Rights Commission (NERC) and file an action in court to obtain an injunction and civil damages, also apply to cases of discrimination on the basis of sexual orientation and gender identity or expression. Since LGBT people were not included in the federal Fair Housing Act, Nevada is the 18th state prohibiting this type of housing discrimination.

The purpose of this expansion of protected classes is to help prevent and reduce housing inequality and racial segregation, both of which lead to increased wealth disparities and myriad additional social disparities.<sup>36 37</sup> Consistent with the findings on discrimination in employment and public accommodations, the effects of discrimination in housing on the basis of sexual orientation and gender identity or expression also show striking disparities along racial lines.<sup>38 39</sup> Thus, we have not only disparate treatment discrimination but also more severe disparate impact discrimination for people of color who are also sexual minorities.

✓ *Signed into law*

## MISSED OPPORTUNITIES

### **AB108- Would have eliminated the deadline for registering to vote in an election.**

#### **Introduced by Assembly Legislative Operations and Elections Committee**

This bill would have permitted same-day voter registration. Currently, voters in Nevada must register two weeks prior to an election in order to cast a ballot. Same-day registration has been shown to engage more voters in communities of color in the electoral process. The eight states enacting similar laws have seen increases in voter turnout of 12 percent. The elimination of closing dates, through Election Day Registration, is predicted to increase voter turnout by at least 7 percent. It has also been shown that voters with high school educations and middle-level incomes have the largest increase in turnout rates, with rates among less educated and poorer voters following close behind.<sup>40</sup> This failure to aid our citizens, especially our communities of color, in exercising the fundamental right to vote is a serious and shameful missed opportunity.

*Died in committee*

### **AB501- Provides for an audit of the fiscal costs of the death penalty**

#### **Introduced by Assembly Legislative Operations and Elections Committee**

AB501 would have directed the Audit Division of the Legislative Counsel Bureau to conduct an audit on the fiscal costs of Nevada's death penalty. As originally introduced, the bill would have established a moratorium on the execution of death sentences until July 1, 2013. By conducting a cost study, we could have learned specifics about the exorbitant expense of maintaining Nevada's death penalty.<sup>41</sup> A moratorium also would have temporarily halted a practice that reveals grave racial disparities in its application, and raises serious concerns regarding its fairness. Both the cost audit and the moratorium would have been important steps toward addressing the serious and systemic racial justice issues presented by Nevada's death penalty system.

Nationwide as well as in Nevada, African Americans are disproportionately represented on Death Row. Almost 40 percent of inmates facing execution in Nevada are African American, compared to an overall statewide population of approximately 8 percent.<sup>42</sup> In general, people of color are more likely to receive the death penalty because of racial and economic discrimination in its application. This bill would have prevented the victims of this grave injustice from paying with their lives.

*Passed in Assembly and Senate, Vetoed by Governor*



# INSTITUTIONAL RACISM

## LEGISLATION CAN CREATE AND REINFORCE INSTITUTIONAL RACISM, WHETHER INTENTIONAL OR NOT.

In the 2011 Nevada State Legislature, an astonishing sixteen bills were introduced which fell under two general categories of institutional racism: anti-immigrant bills and voter suppression bills.

The session also saw an increase of people of color elected to serve in the Nevada Legislature, with eleven in the Assembly and three in the Senate. The rise of the Latino Caucus and the strength of people of color in the Legislature became the driving force to defeat these shameful pieces of legislation.

While most people think of racism as acts between individuals, the most profound forms of racism reside in situations that perpetuate and reinforce disparities along racial lines. The following bills were introduced and defeated in the 2011 Legislature.

## ANTI-IMMIGRANT BILLS

There were eight anti-immigrant draft bills in the 2011 Legislative session. Committee hearings were held for two of these measures.

### **AB252- Requires contractors and subcontractors on a public work to use E-Verify to verify eligibility for employment for workers on the public work**

According to the government's own reports, the E-Verify database is full of errors. Obliging contractors to go through the E-Verify system would not only be a burden to state and private businesses, but it would deny many Nevadans their right to work, potentially subjecting them to discrimination. Recent government reports acknowledge that huge numbers of Social Security Administration (SSA) and Department of Homeland Security (DHS) files contain erroneous data that would cause "**tentative non confirmation (TNC) of otherwise work-** eligible employees and, in some cases, denial of their right to work altogether. The SSA reports that approximately 17.8 million of its files contain erroneous data, 12.7 million of which concern U.S. citizens.<sup>43</sup> U.S. Citizenship and Immigration Services (USCIS) reported that 2.6 percent (over 211,000 workers) received a TNC between 2004 and 2007.<sup>44</sup> Approximately 0.8 percent of those TNCs are erroneous. Since only 0.3 percent of these were resolved, approximately 0.5 percent (80,000 legal workers) were improperly denied the right to work due to faults in the system.<sup>45</sup>

**AB430- Revises provisions governing aliens unlawfully present in the United States**

This bill would have allowed law enforcement to ask for immigration status of those detained or in custody. It would have allowed the Attorney General to enter into an agreement with the federal government to implement the Immigration and Nationality Act, Section 287 (g), which allows law enforcement agencies to be trained in immigration procedure. Another section of this bill would have penalized a person, company or corporation who knowingly hires an undocumented worker. This bill would divert limited federal resources away from finding dangerous criminals throughout the U.S., focusing instead on detaining and deporting non-violent immigrants.

**VOTER SUPPRESSION BILLS**

Every election year, tales alleging widespread or systematic voter fraud arise in the public dialogue. In over six years of investigation by the U.S. Department of Justice, from 2002 to 2008, only 140 people had been investigated for voter fraud nationwide; despite this, rumors still abound.<sup>46</sup> In recent Legislative sessions, bills that might appear innocuous are introduced to try to prevent voter fraud. Unfortunately, the eight bills introduced not only do little to address voting irregularities—often the result of oversight by registrants and/or elections officials—but also restrict the franchise.

Currently, voters must show identification only when registering by mail and voting for the first time. Several bills were introduced this session to impose additional identification requirements for voters. All of these bills fail to increase the security of elections while adding barriers to voting which will disproportionately disenfranchise people of color. For example: African Americans have been found twice as likely to lack a driver’s license as whites, and only 22 percent of African American men between 18 and 24 have a license.<sup>47</sup> There are a range of options other than state-issued photo ID that can be used for this purpose, including utility bills, paychecks and bank statements.

AB310, introduced by Assemblyman Sherwood, and AB327, introduced by Assemblyman Hambrick, would have required photo ID prior to voting for the first time, in addition to requiring additional identification from absentee voters and eliminating early voting.

AB425, introduced by Assemblyman Stewart, also would have required photo ID to be presented prior to voting for the first time. SB373, introduced by Senator Roberson, was identical to AB425 in requiring photo ID for first-time voters.

AB431, introduced by Assemblyman Hansen, would require photo ID to be presented by a voter for each election. AB435, also introduced by Assemblyman Sherwood, would require photo ID prior to voting for the first time and would not provide an option for indigent individuals.

| LEVELS OF RACISM                      |  |
|---------------------------------------|--|
| LEVEL                                 | DESCRIPTION  |
| Individual/<br>Internalized<br>Racism | Racial bias within individuals—one’s beliefs, attitudes and prejudices about race.   |
| Interpersonal<br>Racism               | Racial bias between individuals—public expression of bigotry and hate  |
| Institutional<br>Racism               | Racial bias within institutions such as schools and hospitals. Disparate outcomes reveal institutional racism, whether or not there is racist intent on the part of individuals within that institution.                         |
| Structural<br>Racism                  | Racial bias among institutions and across society. Structural racism is the cumulative effects of history, ideology, and culture and the result of institutions and policies that favor whites and disadvantage people of color. |

# LEGISLATIVE REPORT CARD

# SCORING METHODOLOGY

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Each Chamber of the state Legislature in addition to the Governor was given a separate score. Legislators' individual scores were based on a combination of votes and leadership on racial equity bills voted on in both houses. Voting accounted for 90 percent of the score. Leadership was defined as the primary sponsor for qualifying racial equity bills and accounted for up to 10 percent of the score.

More than 1,100 bills were introduced in the 76<sup>th</sup> Legislative session. Nevada state statute limits the number of bills that Legislators may draft. New Assembly members were allowed to request no more than 5 bill drafts and new Senators were allowed 10 bill drafts. Incumbent Assembly members were able to request 11 bill drafts and incumbent Senators 22 bill drafts. Exceptions are made in statute for leadership in both the majority and the minority caucuses. Lastly, bills may come directly from committees without individual sponsors. Given these regulations, individuals who are lead sponsors on racial equity bills are given leadership points to honor their role in supporting legislation. The Racial Equity Report Card gives lead sponsors 3 percentage points for each bill sponsored. The Report Card does not give points for committee introductions.

Casting a vote against racial equity legislation or a vote in favor of bills that would institutionalize racism reduced a legislator's score. Three points were also deducted if a legislator sponsored legislation that was determined to institutionalize racism in the state of Nevada.

# SCORES FOR THE STATE LEGISLATURE

**The 2011 Nevada State Legislature began with an austere state budget and \$3 billion in shortfalls, despite five successive rounds of cuts since 2007. Not surprisingly, the session was dominated by budget and revenue concerns.**

Both the Assembly and the Senate cast votes on all fifteen racial equity bills scored. The scores for this session were very unevenly distributed. In the Assembly, 26 legislators earned scores of 90 percent or higher and sixteen legislators earned scores below 58 percent.

The Senate showed remarkable improvement over the 2009 session, with ten legislators scoring 90 percent or higher, one senator earning a score of 84 percent and the remaining ten senators earning scores below 48 percent.

Of the fifteen racial equity bills that were scored, seven were introduced by legislators and eight through committees.

There are two key differences between the 2009 and our current report. Because legislators voted as a block more frequently this session, there is a stark party-line difference in voting scores. Also, there have been substantial improvements since 2009 in the voting records of many legislators. We commend them and urge them onward.

**Ten Senators**  
received a score  
of **90 percent**  
or higher.

**Twenty-six**  
members of  
the **Assembly**  
received a grade of  
**90 percent or**  
higher.



# SCORE FOR THE GOVERNOR

## Governor Sandoval began his first term in office with a worst-in-the-nation budget gap and the highest foreclosure and unemployment rates in the nation.

Governor Sandoval chose brutal cuts to education and human services and vowed opposition to any revenue proposals. The Nevada Supreme Court ruled against the State, forcing the Governor to accept removing sunset provisions on several previously-enacted revenue measures.

The Governor sided with so-called business advocates as well as those believing that government is incapable of good deeds. Bending to the will of these hard-liners, he vetoed seven bills which would have helped the underrepresented and the underserved in our state. Governor Sandoval also paid homage to the “tough on crime” mantra, which kept our prisons full. He also proposed drastic cuts to state services at our time of greatest need. Social services saw record-high levels of casework due to the economic depression plaguing Nevada.

AB137, an “after the bell” breakfast program for our schools that would have brought \$43 million in federal dollars to our state to feed hungry children and boost academic success, was also vetoed by Governor Sandoval. Nevada already ranks 53<sup>rd</sup> in the nation in feeding breakfast and lunch to eligible, hungry children, lagging behind Washington DC, Puerto Rico, Guam and every state in the nation. We know that Nevada’s Latino children have a food insecurity rate of 26.9 percent, nearly double the national average.

Advocates had been working for four sessions to increase participation in the school breakfast program. Recommendations were unsuccessful and the only way to improve this serious problem was to mandate the program. The Governor’s veto message objected to this mandate.

The Governor vetoed AB136, which would have allowed more category B offenders in prison to qualify for the credit-earning program. Nevada’s overcrowded prisons would have benefited by giving early parole to offenders who showed that they were working to achieve success in education and occupational achievements. Racial inequities are evident in our prison system; AB136 would have helped alleviate this injustice, allowing more people of color a chance at full participation in our democracy.

Although those serving sentences for the most serious crimes were not included in AB136, the Governor wrote in his veto message that “...I am concerned that the bill would allow dangerous criminals to be prematurely released from prison, thereby increasing risk to Nevada’s communities and sending a message to offenders that this state is soft on crime.”

Governor Sandoval’s excessive use of the veto in seven of the fifteen racial equity bills earned him a score of 53 percent.

In a state that ranks 53<sup>rd</sup> in access to breakfast for poor children, and is the 6<sup>th</sup> worst in the nation for hungry kids, Governor Sandoval’s veto of a bill to help feed hungry school pupils at no cost to the state can only be described as cruel, callous, and inhumane. He also vetoed a bill that would have streamlined the process for redeemed former inmates to vote. Both of these bills would have helped remove the institutional roadblocks standing between Nevada’s communities of color and shared prosperity.

The Governor  
received a score  
of 53 percent.

# ASSEMBLY

| 2011 Assembly          | District | Grade | Total % | Voting | Sponsorship | Education |       |       | Economic Equity |       |       |       | Civil Rights |       |       |       | Health Care |       |       | % People of Color in District |       |       |
|------------------------|----------|-------|---------|--------|-------------|-----------|-------|-------|-----------------|-------|-------|-------|--------------|-------|-------|-------|-------------|-------|-------|-------------------------------|-------|-------|
|                        |          |       |         |        |             | AB224     | AB233 | AB456 | AB154           | AB211 | AB300 | SB159 | AB136        | AB301 | SB304 | SB331 | SB368       | AB137 | AB309 |                               | SB440 |       |
| Paul Aizley            | 41       | A-    | 93%     | 0.9    | 0.03        | ✓         | ✓     | ✓     | ✓               | ✓*    | ✓     | ✓     | ✓            | ✓     | ✓     | ✓     | ✓           | ✓     | ✓     | ✓                             | ✓     | 52.6% |
| Elliot T. Anderson     | 15       | A-    | 90%     | 0.9    |             | ✓         | ✓     | ✓     | ✓               | ✓     | ✓     | ✓     | ✓            | ✓     | ✓     | ✓     | ✓           | ✓     | ✓     | ✓                             | ✓     | 51.9% |
| Kelvin Atkinson        | 17       | A-    | 93%     | 0.9    | 0.03        | ✓         | ✓     | ✓     | ✓               | ✓     | ✓     | ✓     | ✓            | ✓     | ✓     | ✓     | ✓           | ✓     | ✓     | ✓                             | ✓     | 61.3% |
| Teresa Benitez-Tompson | 27       | A-    | 93%     | 0.9    | 0.03        | ✓*        | ✓     | ✓     | ✓               | ✓     | ✓     | ✓     | ✓            | ✓     | ✓     | ✓     | ✓           | ✓     | ✓     | ✓                             | ✓     | 40.7% |
| David Bobzien          | 24       | A-    | 93%     | 0.9    | 0.03        | ✓         | ✓*    | ✓     | ✓               | ✓     | ✓     | ✓     | ✓            | ✓     | ✓     | ✓     | ✓           | ✓     | ✓     | ✓                             | ✓     | 39.1% |
| Steven Brooks          | 19       | A-    | 90%     | 0.9    |             | ✓         | ✓     | ✓     | ✓               | ✓     | ✓     | ✓     | ✓            | ✓     | ✓     | ✓     | ✓           | ✓     | ✓     | ✓                             | ✓     | 67%   |
| Irene Bustamante-Adams | 42       | A-    | 90%     | 0.9    |             | ✓         | ✓     | ✓     | ✓               | ✓     | ✓     | ✓     | ✓            | ✓     | ✓     | ✓     | ✓           | ✓     | ✓     | ✓                             | ✓     | 57.4% |
| Maggie Carlton         | 14       | A-    | 90%     | 0.9    |             | ✓         | ✓     | ✓     | ✓               | ✓     | ✓     | ●     | ✓            | ✓     | ✓     | ✓     | ✓           | ✓     | ✓     | ✓                             | ✓     | 72.3% |
| Richard Carillo        | 18       | A-    | 90%     | 0.9    |             | ✓         | ✓     | ✓     | ✓               | ✓     | ✓     | ✓     | ✓            | ✓     | ✓     | ✓     | ✓           | ✓     | ✓     | ✓                             | ✓     | 54.4% |
| Marcus Conklin         | 37       | A-    | 90%     | 0.9    |             | ✓         | ✓     | ✓     | ✓               | ✓     | ✓     | ✓     | ✓            | ✓     | ✓     | ✓     | ✓           | ✓     | ✓     | ✓                             | ✓     | 50%   |
| Richard 'Skip' Daly    | 31       | A-    | 90%     | 0.9    |             | ✓         | ✓     | ✓     | ✓               | ✓     | ✓     | ✓     | ✓            | ✓     | ✓     | ✓     | ✓           | ✓     | ✓     | ✓                             | ✓     | 46.9% |
| Olivia Diaz            | 11       | A-    | 90%     | 0.9    |             | ✓         | ✓     | ✓     | ✓               | ✓     | ✓     | ✓     | ✓            | ✓     | ✓     | ✓     | ✓           | ✓     | ✓     | ✓                             | ✓     | 88.5% |
| Marilyn Dondero-Loop   | 5        | A-    | 90%     | 0.9    |             | ✓         | ✓     | ✓     | ✓               | ✓     | ✓     | ✓     | ✓            | ✓     | ✓     | ✓     | ✓           | ✓     | ✓     | ✓                             | ✓     | 44%   |
| John Ellison           | 33       | F     | 24%     | 0.24   |             | ✗         | ✗     | ✗     | ✓               | ✗     | ✗     | ✓     | ✗            | ✗     | ✗     | ✗     | ✗           | ✗     | ✗     | ✓                             | ✓     | 30.4% |
| Lucy Flores            | 28       | A-    | 93%     | 0.9    | 0.03        | ✓         | ✓     | ✓     | ✓               | ✓     | ✓     | ✓*    | ✓            | ✓     | ✓     | ✓     | ✓           | ✓     | ✓     | ✓                             | ✓     | 89.6% |
| Jason Frierson         | 8        | A+    | 96%     | 0.9    | 0.06        | ✓         | ✓     | ✓     | ✓*              | ✓     | ✓*    | ✓     | ✓            | ✓     | ✓     | ✓     | ✓           | ✓     | ✓     | ✓                             | ✓     | 63.9% |
| Ed Goedhart            | 36       | F     | 58%     | 0.58   |             | ✗         | ✓     | ✗     | ✓               | ✓     | ✗     | ✓     | ✓            | ✓     | ✗     | ✓     | ✓           | ✗     | ✓     | ●                             | ✓     | 19%   |
| Pete Goicoechea        | 35       | F     | 42%     | 0.42   |             | ✓         | ✓     | ✗     | ✓               | ✗     | ✗     | ✓     | ✓            | ✗     | ✗     | ✗     | ✗           | ✗     | ✗     | ✓                             | ✓     | 26.7% |
| Tom Grady              | 38       | F     | 42%     | 0.42   |             | ✓         | ✓     | ✗     | ✓               | ✗     | ✗     | ✓     | ✓            | ✗     | ●     | ✗     | ✗           | ✗     | ✗     | ✓                             | ●     | 19%   |
| John Hambrick          | 2        | F     | 33%     | 0.36   | AB327       | ✗         | ✓     | ✗     | ✓               | ✓     | ✗     | ✓     | ✓            | ✗     | ✗     | ✗     | ✗           | ✗     | ✗     | ✗                             | ✓     | 28.3% |
| Scott Hammond          | 13       | F     | 36%     | 0.36   |             | ✗         | ✓     | ✓     | ✓               | ✗     | ✗     | ✓     | ✓            | ✗     | ✗     | ✗     | ✗           | ✗     | ✗     | ✗                             | ✓     | 38.3% |

✓ = support of racial equity; ✗ = vote against racial equity; \* = primary sponsor; ● = excused absence

| 2011 Assembly       | District | Grade | Total % | Voting | Sponsorship    | Education |       | Economic Equity |       |       |       | Civil Rights |       |       |       | Health Care |       | % People of Color in District |       |       |       |
|---------------------|----------|-------|---------|--------|----------------|-----------|-------|-----------------|-------|-------|-------|--------------|-------|-------|-------|-------------|-------|-------------------------------|-------|-------|-------|
|                     |          |       |         |        |                | AB224     | AB233 | AB456           | AB154 | AB211 | AB300 | SB159        | AB136 | AB301 | SB304 | SB331       | SB368 |                               | AB137 | AB309 | SB440 |
| Ira Hansen          | 32       | F     | 24%     | 0.3    | AB430<br>AB431 | ✗         | ✓     | ✓               | ✓     | ✗     | ✗     | ✓            | ✗     | ✗     | ✗     | ✗           | ✗     | ✗                             | ✗     | 24.1% |       |
| Cresent Hardy       | 20       | F     | 12%     | 0.18   | AB311<br>AB434 | ✗         | ✗     | ✗               | ✓     | ✗     | ✗     | ✓            | ✗     | ✗     | ✗     | ✗           | ✗     | ✗                             | ✗     | ✓     | 21.9% |
| Pat Hickey          | 25       | F     | 39%     | 0.42   | AB372          | ✓         | ✓     | ✓               | ✓     | ✗     | ✗     | ✓            | ✗     | ✗     | ✗     | ✗           | ✗     | ✗                             | ✓     | ✓     | 20%   |
| Joseph Hogan        | 10       | A-    | 90%     | 0.9    |                | ✓         | ✓     | ✓               | ✓     | ✓     | ✓     | ✓            | ✓     | ✓     | ✓     | ✓           | ✓     | ✓                             | ✓     | ✓     | 46.5% |
| William Horne       | 34       | A-    | 90%     | 0.9    |                | ✓         | ✓     | ✓               | ✓     | ✓     | ✓     | ✓            | ✓     | ✓     | ✓     | ✓           | ✓     | ✓                             | ✓     | ✓     | 51%   |
| Marilyn Kirkpatrick | 1        | A-    | 90%     | 0.9    |                | ✓         | ✓     | ✓               | ✓     | ✓     | ✓     | ✓            | ✓     | ✓     | ✓     | ✓           | ✓     | ✓                             | ✓     | ✓     | 45.5% |
| Randy Kirner        | 26       | F     | 32%     | 0.32   |                | ✗         | ✓     | ✓               | ✓     | ✗     | ✗     | ✓            | ✗     | ✗     | ✗     | ✗           | ✗     | ✓                             | ✗     | ●     | 18.5% |
| Kelly Kite          | 39       | F     | 36%     | 0.36   |                | ✗         | ✗     | ✗               | ✓     | ✓     | ✗     | ✓            | ✗     | ✗     | ✗     | ✓           | ✓     | ✗                             | ✗     | ✓     | 16%   |
| Pete Livermore      | 40       | F     | 36%     | 0.36   |                | ✗         | ✓     | ✗               | ✓     | ✗     | ✗     | ✓            | ✗     | ✗     | ✓     | ✗           | ✗     | ✗                             | ✓     | ✓     | 28.1% |
| April Mastoluca     | 29       | A-    | 90%     | 0.9    |                | ✓         | ✓     | ✓               | ✓     | ✓     | ✓     | ✓            | ✓     | ✓     | ✓     | ✓           | ✓     | ✓                             | ✓     | ✓     | 34.1% |
| Richard McArthur    | 4        | F     | 36%     | 0.36   |                | ✗         | ✗     | ✗               | ✓     | ✗     | ✗     | ✓            | ✓     | ✗     | ✗     | ✓           | ✓     | ✗                             | ✗     | ✓     | 25.1% |
| Harvey Munford      | 6        | A-    | 90%     | 0.9    |                | ✓         | ✓     | ✓               | ✓     | ✓     | ✓     | ✓            | ✓     | ✓     | ✓     | ✓           | ✓     | ✓                             | ✓     | ✓     | 75.6% |
| Dina Neal           | 7        | A-    | 90%     | 0.9    |                | ✓         | ✓     | ✓               | ✓     | ✓     | ✓     | ✓            | ✓     | ✓     | ✓     | ✓           | ✓     | ●                             | ✓     | ✓     | 80.6% |
| John Ocegueda       | 16       | A-    | 93%     | 0.9    | 0.03           | ✓         | ✓     | ✓               | ✓     | ✓     | ✓     | ✓            | ✓     | ✓     | ✓     | ✓           | ✓     | ✓                             | ✓*    | ✓     | 48.2% |
| James Ohrenschall   | 12       | A-    | 90%     | 0.9    |                | ✓         | ✓     | ✓               | ✓     | ✓     | ✓     | ✓            | ✓     | ✓     | ✓     | ✓           | ✓     | ✓                             | ✓     | ✓     | 69.2% |
| Peggy Pierce        | 3        | A-    | 90%     | 0.9    |                | ✓         | ✓     | ✓               | ✓     | ✓     | ✓     | ✓            | ✓     | ✓     | ✓     | ✓           | ✓     | ✓                             | ✓     | ●     | 53.2% |
| Tick Segerblom      | 9        | A-    | 90%     | 0.9    |                | ✓         | ✓     | ✓               | ✓     | ✓     | ✓     | ✓            | ✓     | ✓     | ✓     | ✓           | ✓     | ✓                             | ✓     | ✓     | 62.8% |
| Mark Sherwood       | 21       | F     | 36%     | 0.42   | AB310<br>AB435 | ✗         | ✓     | ✓               | ✓     | ✗     | ✗     | ✓            | ✓     | ✗     | ✓     | ✗           | ✗     | ✗                             | ✗     | ✓     | 26.2% |
| Debbie Smith        | 30       | A-    | 90%     | 0.9    |                | ✓         | ✓     | ✓               | ✓     | ✓     | ✓     | ✓            | ✓     | ✓     | ✓     | ✓           | ✓     | ✓                             | ✓     | ✓     | 48.4% |
| Lynn Stewart        | 22       | F     | 42%     | 0.48   | AB208<br>AB425 | ✗         | ✓     | ✓               | ✓     | ✗     | ✗     | ✓            | ✗     | ✗     | ✓     | ✗           | ✗     | ✓                             | ✓     | ✓     | 38.2% |
| Melissa Woodbury    | 23       | F     | 36%     | 0.36   |                | ✗         | ✓     | ✓               | ✓     | ✗     | ✗     | ✓            | ✗     | ✗     | ✗     | ✗           | ✗     | ✓                             | ✗     | ✓     | 30.8% |

✓ = support of racial equity; ✗ = vote against racial equity; \* = primary sponsor; ● = excused absence

# SENATE

| 2011 Senate          | District | Grade | Total % | Voting | Sponsorship              | Education |       |       | Economic Equity |       |       | Civil Rights |       |       | Health Care |       |       | % People of Color in District |       |
|----------------------|----------|-------|---------|--------|--------------------------|-----------|-------|-------|-----------------|-------|-------|--------------|-------|-------|-------------|-------|-------|-------------------------------|-------|
|                      |          |       |         |        |                          | AB224     | AB233 | AB456 | AB154           | AB211 | AB300 | SB159        | AB136 | AB301 | SB304       | SB331 | SB368 |                               | AB137 |
| Shirley A. Breeden   | Clark 5  | A-    | 90%     | 0.9    |                          | ✓         | ✓     | ✓     | ✓               | ✓     | ✓     | ✓            | ✓     | ✓     | ✓           | ✓     | ✓     | ✓                             | 31.6% |
| Greg Brower          | Washoe 3 | F     | 30%     | 0.3    |                          | ✗         | ✓     | ✗     | ✓               | ✗     | ✗     | ✓            | ✗     | ✗     | ✓           | ✗     | ✗     | ✗                             | 22.8% |
| Barbara Cegavske     | Clark 8  | F     | 30%     | 0.3    |                          | ✗         | ✓     | ✗     | ✓               | ✗     | ✗     | ✓            | ✗     | ✗     | ✓           | ✗     | ✗     | ✗                             | 34.7% |
| Allison Copening     | Clark 6  | A-    | 90%     | 0.9    |                          | ✓         | ✓     | ✓     | ✓               | ✓     | ✓     | ✓            | ✓     | ✓     | ✓           | ✓     | ✓     | ✓                             | 30.4% |
| Mo Denis             | Clark 2  | A-    | 90%     | 0.9    |                          | ✓         | ✓     | ✓     | ✓               | ✓     | ✓     | ✓            | ✓     | ✓     | ✓           | ✓     | ✓     | ✓                             | 89.1% |
| Don Gustavson        | Washoe 2 | F     | 24%     | 0.3    | 3% (SB161, SB178, SB380) | ✗         | ✓     | ✗     | ✓               | ✗     | ✗     | ✓*           | ✗     | ✗     | ✓           | ✗     | ✗     | ✗                             | 28.6% |
| Elizabeth Halseth    | Clark 9  | F     | 30%     | 0.3    |                          | ✗         | ✓     | ✗     | ✓               | ✗     | ✗     | ✓            | ✗     | ✗     | ✓           | ✗     | ✗     | ✗                             | 40%   |
| Joe Hardy            | Clark 12 | F     | 42%     | 0.42   |                          | ✗         | ✓     | ✓     | ✓               | ✗     | ✗     | ✓            | ✗     | ✓     | ✓           | ✗     | ✗     | ✗                             | 35.6% |
| Steven Horsford      | Clark 4  | A-    | 90%     | 0.9    |                          | ✓         | ✓     | ✓     | ✓               | ✓     | ✓     | ✓            | ✓     | ✓     | ✓           | ✓     | ✓     | ✓                             | 68.2% |
| Ben Kieckhefer       | Washoe 4 | F     | 48%     | 0.48   |                          | ✗         | ✓     | ✗     | ✓               | ✓     | ✗     | ✓            | ✗     | ✗     | ✓           | ✓     | ✓     | ✗                             | 28.2% |
| Ruben Kihuen         | Clark 10 | A-    | 90%     | 0.9    |                          | ✓         | ✓     | ✓     | ✓               | ✓     | ✓     | ✓            | ✓     | ✓     | ✓           | ✓     | ✓     | ✓                             | 75.7% |
| John Lee             | Clark 1  | B-    | 84%     | 0.84   |                          | ✓         | ✓     | ✓     | ✓               | ✗     | ✓     | ✓            | ✓     | ✓     | ✓           | ✓     | ✓     | ✓                             | 63.3% |
| Sheila Leslie        | Washoe 1 | A+    | 96%     | 0.9    | 0.06                     | ✓         | ✓     | ✓     | ✓               | ✓     | ✓     | ✓            | ✓*    | ✓*    | ✓           | ✓     | ✓     | ✓                             | 50.3% |
| Mark Manendo         | Clark 7  | A-    | 90%     | 0.9    |                          | ✓         | ✓     | ✓     | ✓               | ✓     | ✓     | ✓            | ✓     | ✓     | ✓           | ✓     | ✓     | ✓                             | 58.6% |
| Mike McGinness       | Central  | F     | 36%     | 0.36   |                          | ✗         | ✓     | ✗     | ✓               | ✗     | ✗     | ✓            | ✗     | ✗     | ✓           | ✗     | ✓     | ✗                             | 22.1% |
| David R. Parks       | Clark 7  | A+    | 93%     | 0.9    | 0.03                     | ✓         | ✓     | ✓     | ✓               | ✓     | ✓     | ✓            | ✓     | ✓     | ✓           | ✓     | ✓*    | ✓                             | 58.6% |
| Dean A. Rhoads       | Rural    | F     | 48%     | 0.48   |                          | ✗         | ✓     | ✓     | ✓               | ✗     | ✗     | ✓            | ✗     | ✓     | ✓           | ✗     | ✗     | ✗                             | 27.5% |
| Michael Roberson     | Clark 5  | F     | 27%     | 0.3    | (SB373)                  | ✗         | ✓     | ✗     | ✓               | ✗     | ✗     | ✓            | ✗     | ✗     | ✓           | ✗     | ✗     | ✗                             | 31.6% |
| Michael A. Schneider | Clark 11 | A-    | 90%     | 0.9    |                          | ✓         | ✓     | ✓     | ✓               | ✓     | ✓     | ✓            | ✓     | ✓     | ✓           | ✓     | ✓     | ✓                             | 60.8% |
| James A. Settelmeyer | Capital  | F     | 27%     | 0.3    | (SB107)                  | ✗         | ✓     | ✗     | ✓               | ✗     | ✗     | ✓            | ✗     | ✗     | ✓           | ✗     | ✗     | ✗                             | 20.7% |
| Valerie Wiener       | Clark 3  | A-    | 90%     | 0.9    |                          | ✓         | ✓     | ✓     | ✓               | ✓     | ✓     | ✓            | ✓     | ✓     | ✓           | ✓     | ✓     | ✓                             | 57.9% |

✓ = support of racial equity; ✗ = vote against racial equity; \* = primary sponsor; ● = excused absence

# GOVERNOR

| 2011 Governor     | Grade | Total % | Voting | Education |       |       | Economic Equity |       |       | Civil Rights |       |       | Health Care |       |       | % People of Color in District |       |       |       |
|-------------------|-------|---------|--------|-----------|-------|-------|-----------------|-------|-------|--------------|-------|-------|-------------|-------|-------|-------------------------------|-------|-------|-------|
|                   |       |         |        | AB224     | AB233 | AB456 | AB154           | AB211 | AB300 | SB159        | AB136 | AB301 | SB304       | SB331 | SB368 |                               | AB137 | AB309 | SB440 |
| Governor Sandoval | F     | 90%     | 0.53   | ✓         | ✓     | ✗     | ✓               | ✓     | ✗     | ✓            | ✗     | ✗     | ✗           | ✓     | ✓     | ✗                             | ✗     | ✓     | 43.6% |

✓ = support of racial equity; ✗ = vote against racial equity; \* = primary sponsor; ● = excused absence

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