

**EXHIBIT E**

FOR: Board of Prison Commissioners  
FROM: James Palombo ([palomboj@unlv.nevada.edu](mailto:palomboj@unlv.nevada.edu) - 702-994-8447)  
RE: Considerations

Jan. 23, 2008

I have attended four meetings related to the Advisory Commission and this is my second Board of Prison Commissioners meeting. In his sense, I believe I have the players, interests, and concerns clear enough now. With this in mind, and given my experiences I previously noted to this Commission including being both an inmate and employee of NDOC, I want to underscore what almost everyone and everything seems to be suggesting.

There is a definite need to hold NDOC more accountable, especially in light of its inability to legitimately respond to the problems it is now facing. It is not enough to be reactive, and/or to point fingers at others for the existence of the problems. As an example why is the division of offender management so understaffed? Can it be true that there is only one timekeeper faced with all of today's demands? Said another way, as this was a distinct possibility, why wasn't an active plan put forth to address this glaring shortcoming? This seems to imply a philosophy of – let them, those people who made the laws, figure this out – they made the problem, they can deal with it. I will suggest to you that given my recent experiences, this is exactly the frame of conversation/attitude within the Dept. of Corrections.

It does not appear that allocating more money to a failing system (and from administrative, management and inmate standpoints it is failing) is the answer, particularly before issues are better clarified and alternatives examined. Allowing NDOC to simply defend the frailties without admitting/clarifying the difficulties should not stand. Yet that is what I'm hearing in the context of all the meetings. The notion that Director Skolnik has things well in hand and that more money will assist him accordingly is simply not true. It conjures up the image from the Wizard of Oz, where the so-called wizard, exposed by the little dog pulling the curtain while he is manipulating the entire proceedings, keeps yelling "pay no attention to the man behind the curtain."

Existing resources are being mismanaged. Jean seems a curious example of this. I'm not even sure to what extent this Commission participated in the decision to close 500 beds amidst the call for more building. If there was no involvement, it seems there should have been, especially as there is speculation that Jean has attracted private-prison interests. Along these lines, I would raise a concern over the monitoring of the Inmate Welfare Fund. I would also cite the so-called "training programs", as they tediously serve to support things as they are with little appreciable results. I would also note that innovation is stifled more than encouraged and it is almost impossible to try to initiate anything in the system. This I would suggest to you is a waste of the human resources available in the system.

Attention also needs to be focused on the prison philosophy and the attitudes that follow. In this sense, a more clear philosophy needs to be identified, particularly one that doesn't continually plug the concept of programs into a punitive socket – as this will only continue to short circuit both. Either make programs a legitimate priority or make them purely voluntary and not tied to a parole board process. On that note, it could well be that

the parole board concept – programming toward freedom - has run its course, both for staff and inmates.

In terms of the Parole Board, what else has to be demonstrated in order to see that on both procedural and substantive grounds, it has turned into a farce. And this has happened on the watch of individuals who were supposed to oversee otherwise. If the decision is to keep the board under its current theme as a release/control mechanism, then get some people who have a legitimate sense of what this means and how a parole board is tied to the philosophy of indeterminate sentencing and the notion of rehabilitation. If everything else in the system is contrary to this notion, then we need to have people who will say this, explain it to the public and assist in altering what needs to be altered. This would be opposed to a group who thinks primarily in terms of keeping their jobs, while wasting time, energy and public monies.

So again, given all of the above, we have a definite need for an oversight committee, and or a task force if the Board of Prison Commissioners is seen as such a committee. Again, this is not necessarily to direct that any specific policies be implemented, but rather that what is implemented is clarified relative to its consistency with expressed public interests. And we have a definite need to revamp or do away with the Parole Board. This point really needs no more support than recognizing the current state of affairs.

One more point as to the "correctional" system. I hope this Board will take note of and include in its purview the significance and substance of the re-entry and community program processes. Like with the other points noted, all the data and logic point to this area as extremely important, regardless of what happens in the prison setting. As I am working to develop a comprehensive approach, including attending to the particular problems related to former military personnel now incarcerated, I would be happy to participate in more detailed discussions on the re-entry/community aspect of the correctional processes.

Finally, I want to make note of a particular case tied to many of the issues touched upon here. I have been working with an inmate who has served 28 years and who, by court examination, was being denied seven years of his time. Said another way, he now has a court order, issued in October, stating that he has seven years of time coming, which would put him immediately eligible for parole. However, his attorney has separated herself from the case after the court ruling, the AG, who signed off on the order hasn't prompted any action, nor has the Division of Offender Management-Timekeeper, the inmate's counselor, or Director Skolnik, all of whom have been made aware of the matter by myself and/or the inmate. Given that the taxpayer is paying for this inmate's continuing, yet unwarranted stay, it's hard to understand why something isn't being done to get this individual out. Yet at every turn, when the question gets raised, blame gets pushed to someone else for gumming up the process. This type merry-go-round should simply not be, and in this case particular case, I'm asking members here today to assist in making something happen. Can those of you attached to this circumstance do something?

Thank-you for the time and I trust your legitimate consideration.