



NATIONAL RIFLE ASSOCIATION OF AMERICA  
INSTITUTE FOR LEGISLATIVE ACTION  
555 CAPITOL MALL, SUITE 625  
SACRAMENTO, CALIFORNIA 95814  
(916) 446-2455 voice • (916) 448-7469 fax  
www.nraila.org

STATE & LOCAL AFFAIRS DIVISION  
CAROLYN HERBERTSON, NEVADA STATE LIAISON

May 5, 2011

The Honorable Valerie Wiener  
Chair, Senate Judiciary Committee  
Sent Via NELIS thru Email

RE: Assembly Bill 321 (Oceguera) – SUPPORT

Dear Chairwoman Wiener:

On behalf of the Nevada members of the National Rifle Association, I would like to extend our support to Assembly Bill 321, as introduced by Assembly Speaker Oceguera. AB 321 is important self-defense legislation that would provide that a law-abiding person has “no duty to retreat” from an attack if the person is in any place the person has a legal right to be.

Nevada case law already makes allowances for this debate (per *Runion v. State*) in self-defense cases where juries are instructed that individuals have no duty to retreat, however memorializing this language into the Nevada Revised Statutes is a major step in the right direction for citizens of the Silver State.

Notwithstanding the question of retreat, a person using deadly force in self-defense must have justification and must consider that question in the split second he or she has to decide whether to respond with force. Removing the additional question as to whether or not the person can retreat with complete safety provides for one less thing a potential victim must concern themselves with in the life-or-death, split-second decision-making process. Removing the duty to retreat, however, does not in any way change the fact that a person must be justified in using deadly force, must be lawfully in the place where the act of self-defense takes place, is not the original aggressor, and not actively engaged in criminal activity at the time deadly force is used.

For the reasons articulated above, the NRA is in full support of AB 321.

Cordially,

Carolyn L. Herbertson  
Nevada State Liaison

Cc: Members, Senate Judiciary Committee