

NACJ

Nevada Attorneys for Criminal Justice

Black public defenders elected to the bench in Clark County this year represent an important step toward improving our criminal legal system — we denounce Clark County District Attorney Steve Wolfson’s misguided criticism of the voters’ decision to elect them.

FOR IMMEDIATE RELEASE

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LAS VEGAS — The 2020 election was a defining year for racial and criminal justice in Clark County. Voters resoundingly spoke in favor of change by electing seven female public defenders to the bench — including the first Black women elected to a District Court bench — signaling our collective desire for a drastically new perspective in our local criminal legal system. These new judges have spent their careers working to understand the struggle of our most disadvantaged communities from which most of those who appear in our criminal courts derive. They bring an invaluable and long overdue perspective on how our community should handle criminal cases.

District Court Chief Judge Linda Bell has the unilateral power to determine whether a District Court judge will hear a criminal docket or be assigned only civil cases. It is clear to us that the voters’ most obvious intent for placing public defenders on the bench was to bring their perspective to positions of power in our criminal legal system — we wanted these experienced criminal defense lawyers to oversee criminal cases.

And as a matter of racial justice and equality, we believe that it is essential that the first Black women elected to a position on the District Court bench with authority over criminal cases, Erika Ballou and Jasmin Lilly-Spells, be assigned to hear criminal cases. In a country founded on racial oppression, Black disenfranchisement, silencing Black voices and ending Black lives — and in the heart of what may be the “largest movement in U.S. history” opposing these exact injustices — ensuring these Black judges may exercise their authority over our criminal legal system is critical for racial justice and equality in Clark County. The voters have called for more members of our Black community to hold positions of authority in our criminal legal system and their perspective will be highly valued.

Further, we denounce any attempt or call to countervail this progress. After seeing the results of this election, Clark County District Attorney Steve Wolfson called for the end of judicial elections and to transition into an appointment system, lamenting that money was no longer as effective in securing electoral outcomes and suggesting that this year’s candidates were not “experienced” or “qualified” to serve as judges. We are deeply concerned with this public official’s undemocratic commentary. It ignores the reality that in the history of our state, only one Black woman has been appointed to the District Court bench, which did not occur until 2017, yet this year four Black women were elected to the bench — an appointment system has already proven ineffective to advancing diversity in our courts. Wolfson’s commentary also ignores the greater value in a

democracy of earned community reputations over access to finances and denies the extensive professional qualifications of our newly elected judges. His commentary well demonstrates why the voters opted this year for a fresh, more balanced perspective in our county's criminal legal system.

We also fear Wolfson's implication — that judicial candidates who won this election with low-funded campaigns are unqualified — was intended to single out District Judge-Elect Erika Ballou, who decisively won this election by over 9 points without any money. We wholeheartedly disagree with and reject any such assertion about Ms. Ballou — she has spent nearly twenty years earning her reputation in this community and developing her qualifications for the job. Ms. Ballou is a fifteen-year veteran of the Clark County Public Defender's office, has been an active member of the Nevada Attorneys for Criminal Justice for well over a decade, has served as editor for the local criminal-law publication Unreasonable Doubt, and has served as chair of both the Legal Observer Committee and the Voter Registration and Education Committee for the National Lawyers Guild's Las Vegas chapter. Moreover, she has helped veterans in the Las Vegas Veterans Stand Down program, served as the Angel Tree coordinator for the Clark County Public Defender since 2015 to provide gifts for hundreds of local needy children, has participated in candidate selection for the Clark County Black Caucus, and served on Nevada's Indigent Defense Commission to improve public defense in rural communities.

Ms. Ballou's extensive work for our community makes her uniquely well suited for the task of handling the criminal cases that arise here: she will bring an invaluable perspective rarely enjoyed by the bench in Clark County, both due to her extensive service for our disadvantaged communities and as a Black woman. And we believe her victory in this election is the result of her hard-earned reputation with our community, including among the organizations signed below.

Every organization that has signed below believes the voters of our community have spoken in favor of giving our public defenders newly elected to the bench a criminal caseload — their experience in the criminal legal field was a critical basis for their candidacy for the bench and our support thereof. We look forward to the will of the electorate being carried out in our local courts and reject misguided criticism of this democratic progress. These new judges are uniquely well suited to uphold our constitutional guarantee of racial equality in our criminal legal system.

Signed,

NACJ Executive Board

By: Sarah K. Hawkins, President

NEVADA ATTORNEYS FOR CRIMINAL JUSTICE

nacjdefenders.org

**LAS VEGAS NATIONAL ASSOCIATION
FOR THE ADVANCEMENT OF COLORED PEOPLE**
naacplv.org

CLARK COUNTY BLACK CAUCUS
ccblackcaucus.com

CLARK COUNTY DEMOCRATIC PARTY
clarkdems.com/ccdp

**LAS VEGAS DEMOCRATIC SOCIALISTS
OF AMERICA**
lvdsa.org

BATTLE BORN PROGRESS
battlebornprogress.org

FORCED TRAJECTORY PROJECT
www.forcedtrajectoryproject.com

MI FAMILIA VOTA
www.mifamiliavota.org/where-we-are/nevada

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YOUNG PROFESSIONALS**
lvulyp.org

**NATIONAL LAWYERS GUILD
LAS VEGAS CHAPTER**
nlglv.org

**LAS VEGAS NATIONAL BAR
ASSOCIATION**
lasvegasnba.org

**PROGRESSIVE LEADERSHIP
ALLIANCE OF NEVADA**
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LAS VEGAS**

**NEVADA COALITION AGAINST
THE DEATH PENALTY**
nvcadp.org

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