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Office of the Governor

June 5, 2025

The Honorable Francisco Aguilar
Nevada Secretary of State
101 South Carson Street
Carson City, Nevada 89701

Re: Assembly Bill 488 of the 83rd Legislative Session

Dear Secretary of State Aguilar:

I am forwarding to you, for filing within the time limit set forth in the Nevada Constitution and without my approval, Assembly Bill 488 ("AB 488"), which is titled as follows:

AN ACT relating to criminal procedure; revising provisions relating to vacating a judgment of conviction and sealing certain records of certain victims; and providing other matters properly relating thereto.

There is no question that victims of sex-trafficking deserve unique protection under the law. However, AB 488 is inartful in its approach to addressing the needs of victims of sex-trafficking.

First, the bill provides that a "qualified party" must confirm whether a person is a victim of sex-trafficking. The term "qualified party" is overbroad in that it applies to non-profit organizations, without requiring independent verification of the petitioner's status as a victim of human trafficking. When the stakes are as high as the potential sealing of a criminal record, even for a charge as severe as homicide, it is more appropriate for that determination to be made by law enforcement and/or a healthcare provider. Additionally, even the "qualified party['s]" affidavit in support of record sealing need only state that the person "sought assistance from the qualified third party relating to the victimization experienced by the petitioner from human trafficking[.]" Effectively, this would mean a nefarious defendant could seek assistance—without actually being a victim—and still have

their records, related to any type of crime, sealed. Finally, AB 488 limits a court's inquiry into whether a defendant has truly been rehabilitated. This is an unsupportable proposition because the court could find that a defendant needs additional treatment or supportive services to heal from trauma and would have no means to ensure the provision of such treatment or support.

For these reasons, I veto this bill and return it without my signature or approval.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "JOE LOMBARDO", is written over the typed name.

JOE LOMBARDO

Governor of Nevada

Enclosure

cc: The Honorable Stavros Anthony, President of the Senate (without enclosure)
The Honorable Nicole Cannizzaro, Senate Majority Leader (without enclosure)
The Honorable Steve Yeager, Speaker of the Assembly (without enclosure)
Brendan Bucy, Secretary of the Senate (without enclosure)
Bonnie Borda Hoffecker, Chief Clerk of the Assembly (without enclosure)
Diane Thornton, Legislative Counsel Bureau, Director (without enclosure)
Asher Killian, Legislative Counsel Bureau, Legislative Counsel (without enclosure)