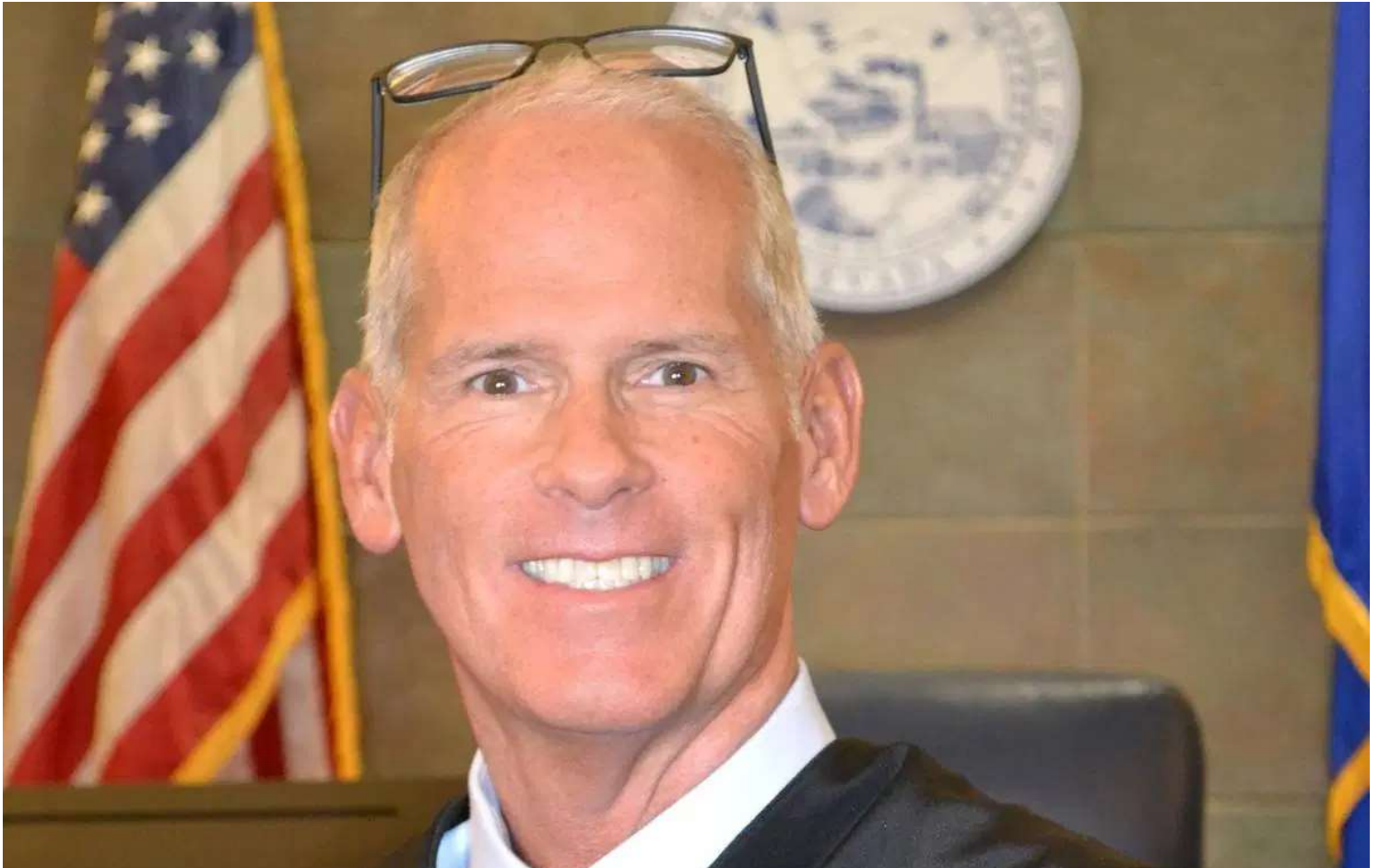


REVIEW-JOURNAL ENDORSEMENT: Nevada Supreme Court, Department D



Clark County District Court Judge Douglas Herndon (courtesy)

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Two seats on the Nevada Supreme Court were on the 2020 ballot, but one race, Department B, was decided in the June primary when Justice Kristina Pickering earned more than 50 percent of the vote. In the other, Department D, District Court Judge Douglas Herndon and Assemblyman Ozzie Fumo advanced to the November general election to battle for the position being vacated by the retirement of Justice Mark Gibbons.

Judge Herndon was appointed to the bench in 2005 after spending 14 years as a Clark County prosecutor. He was re-elected in 2008 and 2014. He has

consistently scored highly in the Review-Journal's Judging the Judges survey, earning an impressive 85 percent retention rating in 2019 and an 81 percent in 2013. His scores were consistently good across the board on matters of temperament, impartiality and knowledge of the law.

Mr. Fumo, who says he seeks "equal justice for all Nevadans," was a Las Vegas trial attorney for nearly 20 years before being elected to the Assembly in 2015 as a Democrat. He is also an adjunct professor at UNLV's Boyd Law School. During his time in the Legislature, Mr. Fumo has been a reliable lieutenant in promotion of progressive policies. Were he elevated to the state high court, he would likely have to abstain on a number of issues thanks to his work as a legislator.

Mr. Fumo has sought to emphasize Judge Herndon's role as a prosecutor in the case of Fred Steese, who was wrongly convicted of murder in 1995 and spent 21 years in prison. Mr. Steese received a pardon in 2017 and was awarded millions in damages. The case is indeed a blemish on Judge Herndon's record and an unfortunate reminder that there is no perfect pursuit of justice. But Judge Herndon was not found to have committed misconduct, has taken responsibility for his actions and expressed remorse for the injustice. He even testified at the Legislature in favor of a bill to compensate those who have been convicted in error. "That informs me every day about the way a system can go awry," he said of the Steele case.

Judge Herndon's humility is refreshing. He has the work ethic, integrity, temperament and judicial experience to excel on the Supreme Court. We urge a vote for **Douglas Herndon**.