

NEVADA

Collateral Punishments for Marijuana Offenses

COLLATERAL PUNISHMENTS THAT HINDER FAMILY LIFE

Eligibility to Adopt a Child, or to Become a Foster Parent

An applicant cannot adopt a child, or serve as a foster parent if (s)he has been convicted of a marijuana-related felony within the past five years. NEV. ADMIN. CODE §§ 127.240, 424.190, 424.195 (2006).

Eligibility for Public Housing

The Housing Authority of Las Vegas will consider marijuana arrests in their admissions evaluation if there appears to be a pattern. LEGAL ACTION CENTER, AFTER PRISON: ROADBLOCKS TO REENTRY: A REPORT ON STATE LEGAL BARRIERS FACING PEOPLE WITH CRIMINAL RECORDS, NEVADA (hereinafter "LAC REPORT"), <http://www.lac.org/lac/main.php?view=profile&subaction1=Nv> (last modified 2004). Individuals will be barred for different lengths of time, depending on the severity of the crime (i.e. felony marijuana conviction results in a five-year (5) bar). *Id.* Because rehabilitation is considered to lift most bars, the lengths vary. *Id.*

Eligibility for Food Stamps and other Public Assistance

Nevada has adopted the federal ban, therefore any person who has been convicted of a felony an element of which is the possession, use or distribution of marijuana, is not eligible to receive any public assistance for which denial is required by federal law. NEV. REV. STAT. ANN. § 422A.345 (2006); 21 U.S.C. 862a (2006). However, under Nevada law, if the individual is participating in or has successfully completed a program for the treatment of the abuse of controlled substances and demonstrates that (s)he has not possessed, used or distributed controlled substances since (s)he began the program; or that person is pregnant and a physician has certified in writing that the health and safety of the mother and the unborn child are dependent upon the receipt of benefits, then that person will become eligible for benefits. NEV. REV. STAT. ANN. § 422A.345 (2006).

COLLATERAL PUNISHMENTS THAT HINDER PROFESSIONAL SUCCESS

Employment and Professional Licensing

Conviction records are available indefinitely for employment purposes. NEV. REV. STAT. ANN. §§ 179A.100, 179A.190, 179A.200 (2006). Other non-conviction information may be obtained by an employer with the written consent of the job applicant. *Id.* No law prevents employers from asking about and considering arrest and conviction records. LAC Report.

Eligibility for Educational Loans

Students with past drug convictions are eligible to receive state aid. CHRIS MULLIGAN ET AL., FALLING THROUGH THE CRACKS: LOSS OF STATE-BASED FINANCIAL AID ELIGIBILITY FOR STUDENTS AFFECTED BY THE FEDERAL HIGHER EDUCATION ACT DRUG PROVISION 16-17 (Coalition for Higher Educ. Reform 2006), <http://www.raiseyourvoice.com/statereport/fallingthrough.pdf> (last modified February 7, 2006)(CHEAR green state.)

Driver's License

A nonvehicle-related marijuana conviction does not result in a driver's license suspension.

COLLATERAL PUNISHMENTS THAT HINDER CIVIC PARTICIPATION

Right to Vote

A felony marijuana conviction results in a bar on voting which is lifted once the person has completed probation, parole, or his/her prison sentence except in a few, limited circumstances. NEV. CONST. art II, § 1. , NEV. REV. STAT. ANN. §§ 176A.850, 213.155, 213.157 (2006).

Right to Sit on a Jury

A felony marijuana conviction results in a bar on jury service, but the bar is lifted once the person has completed probation, parole, or his/her prison sentence except in a few, limited circumstances. NEV. REV. STAT. ANN. §§ 6.010 176A.850, 213.155, 213.157 (2006) . .

Right to Possess a Firearm

A felony marijuana conviction results in a lifetime bar on possessing a firearm, restored by a pardon. Additionally, any person that is an unlawful user of, or addicted to, marijuana, may not possess a firearm., NEV. REV. STAT. ANN. § 202.360 (2006).