Attachment 4

FILE COPY

AFSCME Local 4041

American Federation of State, County and Municipal Employees, AFL-CIO

September 25, 2012

Sent via: US Postal Service and e-mail

Hon. Brian Sandoval, Governor
State of Nevada
101 North Carson Street
Carson City, NV 89701

Hon. Ross Miller, Secretary of State
State of Nevada
202 North Carson Street, Suite 3
Carson City, NV 89701

Hon. Catherine Cortez-Masto, Attorney General
State of Nevada
100 North Carson Street
Carson City, NV 89701

Dear Honorable Board of State Prison Commissioners:

I write to you with great concern regarding the actions taken by the Department of Corrections Director, James Cox. On August 24, 2012 Director Cox sent to all Department of Corrections' employees a communication titled, "Scheduled ARs for the Executive AR Policy Panel" (enclosed). Director Cox has "revised" AR 100. The main points of Director Cox's revision are the elimination of the AR Committee and the creation of an "Executive AR Policy Panel" consisting of the Director, the Deputy Directors, the Medical Director, and the Human Resources Administrator. The Director's actions are contrary to the agreement reached on May 18, 2012, at the Board of State Prison Commissioners' meeting, between Director Cox and the Board of State Prison Commissioners.

At the May 18, 2012 Board of State Prison Commissioners' meeting considerable discussion and agreement took place regarding Administrative Regulations (AR's) and the Administrative Regulations (AR) Committee. Correctional Officer, AFSCME Local 4041 representative, and AR Committee member Ronald Bratsch addressed the Commissioners at said meeting, regarding changes to AR 301, AR 350, and the lack of a defined process for employees to discuss proposed AR's changes. Mr. Bratsch stated, "…we believe if there was a defined process for the Administrative Regulations these matters would not be before you today." (1) Commissioner, Secretary of State Ross Miller later questioned the Director as to the purpose of the AR Committee. Director Cox stated in part, "Those employees sit down, we meet on a monthly basis. We send the AR's out to the Committee, the Associations, the members are involved in it. We send them out for their review. They come, they sit down with us, they look at the AR's."(2) Secretary Miller further asked Director Cox, "…if the AR doesn't really apply

until November, what prejudice would there be to the Department by keeping this regulation as temporary and putting it through the AR Committee so that we can just find out whether or not there are any substantive concerns?"(3) Director Cox responded in part, "Fair enough."(4) Commissioner, Governor Brian Sandoval, asked, "Director Cox, you said that Committee meets monthly. When was the last time 301 was discussed at the Committee?"(5) Director Cox responded in part, "I'm not sure the last time we discussed 301. I could add I know that my AR Committee I can get that information to you." Director Cox further stated, "Governor, if you would like for us to take this regulation and postpone it to the next meeting and take that input I'd be glad to do that."(6) Governor Sandoval responded, "And I would appreciate that, Director Cox. I'm not sure how the other members of the Board feel, but I think – and again, it may be as you say, you came back with the exact same product that you brought before us today. But it would be helpful to me to have that input at that monthly meeting and have that reported back to us at the next meeting."(7) Secretary Miller responded in part, "But I think I share the consensus of the Governor."(8) Director Cox responded to the Secretary in part, "I most certainly am willing to have it in front of the next AR Committee again. We will post it for next month. Take the information provided by the staff and the Associations and then bring it forward on the next one. I have no problem with that."(9) Governor Sandoval asked Commissioner, Attorney General Catherine Cortez Masto, "Madam Attorney General do you have any questions?"(10) Attorney General Cortez Masto replied, "No Governor, I agree with both the comments and the concerns that you and the Secretary on this issue."(11)

Honorable Commissioners, no AR Committee meeting has taken place. On July 30, 2012, Mr. Bratsch went to the Casa Grande, Department of Corrections headquarters where and when an AR Committee was scheduled to meet. Mr. Bratsch arrived earlier in the day ahead of the scheduled time of the meeting to get a copy of the agenda and any new or changed AR's. He had not received this information prior to the meeting. He was told by Ms. Maxine Blackwell, Management Analyst IV for the Department, that the AR Committee meeting was cancelled and there would be no further AR Committee meetings until a new Administrative Regulation 100 was developed.

On August 14, 2012, Mr. Bratsch sent a letter to Director Cox, regarding the cancellation of the July 30, 2012 AR Committee meeting (enclosed). Director Cox has not responded to Mr. Bratsch's letter. The only correspondence received by Mr. Bratsch is the August 24, 2012 e-mail referenced in my opening paragraph of this letter.

Honorable Commissioner's, Director Cox knowingly disregarded the agreement reached with the Commissioners on May 18, 2012. His August 24, 2012 states in part, "This revised AR makes changes to how new ARs will be developed,; and how existing ARs will be revised." In fact his list of AR's that he states will either be reviewed and/or revised by his new NDOC Executive AR Policy Panel includes AR301, one of the specific AR's discussed by the Commissioners and Director Cox at the May 18, 2012 meeting.

Two hundred and thirty-one (231) correctional employees completed Director Cox's Administrative Regulation Input Form asking in response to each question, to "Review with AR Committee. These forms were personally delivered to the Director's office on Monday, September 10, 2012 (enclosed).

Honorable Commissioners, on behalf of AFSCME Local 4041 and the Department of Corrections employees, I ask that you direct Director Cox to rescind the revised AR100, reinstate the previous

ARI00, including the abolishment of the NDOC Executive AR Policy Panel, the reinstatement of the former AR Committee, and to immediately convene a meeting of the former AR Committee to hear matters agreed to at the May 18, 2012, Board of State Prison Commissioners meeting, and "take the information provided by the staff and the associations and then bring it forward on the next one". That the Commissioners direct Director Cox to meet with the AR Committee to develop a defined process by which AR's are changed and new AR's are developed.

Honorable Commissioners, I further ask that this matter be placed on the agenda of the next Board of State Prison Commissioners meeting, to enable an open discussion of the importance of this matter.

If you have any questions, please feel free to contact me at the above address, my office phone: 775-882-3910, or at: keith@nvafscme.org .

Thank you for your attention to this matter.

Sincerely,

Keith Uriarte

Keith Uriarte, Chief of Staff
AFSCME Local 4041

cc: Neil Lake
Ron Bratsch
Aldo Vennettilli
w/o enclosures: NDOC employees

Enclosures: August 24, 2012 e-mail
August 14, 2012 Ron Bratsch letter
Completed Administrative Regulation Input Forms

Footnotes: May 18, 2012 posted minutes of Board of State Prison Commissioners' meeting
(1) Pg. 14, par. 13 and Pg.15, par. 2
(2) Pg. 22, par. 3
(3) Pg. 23, par. 1
(4) Pg. 23, par. 2
(5) Pg. 23, par. 3
(6) Pg. 23, pars. 4 & 6
(7) Pg. 23, par. 7
(8) Pg. 23, par. 9
(9) Pg. 23, par. 10
(10) Pg. 23, par. 11
(11) Pg. 23, par. 12

Local 4041
AFSCME
We Make Nevada Happen

709 E. Robinson Street
Carson City, NV 89701
775-882-3910

August 14, 2012

James G. Cox, Director
Nevada Department of Corrections
3955 West Russell Road
Las Vegas, NV 89118

Re: Department of Corrections Administrative Regulations Committee

Dear Director Cox:

On July 30, 2012, at approximately 1130 hours, I arrived at the Casa Grande Department of Corrections headquarters. I came to prepare for the Administrative Regulations (AR) Committee meeting, scheduled to meet at 1300 hours. The date and time of this meeting had been on the master calendar since January, 2012. When I arrived, I met Maxine Blackwell, Management Analyst IV. Ms Blackwell informed me that the AR Committee was cancelled. She also stated that there would be no further AR Committee meetings until you developed a new Administrative Regulation 100, submit the new Administrative Regulation to the Attorney General's office and receive the Office's approval.

I did not receive any notice of cancellation of the July 30, 2012 AR Committee meeting. The last notice I received from your office regarding an AR Committee meeting was on April 27, 2012 regarding the agenda for the April 30, 2012 AR Committee meeting.

On behalf of AFSCME Local 4041, I request a copy of the newly proposed Administrative Regulation 100. My understanding is that AFSCME Local 4041 would be involved with your department in the development of a defined process for new or modified Administrative Regulations.

If you have any questions, please contact me.

Sincerely,

Ronald Bratsch
Correctional Officer
Regional Vice President, AFSCME Local 4041

Cc. Neil Lake
Keith Uriarte
Aldo Vennettilli
Priscilla Maloney

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: [illegible]
INSTITUTION: [illegible] DATE: 9/5/14

Which AR are you recommending be changed? Please review with AR Committee

Which section of the AR do you want to change? Please review with AR Committee
(Use a separate form for each section)

Please write how you would like the AR to read using specific verbiage:

Please review with the AR Committee.

Please list the justification for the change you are requesting:

AR100.01 Development of Administrative Regulations #5. Draft regulations should be reviewed by the AR Committee and the designated staff of the Attorney General's Office as needed.

(Add Continuation Sheets as Needed)

Ronald Bratsch - Fwd: Scheduled ARs for the Executive AR Policy Panel

From: Help Desk
To: *.*
Date: 8/24/2012 2:10 PM
Subject: Fwd: Scheduled ARs for the Executive AR Policy Panel
Attachments: DOC 049 AR 100.draft - INPUT FORM (07-12).doc; AR 100 - 082412.pdf

>>> On 8/24/2012 at 1:49 PM, in message <503787DC.B1B9.00AD.0@doc.nv.gov>, Maxcine Blackwell wrote:

Good Afternoon,

The Director has authorized the below email to be distributed to all NDOC employees. Please print and give to those NDOC employees not having access to email.

The **AR 100, Administrative Regulations**, has recently been revised. A copy of this AR is available on the Department's website and also is attached to this email. This revised AR makes changes to how new ARs will be developed; and how existing ARs will be revised.

Below is a list of the Administrative Regulations (ARs) that may be reviewed and/or revised during the next meeting of the NDOC Executive AR Policy Panel.

AR 141, Information Technology Standards, Controls and Security; Acceptable Uses of Information Technology
AR 223, Fundraisers
AR 300, Recruitment and Hiring
AR 301, Shift Bidding
AR 317, Employee Awards and Commendations
AR 320, Salary Administration
AR 343, Imposing Corrective/Disciplinary Action
AR 345, Unauthorized Relationships
AR 446, Identification of Inmates Affiliated with Security Threat Groups and Disruptive Groups
AR 485, Respiratory Protection Program
AR 523, Residential Confinement Program
AR 563, Reporting of Inmate Work and Meritorious Credits
AR 569, Confidentiality of Inmate Records (Alexjandra Livingston's proposed revision to include requests for statistical information)
AR 707, Inmate Disciplinary Process
AR 711, Inmate Personal Property
AR 750, Inmate General Correspondence and Mail
AR 810, Religious Faith Group Activities and Programs
Manual to AR 719, Inmate Visitation

The above ARs are posted on the Department's website.

We encourage you to review the above listed ARs and we welcome your input. Because of the time constraints involved with processing the ARs, we must ask that if you want to submit input, you must strictly comply with the following procedures:

--Submit your input only on the attached NDOC Form 049. You may attach continuation pages if you have

lengthy input; however, a separate NDOC Form 049 must be submitted for each AR you want to provide input.

--Your name must be included on the attached NDOC Form 049. No anonymous input will be considered.

--Your input must relate to the current version of the AR which is posted on the Department's website. Input relating to an older version of the AR will not be considered.

--Your input must specifically identify what section(s) of the AR is (are) to be changed; and what verbiage is being recommended.

--Your input must be constructive.

--For your input to be considered, I must receive it (via email; or regular postal/interdepartmental mail) no later than: **Monday, September 10th** Input received after this date will not be considered.
If using regular mail or interdepartmental mail, please send your input to CGTH:

Maxcine S. Blackwell
3955 W. Russell Road
Las Vegas, NV 89118

After we have received your input, you will be contacted by the appropriate Deputy Director/subject matter expert who will discuss your input with you. Your input will be fairly and thoroughly considered. After this discussion, a decision will be made as to whether your input will proceed to the NDOC Executive AR Policy Panel or not. Either way, you will be notified of the decision.

If you have questions on any of the above procedures, please feel free to let me know.

Thanks!

Max

Maxcine S. Blackwell
Management Analyst IV
Nevada Department of Corrections
Casa Grande Transitional Housing
3955 W. Russell Road
Las Vegas, NV 89118
(702) 486-9923
(702) 486-9908 - FAX
msblackwell@doc.nv.gov

This preceding e-mail message and accompanying documents are covered by the Electronic Communications Privacy Act, 18 U.S.C. SS 2510-2521, and contain information intended for the specific individual(s) only or constitute non-public information. This information may be confidential. If you are not the intended recipient you are hereby notified that you have received this document in error and that any review, dissemination, copying, or the taking of any action based on the contents of this information is strictly prohibited. If you have received this communication in error, please notify me immediately by E-

mail, and delete the original message.Use, dissemination, distribution or reproduction of this message by unintended recipients is not authorized and may be unlawful.

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: _____

INSTITUTION: _____ DATE: _____

Which AR are you recommending be changed? _____

Which section of the AR do you want to change? _____
(Use a separate form for each section)

Please write how you would like the AR to read using specific verbiage:

_____

_____

_____

_____

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Please list the justification for the change you are requesting:

_____

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_____

_____

(Add Continuation Sheets as Needed)

NEVADA DEPARTMENT OF CORRECTIONS
ADMINISTRATIVE REGULATION
100

ADMINISTRATIVE REGULATIONS
(TEMPORARY)

Supersedes: AR 100 (04/08/11)
Effective date: 08/24/12

AUTHORITY: NRS 209.131; 209.391

RESPONSIBILITY

The Director of the Nevada Department of Corrections, (NDOC) is responsible for the implementation of this administrative regulation (AR).

The Executive AR Policy Panel will consist of the Director, the Deputy Directors, the Medical Director, and the Human Resources Administrator. The Executive AR Policy Panel will be responsible for policy development. The Director will make the final decision regarding all policies. The Executive AR Policy Panel may consult with counsel from the Attorney General's Office and/or subject matter experts when needed.

100.01 DEVELOPMENT OF ADMINISTRATIVE REGULATIONS

1. The Director will designate a Departmental AR Policy Coordinator who will facilitate the Executive AR Policy Panel meetings and who will perform duties as AR Custodian.

2. The AR Policy Coordinator will establish a general standard format for the publication of regulations.

3. The AR Policy Coordinator will announce which ARs are scheduled to be reviewed by the Executive AR Policy Panel and will set a deadline for input from all NDOC staff.

4. NDOC staff may recommend changes, additions, and/or submit input for any of the ARs scheduled to be reviewed by the Executive AR Policy Panel. Input must be submitted using established procedures which include, but are not limited to the following:

A. Input must be submitted to the AR Policy Coordinator on NDOC Form 049, Administrative Regulation Input Form.

B. Any input submitted must relate to the current version of the AR, and be related to the scheduled AR. Input relating to an older version of the AR will not be considered.

C. Input must specifically identify which section(s) of the AR is to be changed, and include the recommended verbiage for the proposed changes as well as an explanation of the justification and/or need for the proposed change.

D. Input must be submitted to the AR Policy Coordinator via email or regular mail (USPS or Inter-Departmental).

E. No anonymous input will be considered.

F. Input must be constructive.

G. The AR Policy Coordinator must receive the input no later than the announced deadline date or it will not be considered.

5. The AR Policy Coordinator may assign appropriate staff to write drafts of policies and procedures.

6. Upon receipt, the AR Policy Coordinator will acknowledge all appropriate AR input (excluding anonymous), and forward it to the designated Deputy Director or subject matter expert who is responsible for the AR.

7. The designated Deputy Director or subject matter expert will schedule a time to meet or confer with those employees who submitted the input. After deliberation, the Deputy Director or subject matter expert will make a recommendation as to whether to adopt or reject the input in whole or part.

A. Input that is recommended for adoption will be forwarded to the Executive AR Policy Panel for further consideration.

8. The Director and/or the Executive AR Policy Panel will consider all adopted input, but the Director will make the final decision regarding any changes, additions, or deletions to the AR.

A. The Director and/or Executive AR Policy Panel may consult with designated counsel from the Attorney General's Office regarding proposed adopted input.

9. Draft ARs should be reviewed by the Executive AR Policy Panel and the designated counsel of the Attorney's General Office as needed.

10. A draft AR, which has been signed by the Director shall become a Temporary AR with the force of policy until presented at the approved meeting of the Board of Prison Commissioners. Draft ARs will be effective on the date signed by the Director.

11. Temporary ARs put forth to the Board of Prison Commissioners shall, at the next scheduled board meeting, be approved as a Permanent Regulation or retained as a Temporary AR with recommendations for amendment at the next meeting. If approved by the Board of Prison Commissioners, the AR will be effective on the date of approval.

12. Regulations relating to health care services put forth as Temporary ARs in accordance with paragraphs 10 and 11 above shall be co-signed by the Director and the Medical Director.

13. ARs will be organized in the following series:

A. 100 series – General Administration

B. 200 series – Fiscal Management

C. 300 series – Human Resources, EEO / Employee Development, Payroll

D. 400 series – Institutional Management

E. 500 series – Classification & Management of Inmates

F. 600 series – Health Care Services

G. 700 series – Inmate Regulations

H. 800 series – Inmate Programs

I. 900 series – To be Determined

14. ARs approved by the Board of Prison Commissioners are public documents and will not contain procedures which affect the safety and/or security of NDOC institutions/facilities, inmates and/or staff. Documents that affect the safety and/or security of NDOC institutions/facilities, inmates and/or staff are confidential and do not constitute public documents.

15. ARs should be placed in all inmate law libraries for inmate access, and published on the Department's web site for public access.

100.02 ADMINISTRATIVE REGULATION REVIEW AND REVISION

1. ARs may be revised as necessary, without schedule, using the Draft/Temporary AR process set forth within this AR.

2. ARs should be revised as needed and reviewed for update at least every three (3) years.

3. An AR is effective until it is rescinded, replaced by a Temporary AR, or until a revised AR is approved by the Board of Prison Commissioners.

100.03 DISTRIBUTION AND IMPLEMENTATION OF ADMINISTRATIVE REGULATIONS

1. The AR Policy Coordinator will maintain the original signed ARs and distribute copies of the ARs to Wardens and Division Heads. The AR Policy Coordinator should ensure the ARs, the AR Table of Contents, and the definitions are placed on the Department's website.

2. The AR Policy Coordinator will send a Department-wide email to all NDOC staff notifying them when a new or revised AR has been posted to the Department website.

3. Wardens and Division Heads will distribute ARs to their subordinate staff, as appropriate. Wardens and Division Heads will ensure a complete and current paper copy of all ARs is maintained to ensure accessibility to employees who may not have computer access.

4. Wardens and Division Heads will ensure that staff are trained regarding ARs affecting their employment.

5. Wardens and Division Heads will ensure that ARs and definitions are placed in all inmate law libraries for inmate access.

6. The establishment of NDOC Administrative Regulations does not create any right, liberty or property interest, or establish the basis for any cause of action against the State of Nevada, its political subdivisions, agencies, boards, commissions, departments, officers or employees.

7. NDOC Administrative Regulations do not create any liberty interest, or right to any classification status, employment or placement, on behalf of inmates, nor is any liberty interest to be implied from any part of these regulations.

8. Divisions, institutions, and facilities will establish Operational Procedures to implement the requirements of ARs to their operations and environment. Operating Procedures do not create any right, liberty or property interest, or establish the basis for any cause of action against the State of Nevada, its political subdivisions, agencies, boards, commissions, departments, officers or employees.

APPLICABILITY

1. This regulation requires Operational Procedures for each Division, institution and facility.

2. This regulation requires an audit.

REFERENCES:

ACA Standards 4-4004; 4-4012; 4-4014

James G. Cox, Director

8/24/12
Date

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: DON MAINE

INSTITUTION: NNCC DATE: 9-04-2012

Which AR are you recommending be changed? Please review with AR Committee

Which section of the AR do you want to change? Please review with AR Committee
(Use a separate form for each section)

Please write how you would like the AR to read using specific verbiage:

Please review with the AR Committee.

PRESERVE AR COMMITTEE

Please list the justification for the change you are requesting:

AR100.01 Development of Administrative Regulations #5. Draft regulations should be reviewed by the AR Committee and the designated staff of the Attorney General's Office as needed.

(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: Ron ABELOE

INSTITUTION: NDOCC DATE: 9-4-2012

Which AR are you recommending be changed? Please review with AR Committee

Which section of the AR do you want to change? Please review with AR Committee
(Use a separate form for each section)

Please write how you would like the AR to read using specific verbiage:

Please review with the AR Committee.

Please list the justification for the change you are requesting:

AR100.01 Development of Administrative Regulations #5. Draft regulations should be reviewed by the AR Committee and the designated staff of the Attorney General's Office as needed.

(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: D. Joe Ag

INSTITUTION: NNCC DATE: 4 Sep. 2012

Which AR are you recommending be changed? Please review with AR Committee

Which section of the AR do you want to change? Please review with AR Committee
(Use a separate form for each section)

Please write how you would like the AR to read using specific verbiage:

Please review with the AR Committee.

Please list the justification for the change you are requesting:

AR100.01 Development of Administrative Regulations #5. Draft regulations should be reviewed by the AR Committee and the designated staff of the Attorney General's Office as needed.

(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: Jeremy Ambler

INSTITUTION: NNCC DATE: 9-4-12

Which AR are you recommending be changed? Please review with AR Committee

Which section of the AR do you want to change? Please review with AR Committee
(Use a separate form for each section)

Please write how you would like the AR to read using specific verbiage:

Please review with the AR Committee.

Please list the justification for the change you are requesting:

AR100.01 Development of Administrative Regulations #5. Draft regulations should be reviewed by the AR Committee and the designated staff of the Attorney General's Office as needed.

(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: RONALD BRATSCH

INSTITUTION: NNCC DATE: 9-4-12

Which AR are you recommending be changed? Please review with AR Committee

Which section of the AR do you want to change? Please review with AR Committee
(Use a separate form for each section)

Please write how you would like the AR to read using specific verbiage:

Please review with the AR Committee.

Please list the justification for the change you are requesting:

AR100.01 Development of Administrative Regulations #5. Draft regulations should be reviewed by the AR Committee and the designated staff of the Attorney General's Office as needed.

(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: Susan Burns

INSTITUTION: nnec DATE: 9-4-12

Which AR are you recommending be changed? Please review with AR Committee

Which section of the AR do you want to change? Please review with AR Committee
(Use a separate form for each section)

Please write how you would like the AR to read using specific verbiage:

Please review with the AR Committee.

Please list the justification for the change you are requesting:

AR100.01 Development of Administrative Regulations #5. Draft regulations should be reviewed by the AR Committee and the designated staff of the Attorney General's Office as needed.

(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: JAREN BAKER

INSTITUTION: NNCC DATE: 09/04/12

Which AR are you recommending be changed? Please review with AR Committee

Which section of the AR do you want to change? Please review with AR Committee
(Use a separate form for each section)

Please write how you would like the AR to read using specific verbiage:

Please review with the AR Committee.

Please list the justification for the change you are requesting:

AR100.01 Development of Administrative Regulations #5. Draft regulations should be reviewed by the AR Committee and the designated staff of the Attorney General's Office as needed.

(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: Berg, Leoney

INSTITUTION: ONNCC DATE: Sept 4, 2012

Which AR are you recommending be changed? Please review with AR Committee

Which section of the AR do you want to change? Please review with AR Committee
(Use a separate form for each section)

Please write how you would like the AR to read using specific verbiage:

Please review with the AR Committee.

HOW DARE YOU TRY TO TAKE AWAY THE AR COMMITTEE. LAWSUIT!!

Please list the justification for the change you are requesting:

AR100.01 Development of Administrative Regulations #5. Draft regulations should be reviewed by the AR Committee and the designated staff of the Attorney General's Office as needed.

(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: Kevin Brady

INSTITUTION: NNCC DATE: 9/4/12

Which AR are you recommending be changed? Please review with AR Committee

Which section of the AR do you want to change? Please review with AR Committee
(Use a separate form for each section)

Please write how you would like the AR to read using specific verbiage:

Please review with the AR Committee.

Please list the justification for the change you are requesting:

AR100.01 Development of Administrative Regulations #5. Draft regulations should be reviewed by the AR Committee and the designated staff of the Attorney General's Office as needed.

(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: Greg Bennett

INSTITUTION: NNEC DATE: 9-4-12

Which AR are you recommending be changed? Please review with AR Committee

Which section of the AR do you want to change? Please review with AR Committee
(Use a separate form for each section)

Please write how you would like the AR to read using specific verbiage:

Please review with the AR Committee.

Please list the justification for the change you are requesting:

AR100.01 Development of Administrative Regulations #5. Draft regulations should be reviewed by the AR Committee and the designated staff of the Attorney General's Office as needed.

(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: Ronald Collins

INSTITUTION: NACC DATE: 4 Sept 12

Which AR are you recommending be changed? Please review with AR Committee

Which section of the AR do you want to change? Please review with AR Committee
(Use a separate form for each section)

Please write how you would like the AR to read using specific verbiage:

Please review with the AR Committee.

Please list the justification for the change you are requesting:

AR100.01 Development of Administrative Regulations #5. Draft regulations should be reviewed by the AR Committee and the designated staff of the Attorney General's Office as needed.

(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: Steve Daniels

INSTITUTION: NNCC DATE: 9/4/12

Which AR are you recommending be changed? Please review with AR Committee

Which section of the AR do you want to change? Please review with AR Committee
(Use a separate form for each section)

Please write how you would like the AR to read using specific verbiage:

Please review with the AR Committee.

Please list the justification for the change you are requesting:

AR100.01 Development of Administrative Regulations #5. Draft regulations should be reviewed by the AR Committee and the designated staff of the Attorney General's Office as needed.

(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: Donald DuBlanc

INSTITUTION: NNCC DATE: 9-4-12

Which AR are you recommending be changed? Please review with AR Committee

Which section of the AR do you want to change? Please review with AR Committee
(Use a separate form for each section)

Please write how you would like the AR to read using specific verbiage:

Please review with the AR Committee.

Please list the justification for the change you are requesting:

AR100.01 Development of Administrative Regulations #5. Draft regulations should be reviewed by the AR Committee and the designated staff of the Attorney General's Office as needed.

(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: Bernice Encinas

INSTITUTION: WSCC DATE: 9-4-12

Which AR are you recommending be changed? Please review with AR Committee

Which section of the AR do you want to change? Please review with AR Committee
(Use a separate form for each section)

Please write how you would like the AR to read using specific verbiage:

Please review with the AR Committee.

Please list the justification for the change you are requesting:

AR100.01 Development of Administrative Regulations #5. Draft regulations should be reviewed by the AR Committee and the designated staff of the Attorney General's Office as needed.

(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: Bruce Flom

INSTITUTION: WNCC DATE: 9-4-12

Which AR are you recommending be changed? Please review with AR Committee

Which section of the AR do you want to change? Please review with AR Committee
(Use a separate form for each section)

Please write how you would like the AR to read using specific verbiage:

Please review with the AR Committee.

Please list the justification for the change you are requesting:

AR100.01 Development of Administrative Regulations #5. Draft regulations should be reviewed by the AR Committee and the designated staff of the Attorney General's Office as needed.

(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: F. FASCG

INSTITUTION: NNCC DATE: 9-4-12

Which AR are you recommending be changed? Please review with AR Committee

Which section of the AR do you want to change? Please review with AR Committee
(Use a separate form for each section)

Please write how you would like the AR to read using specific verbiage:

Please review with the AR Committee.

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AR100.01 Development of Administrative Regulations #5. Draft regulations should be reviewed by the AR Committee and the designated staff of the Attorney General's Office as needed.

(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: Grant Giordani

INSTITUTION: NWCC DATE: 9/4/12

Which AR are you recommending be changed? Please review with AR Committee

Which section of the AR do you want to change? Please review with AR Committee
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(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: GARY GARRISON

INSTITUTION: NNCC DATE: SEPT 4 - 2012

Which AR are you recommending be changed? Please review with AR Committee

Which section of the AR do you want to change? Please review with AR Committee
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AR100.01 Development of Administrative Regulations #5. Draft regulations should be reviewed by the AR Committee and the designated staff of the Attorney General's Office as needed.

(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: Henley, John

INSTITUTION: NNCC DATE: 9-4-2012

Which AR are you recommending be changed? Please review with AR Committee

Which section of the AR do you want to change? Please review with AR Committee
(Use a separate form for each section)

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AR100.01 Development of Administrative Regulations #5. Draft regulations should be reviewed by the AR Committee and the designated staff of the Attorney General's Office as needed.

(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: Rock Hyatt

INSTITUTION: NNCC DATE: 9/4/12

Which AR are you recommending be changed? Please review with AR Committee

Which section of the AR do you want to change? Please review with AR Committee
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ADMINISTRATIVE REGULATION
INPUT FORM

NAME: Ron Hannah

INSTITUTION: NNCC DATE: 9/4/12

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(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: C/O Hmnant

INSTITUTION: NPCC DATE: 9-4-12

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(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: Mary Harrison

INSTITUTION: NNCC DATE: 9-4-12

Which AR are you recommending be changed? Please review with AR Committee

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(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: Michelle Hicks-Moses

INSTITUTION: N.N.C.C. DATE: 9/4/2012

Which AR are you recommending be changed? Please review with AR Committee

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ADMINISTRATIVE REGULATION
INPUT FORM

NAME: c/o J. F. Kersten

INSTITUTION: NNCC DATE: 09-04-12

Which AR are you recommending be changed? Please review with AR Committee

Which section of the AR do you want to change? Please review with AR Committee
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(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: Dillyn Keith

INSTITUTION: NWCC DATE: 09/04/12

Which AR are you recommending be changed? Please review with AR Committee

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ADMINISTRATIVE REGULATION
INPUT FORM

NAME: David Luce

INSTITUTION: NNCC DATE: 9/4/12

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(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: MILLER, WILLIAM H. SERGEANT

INSTITUTION: NNCC DATE: 9-4-12

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(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: CHARLES MA

INSTITUTION: NNRCC DATE: 09/04/12

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(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: MARK McMillin

INSTITUTION: NHCC DATE: 9-4-12

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(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: Andrew Maier

INSTITUTION: NNCC DATE: 9-4-12

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(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: Barbara A. NOVAK

INSTITUTION: NNCC DATE: 9/4/12

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ADMINISTRATIVE REGULATION
INPUT FORM

NAME: SEAN NICHOLAS

INSTITUTION: NNCC DATE: 9-4-12

Which AR are you recommending be changed? Please review with AR Committee

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ADMINISTRATIVE REGULATION
INPUT FORM

NAME: Ben Newman

INSTITUTION: NNCC DATE: 9.04.12

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ADMINISTRATIVE REGULATION
INPUT FORM

NAME: MONICA NAVARRO

INSTITUTION: NNCC DATE: 9/4/12

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ADMINISTRATIVE REGULATION
INPUT FORM

NAME: GREGORY S. OSBORN

INSTITUTION: NNCC DATE: 4 SEP 12

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ADMINISTRATIVE REGULATION
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NAME: Charles Raymond

INSTITUTION: NNCC DATE: 9/4/12

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ADMINISTRATIVE REGULATION
INPUT FORM

NAME: KEVIN RAFFT

INSTITUTION: NNEC DATE: 9/4/12

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ADMINISTRATIVE REGULATION
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NAME: Brooke Sherman

INSTITUTION: NWCC DATE: 9-4-2012

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ADMINISTRATIVE REGULATION
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NAME: ARTEMIO SALISPARA

INSTITUTION: NNCC DATE: 9/4/12

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ADMINISTRATIVE REGULATION
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NAME: James Shelley

INSTITUTION: NNCC DATE: 9-4-12

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ADMINISTRATIVE REGULATION
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NAME: R Scott Smith

INSTITUTION: NNCC DATE: 9/3/12

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ADMINISTRATIVE REGULATION
INPUT FORM

NAME: Danilo Santos

INSTITUTION: MNCC DATE: 9/4/12

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ADMINISTRATIVE REGULATION
INPUT FORM

NAME: Keith Shellhamer

INSTITUTION: NWCC DATE: 9/3/12

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ADMINISTRATIVE REGULATION
INPUT FORM

NAME: Neph, Tarkan

INSTITUTION: NNCC DATE: 8-4-12

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ADMINISTRATIVE REGULATION
INPUT FORM

NAME: Margaret Virgo

INSTITUTION: CWA DATE: 9/4/12

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ADMINISTRATIVE REGULATION
INPUT FORM

NAME: INGRID WHITE

INSTITUTION: NNCC DATE: 9/04/12

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ADMINISTRATIVE REGULATION
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NAME: CURTIS WILLHITE

INSTITUTION: NNCC DATE: 9-4-12

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(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: EMERY E WILLIAMS

INSTITUTION: NNCC DATE: 4 SEPT 2012

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ADMINISTRATIVE REGULATION
INPUT FORM

NAME: Debbie Hernandez

INSTITUTION: WSCC DATE: 9/6/12

Which AR are you recommending be changed? Please review with AR Committee

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(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: Craig Arnett

INSTITUTION: WSCC DATE: 9-6-12

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ADMINISTRATIVE REGULATION
INPUT FORM

NAME: Michael Tierney

INSTITUTION: WSCC DATE: 9/6/12

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ADMINISTRATIVE REGULATION
INPUT FORM

NAME: ERNEST OSBORN

INSTITUTION: WSCC DATE: 9-5-12

Which AR are you recommending be changed? Please review with AR Committee

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ADMINISTRATIVE REGULATION
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NAME: Susan Hoffman

INSTITUTION: WSCC DATE: 9/5/12

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ADMINISTRATIVE REGULATION
INPUT FORM

NAME: Joe Bascue

INSTITUTION: WSCC DATE: 9-5-12

Which AR are you recommending be changed? Please review with AR Committee

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(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: [illegible]

INSTITUTION: WSCC DATE: 9-5-12

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ADMINISTRATIVE REGULATION
INPUT FORM

NAME: Tania Arguello

INSTITUTION: WSCC DATE: 9/5/2012

Which AR are you recommending be changed? Please review with AR Committee

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ADMINISTRATIVE REGULATION
INPUT FORM

NAME: MATT Tilley

INSTITUTION: WSCC DATE: 9-5-12

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ADMINISTRATIVE REGULATION
INPUT FORM

NAME: Brian T. Linstrom

INSTITUTION: WSCC DATE: September 5, 201

Which AR are you recommending be changed? Please review with AR Committee

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ADMINISTRATIVE REGULATION
INPUT FORM

NAME: EDWARD C. INWOOD

INSTITUTION: NNCC DATE: 9/5/2012

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(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: John Sermyn

INSTITUTION: WSCC DATE: 9/5/12

Which AR are you recommending be changed? Please review with AR Committee

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ADMINISTRATIVE REGULATION
INPUT FORM

NAME: ERIC FANCHER

INSTITUTION: WSCC DATE: 9/5/12

Which AR are you recommending be changed? Please review with AR Committee

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ADMINISTRATIVE REGULATION
INPUT FORM

NAME: Grant Frame

INSTITUTION: WSCC DATE: 9-5-12

Which AR are you recommending be changed? Please review with AR Committee

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ADMINISTRATIVE REGULATION
INPUT FORM

NAME: Colter Rymerson

INSTITUTION: WSCC DATE: 9-5-12

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AR100.01 Development of Administrative Regulations #5. Draft regulations should be reviewed by the AR Committee and the designated staff of the Attorney General's Office as needed.

(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: Monica Baker

INSTITUTION: WSCC DATE: 9-5-12

Which AR are you recommending be changed? Please review with AR Committee

Which section of the AR do you want to change? Please review with AR Committee
(Use a separate form for each section)

Please write how you would like the AR to read using specific verbiage:

Please review with the AR Committee.

Please list the justification for the change you are requesting:

AR100.01 Development of Administrative Regulations #5. Draft regulations should be reviewed by the AR Committee and the designated staff of the Attorney General's Office as needed.

(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: Eddie Alexander

INSTITUTION: WSCC DATE: 9-5-2012

Which AR are you recommending be changed? Please review with AR Committee

Which section of the AR do you want to change? Please review with AR Committee
(Use a separate form for each section)

Please write how you would like the AR to read using specific verbiage:

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Please list the justification for the change you are requesting:

AR100.01 Development of Administrative Regulations #5. Draft regulations should be reviewed by the AR Committee and the designated staff of the Attorney General's Office as needed.

(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: MICHAEL THALMAN

INSTITUTION: WSCC DATE: 4/5/2012

Which AR are you recommending be changed? Please review with AR Committee

Which section of the AR do you want to change? Please review with AR Committee
(Use a separate form for each section)

Please write how you would like the AR to read using specific verbiage:

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Please list the justification for the change you are requesting:

AR100.01 Development of Administrative Regulations #5. Draft regulations should be reviewed by the AR Committee and the designated staff of the Attorney General's Office as needed.

(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: S. Marangi

INSTITUTION: WSCC DATE: 9/5/12

Which AR are you recommending be changed? Please review with AR Committee

Which section of the AR do you want to change? Please review with AR Committee
(Use a separate form for each section)

Please write how you would like the AR to read using specific verbiage:

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Please list the justification for the change you are requesting:

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(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: R. Schwitters

INSTITUTION: WSCC DATE: 9/5/12

Which AR are you recommending be changed? Please review with AR Committee

Which section of the AR do you want to change? Please review with AR Committee
(Use a separate form for each section)

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AR100.01 Development of Administrative Regulations #5. Draft regulations should be reviewed by the AR Committee and the designated staff of the Attorney General's Office as needed.

(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: Kirk Franke

INSTITUTION: WSCC DATE: 9/5/2012

Which AR are you recommending be changed? Please review with AR Committee

Which section of the AR do you want to change? Please review with AR Committee
(Use a separate form for each section)

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Please list the justification for the change you are requesting:

AR100.01 Development of Administrative Regulations #5. Draft regulations should be reviewed by the AR Committee and the designated staff of the Attorney General's Office as needed.

(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: Michael Kwasna

INSTITUTION: WSCC DATE: 9-5-12

Which AR are you recommending be changed? Please review with AR Committee

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(Use a separate form for each section)

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Please list the justification for the change you are requesting:

AR100.01 Development of Administrative Regulations #5. Draft regulations should be reviewed by the AR Committee and the designated staff of the Attorney General's Office as needed.

(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: Kathe Molina

INSTITUTION: WSCC DATE: 9/5/2012

Which AR are you recommending be changed? Please review with AR Committee

Which section of the AR do you want to change? Please review with AR Committee
(Use a separate form for each section)

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Please list the justification for the change you are requesting:

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(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: James Brisle

INSTITUTION: WSCC DATE: September 5, 2012

Which AR are you recommending be changed? Please review with AR Committee

Which section of the AR do you want to change? Please review with AR Committee
(Use a separate form for each section)

Please write how you would like the AR to read using specific verbiage:

Please review with the AR Committee.

Please list the justification for the change you are requesting:

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(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: DAVE COOL Dave Cool

INSTITUTION: WARM SPRINGS DATE: SEPT. 5, 2012

Which AR are you recommending be changed? Please review with AR Committee

Which section of the AR do you want to change? Please review with AR Committee
(Use a separate form for each section)

Please write how you would like the AR to read using specific verbiage:

Please review with the AR Committee.

Please list the justification for the change you are requesting:

WE WANT REVIEW FOR COMMITTEE

AR100.01 Development of Administrative Regulations #5. Draft regulations should be reviewed by the AR Committee and the designated staff of the Attorney General's Office as needed.

(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: Aaron Enbody

INSTITUTION: Warm Springs Corrections DATE: Sept. 05, 2012

Which AR are you recommending be changed? Please review with AR Committee

Which section of the AR do you want to change? Please review with AR Committee
(Use a separate form for each section)

Please write how you would like the AR to read using specific verbiage:

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Please list the justification for the change you are requesting:

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(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: Tony Podesta

INSTITUTION: WSCC DATE: 09-05-12

Which AR are you recommending be changed? Please review with AR Committee

Which section of the AR do you want to change? Please review with AR Committee
(Use a separate form for each section)

Please write how you would like the AR to read using specific verbiage:

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Please list the justification for the change you are requesting:

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(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: Adolfo Escutia

INSTITUTION: Warm Springs Correctional Center DATE: 9-5-2012

Which AR are you recommending be changed? Please review with AR Committee

Which section of the AR do you want to change? Please review with AR Committee
(Use a separate form for each section)

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AR100.01 Development of Administrative Regulations #5. Draft regulations should be reviewed by the AR Committee and the designated staff of the Attorney General's Office as needed.

(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: RUBEN VIGAURI

INSTITUTION: WSCC DATE: 9-5-12

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AR100.01 Development of Administrative Regulations #5. Draft regulations should be reviewed by the AR Committee and the designated staff of the Attorney General's Office as needed.

(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: April Adams

INSTITUTION: WSCC DATE: 9/5/2012

Which AR are you recommending be changed? Please review with AR Committee

Which section of the AR do you want to change? Please review with AR Committee
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(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: T. Thomas

INSTITUTION: WSCC DATE: 8/5/12

Which AR are you recommending be changed? Please review with AR Committee

Which section of the AR do you want to change? Please review with AR Committee
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(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: PATRICK MOWAMSKI

INSTITUTION: WSCC DATE: 9/5/12

Which AR are you recommending be changed? Please review with AR Committee

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(Use a separate form for each section)

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(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: Karen Kempinen

INSTITUTION: WSCC DATE: 9-5-12

Which AR are you recommending be changed? Please review with AR Committee

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(Use a separate form for each section)

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(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: Ryan Griffith

INSTITUTION: WSCC DATE: Sep 5, 2012

Which AR are you recommending be changed? Please review with AR Committee

Which section of the AR do you want to change? Please review with AR Committee
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(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: Baron Bement

INSTITUTION: WSCC DATE: 9-5-12

Which AR are you recommending be changed? Please review with AR Committee

Which section of the AR do you want to change? Please review with AR Committee
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(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: STEPHEN POWERS

INSTITUTION: WSCC DATE: 9/5/12

Which AR are you recommending be changed? Please review with AR Committee

Which section of the AR do you want to change? Please review with AR Committee
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(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: C/O Daniel L. Mondragon

INSTITUTION: WSCC DATE: Sept. 5th, 2012

Which AR are you recommending be changed? Please review with AR Committee

Which section of the AR do you want to change? Please review with AR Committee
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(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: Brian Fontes

INSTITUTION: WSCC DATE: 9-6-12

Which AR are you recommending be changed? Please review with AR Committee

Which section of the AR do you want to change? Please review with AR Committee
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(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: RUTILO BURGOS

INSTITUTION: WSCC DATE: 08/06/12

Which AR are you recommending be changed? Please review with AR Committee

Which section of the AR do you want to change? Please review with AR Committee
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(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: LAWRENCE WHITTINGTON

INSTITUTION: WSCC DATE: 9-6-12

Which AR are you recommending be changed? Please review with AR Committee

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(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: Michael Whitfield

INSTITUTION: WSSC DATE: 9/6/2012

Which AR are you recommending be changed? Please review with AR Committee

Which section of the AR do you want to change? Please review with AR Committee
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(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: CRAIG MADDEROS

INSTITUTION: WSCC DATE: 9-6-12

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(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: Rosa Rodriguez

INSTITUTION: WSCC DATE: 8.6.12

Which AR are you recommending be changed? Please review with AR Committee

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(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION
INPUT FORM

Hearing

NAME: B. Hulling

INSTITUTION: WSCC DATE: 9-6-2012

Which AR are you recommending be changed? Please review with AR Committee

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(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: Michael Martinez

INSTITUTION: WSCC DATE: Sept 06 - 2012

Which AR are you recommending be changed? Please review with AR Committee

Which section of the AR do you want to change? Please review with AR Committee
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(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: Ty Helman

INSTITUTION: WSCC DATE: 9-6-12

Which AR are you recommending be changed? Please review with AR Committee

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(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: [illegible]

INSTITUTION: WSCC DATE: 9-5-[illegible]

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Which section of the AR do you want to change? Please review with AR Committee
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(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: Matt Cameron

INSTITUTION: WSCC DATE: 9-25-12

Which AR are you recommending be changed? Please review with AR Committee

Which section of the AR do you want to change? Please review with AR Committee
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(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: Bret Bean

INSTITUTION: NNCC DATE: 9/5/2017

Which AR are you recommending be changed? Please review with AR Committee

Which section of the AR do you want to change? Please review with AR Committee
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Please write how you would like the AR to read using specific verbiage:

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ADMINISTRATIVE REGULATION
INPUT FORM

NAME: Blevins Eric

INSTITUTION: NNCC DATE: 9-6-12

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(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: John Cardella

INSTITUTION: NVCC DATE: 9-5-12

Which AR are you recommending be changed? Please review with AR Committee

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(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: Steven Coverston

INSTITUTION: NWCC DATE: 9/5/12

Which AR are you recommending be changed? Please review with AR Committee

Which section of the AR do you want to change? Please review with AR Committee
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(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: T. FRATIS

INSTITUTION: NNCC DATE: 9-5-12

Which AR are you recommending be changed? Please review with AR Committee

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(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: Gaylene Fukayama

INSTITUTION: NNCC DATE: 9/5/12

Which AR are you recommending be changed? Please review with AR Committee

Which section of the AR do you want to change? Please review with AR Committee
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Please list the justification for the change you are requesting:

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(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: Jones Gaida.

INSTITUTION: MCC DATE: 08/05/2012.

Which AR are you recommending be changed? Please review with AR Committee

Which section of the AR do you want to change? Please review with AR Committee
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ADMINISTRATIVE REGULATION
INPUT FORM

NAME: Carl Hoornaert

INSTITUTION: NNCC DATE: 9/6/12

Which AR are you recommending be changed? Please review with AR Committee

Which section of the AR do you want to change? Please review with AR Committee
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(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: Robert Macgrwin

INSTITUTION: MCC DATE: 9.5.2012

Which AR are you recommending be changed? Please review with AR Committee

Which section of the AR do you want to change? Please review with AR Committee
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ADMINISTRATIVE REGULATION
INPUT FORM

NAME: Candice Madeiros

INSTITUTION: NNCC DATE: 9-05-12

Which AR are you recommending be changed? Please review with AR Committee

Which section of the AR do you want to change? Please review with AR Committee
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AR100.01 Development of Administrative Regulations #5. Draft regulations should be reviewed by the AR Committee and the designated staff of the Attorney General's Office as needed.

(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: McDaniel, Wendy

INSTITUTION: NNCC DATE: 9-5-12

Which AR are you recommending be changed? Please review with AR Committee

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(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: JEFF McTEE

INSTITUTION: NWCC DATE: 9/05/12

Which AR are you recommending be changed? Please review with AR Committee

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ADMINISTRATIVE REGULATION
INPUT FORM

NAME: Jeff Mores

INSTITUTION: NWCC DATE: 9-5-12

Which AR are you recommending be changed? Please review with AR Committee

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(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: Ralph Papp

INSTITUTION: NNCC DATE: 9/5/12

Which AR are you recommending be changed? Please review with AR Committee

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(Add Continuation Sheets as Needed)

BOX 183

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: PIERCE, LANCE J.

INSTITUTION: NNCC DATE: 5 SEP 12

Which AR are you recommending be changed? Please review with AR Committee

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Please list the justification for the change you are requesting:

AR100.01 Development of Administrative Regulations #5. Draft regulations should be reviewed by the AR Committee and the designated staff of the Attorney General's Office as needed.

(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: Paul Samsel

INSTITUTION: NNCC DATE: 9/5/12

Which AR are you recommending be changed? Please review with AR Committee

Which section of the AR do you want to change? Please review with AR Committee
(Use a separate form for each section)

Please write how you would like the AR to read using specific verbiage:

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AR100.01 Development of Administrative Regulations #5. Draft regulations should be reviewed by the AR Committee and the designated staff of the Attorney General's Office as needed.

(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: Jo Serrano

INSTITUTION: NNCC DATE: 9/5/12

Which AR are you recommending be changed? Please review with AR Committee

Which section of the AR do you want to change? Please review with AR Committee
(Use a separate form for each section)

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AR100.01 Development of Administrative Regulations #5. Draft regulations should be reviewed by the AR Committee and the designated staff of the Attorney General's Office as needed.

(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: Anthony Vaccaro

INSTITUTION: NNCC DATE: 9/5/12

Which AR are you recommending be changed? Please review with AR Committee

Which section of the AR do you want to change? Please review with AR Committee
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AR100.01 Development of Administrative Regulations #5. Draft regulations should be reviewed by the AR Committee and the designated staff of the Attorney General's Office as needed.

(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: To Samuel Wilcox

INSTITUTION: WNCC DATE: 9/5/2012

Which AR are you recommending be changed? Please review with AR Committee

Which section of the AR do you want to change? Please review with AR Committee
(Use a separate form for each section)

Please write how you would like the AR to read using specific verbiage:

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AR100.01 Development of Administrative Regulations #5. Draft regulations should be reviewed by the AR Committee and the designated staff of the Attorney General's Office as needed.

(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: TRAVIS ZUFELT

INSTITUTION: NNCC DATE: 9-05-2017.

Which AR are you recommending be changed? Please review with AR Committee

Which section of the AR do you want to change? Please review with AR Committee
(Use a separate form for each section)

Please write how you would like the AR to read using specific verbiage:

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(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: Johnnie Hill

INSTITUTION: NNCC DATE: 9-8-12

Which AR are you recommending be changed? Please review with AR Committee

Which section of the AR do you want to change? Please review with AR Committee
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AR100.01 Development of Administrative Regulations #5. Draft regulations should be reviewed by the AR Committee and the designated staff of the Attorney General's Office as needed.

(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: Aaron Ponce

INSTITUTION: NNCC DATE: 9/6/12

Which AR are you recommending be changed? Please review with AR Committee

Which section of the AR do you want to change? Please review with AR Committee
(Use a separate form for each section)

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AR100.01 Development of Administrative Regulations #5. Draft regulations should be reviewed by the AR Committee and the designated staff of the Attorney General's Office as needed.

(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: Carla Murakami

INSTITUTION: none DATE: 9-5-12

Which AR are you recommending be changed? Please review with AR Committee

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(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: Judith Hebert

INSTITUTION: SDCC DATE: 9/6/12

Which AR are you recommending be changed? Please review with AR Committee

Which section of the AR do you want to change? Please review with AR Committee
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(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: Jopalian, Sarkis

INSTITUTION: SDCC DATE: 9-8-12

Which AR are you recommending be changed? Please review with AR Committee

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(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: TITO BUENCAMINO

INSTITUTION: SDCC DATE: 9/6/12

Which AR are you recommending be changed? Please review with AR Committee

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(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: Jenny Byrnes

INSTITUTION: SDCC DATE: 9-6-12

Which AR are you recommending be changed? Please review with AR Committee

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(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: Rhonda Wellwitz

INSTITUTION: SDCL DATE: 9-6-12

Which AR are you recommending be changed? Please review with AR Committee

Which section of the AR do you want to change? Please review with AR Committee
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(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: Charles Franzis

INSTITUTION: SPBC DATE: 9/6/12

Which AR are you recommending be changed? Please review with AR Committee

Which section of the AR do you want to change? Please review with AR Committee
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AR100.01 Development of Administrative Regulations #5. Draft regulations should be reviewed by the AR Committee and the designated staff of the Attorney General's Office as needed.

(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: Chandler Burgess

INSTITUTION: SPCC DATE: 9/6/12

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(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: Christine Rice

INSTITUTION: S.D.C.C. DATE: 9-6-12

Which AR are you recommending be changed? Please review with AR Committee

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(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: Thomas Olympian

INSTITUTION: SOCC DATE: 9-6-12

Which AR are you recommending be changed? Please review with AR Committee

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(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: Adams, M

INSTITUTION: SDCC DATE: 6 Sep 5

Which AR are you recommending be changed? Please review with AR Committee

Which section of the AR do you want to change? Please review with AR Committee
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(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: Therese Schwentz

INSTITUTION: SDCC DATE: 9-6-12

Which AR are you recommending be changed? Please review with AR Committee

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(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: Stacey Stark

INSTITUTION: SDCC DATE: 9/6/12

Which AR are you recommending be changed? Please review with AR Committee

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(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: Bonnie Swadling

INSTITUTION: SDCC DATE: 9-6-12

Which AR are you recommending be changed? Please review with AR Committee

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ADMINISTRATIVE REGULATION
INPUT FORM

NAME: Charles Musante

INSTITUTION: SDCC DATE: 9-6-12

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ADMINISTRATIVE REGULATION
INPUT FORM

NAME: Tim Carlson

INSTITUTION: SOCC DATE: 9-6-12

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ADMINISTRATIVE REGULATION
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NAME: Daniel Norrbom

INSTITUTION: SDCC DATE: 9/6/12

Which AR are you recommending be changed? Please review with AR Committee

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ADMINISTRATIVE REGULATION
INPUT FORM

NAME: CARPENTER, BRYANT J

INSTITUTION: SDCC DATE: 9/6/12

Which AR are you recommending be changed? Please review with AR Committee

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ADMINISTRATIVE REGULATION
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NAME: Stacey Wirtz

INSTITUTION: SDDOC DATE: 9-5-12

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ADMINISTRATIVE REGULATION
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NAME: DAVID WILLIS

INSTITUTION: SDCC DATE: 9/6/12

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(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: Betty Chames

INSTITUTION: SDCC DATE: 9-06-2012

Which AR are you recommending be changed? Please review with AR Committee

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ADMINISTRATIVE REGULATION
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NAME: GARY Middleton

INSTITUTION: SDCC DATE: 9/6/12

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ADMINISTRATIVE REGULATION
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NAME: BEN GUTIERREZ

INSTITUTION: SDCC DATE: 9/6/12

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ADMINISTRATIVE REGULATION
INPUT FORM

NAME: Judith Hebert

INSTITUTION: SDCC DATE: 9/6/12

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(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: Topalian, Sarkis

INSTITUTION: SDCC DATE: 9-8-12

Which AR are you recommending be changed? Please review with AR Committee

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ADMINISTRATIVE REGULATION
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NAME: TITO BUENCAMINO

INSTITUTION: SDCC DATE: 9/6/12

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ADMINISTRATIVE REGULATION
INPUT FORM

NAME: Jenny Byrnes

INSTITUTION: SDCC DATE: 9-6-12

Which AR are you recommending be changed? Please review with AR Committee

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(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION
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NAME: Rhonda Wenzwitz

INSTITUTION: SDCL DATE: 9-6-12

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ADMINISTRATIVE REGULATION
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NAME: Charles Fearnis

INSTITUTION: SPBC DATE: 9/6/12

Which AR are you recommending be changed? Please review with AR Committee

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ADMINISTRATIVE REGULATION
INPUT FORM

NAME: Kelly Quinn

INSTITUTION: HDSP DATE: 09/06/12

Which AR are you recommending be changed? Please review with AR Committee

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ADMINISTRATIVE REGULATION
INPUT FORM

NAME: C/O M. SAILERS

INSTITUTION: HDSP DATE: 09/04/12

Which AR are you recommending be changed? Please review with AR Committee

Which section of the AR do you want to change? Please review with AR Committee
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ADMINISTRATIVE REGULATION
INPUT FORM

NAME: Catalan, Federico

INSTITUTION: HDSP DATE: 9.6.12

Which AR are you recommending be changed? Please review with AR Committee

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ADMINISTRATIVE REGULATION
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NAME: _____

INSTITUTION: _____ DATE: _____

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(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: C/o Blake Johnson

INSTITUTION: HDSP DATE: 9-6-2012

Which AR are you recommending be changed? Please review with AR Committee

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(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: Estill, Benjamin

INSTITUTION: HDSP DATE: 9-6-12

Which AR are you recommending be changed? Please review with AR Committee

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(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: Michael L. Martinez 24277

INSTITUTION: HDSP DATE: 09 06/12

Which AR are you recommending be changed? Please review with AR Committee

Which section of the AR do you want to change? Please review with AR Committee
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(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: Antoine Norman

INSTITUTION: H.D.S.P. DATE: 9-6-2012

Which AR are you recommending be changed? Please review with AR Committee

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(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: CLINTON SNOWDEN

INSTITUTION: HDSP DATE: 9/6/12

Which AR are you recommending be changed? Please review with AR Committee

Which section of the AR do you want to change? Please review with AR Committee
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(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: JAMES BARNETT

INSTITUTION: HDSP DATE: 9/20/12

Which AR are you recommending be changed? Please review with AR Committee

Which section of the AR do you want to change? Please review with AR Committee
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ADMINISTRATIVE REGULATION
INPUT FORM

NAME: STEPHEN CLARK

INSTITUTION: HDSP DATE: 9/6/2012

Which AR are you recommending be changed? Please review with AR Committee

Which section of the AR do you want to change? Please review with AR Committee
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ADMINISTRATIVE REGULATION
INPUT FORM

NAME: Thomas, Ross

INSTITUTION: HDSP DATE: 9/6/2012

Which AR are you recommending be changed? Please review with AR Committee

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(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: Gilbert S Fuentes

INSTITUTION: HDSP DATE: 06 Sept 2012

Which AR are you recommending be changed? Please review with AR Committee

Which section of the AR do you want to change? Please review with AR Committee
(Use a separate form for each section)

Please write how you would like the AR to read using specific verbiage:

Please review with the AR Committee.

Please list the justification for the change you are requesting:

AR100.01 Development of Administrative Regulations #5. Draft regulations should be reviewed by the AR Committee and the designated staff of the Attorney General's Office as needed.

(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: CHARLES RATCLIFF

INSTITUTION: HDSP DATE: 9/6/12

Which AR are you recommending be changed? Please review with AR Committee

Which section of the AR do you want to change? Please review with AR Committee
(Use a separate form for each section)

Please write how you would like the AR to read using specific verbiage:

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AR100.01 Development of Administrative Regulations #5. Draft regulations should be reviewed by the AR Committee and the designated staff of the Attorney General's Office as needed.

(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: Dustin Mumpower
INSTITUTION: HDSP DATE: 9/6/12

Which AR are you recommending be changed? Please review with AR Committee

Which section of the AR do you want to change? Please review with AR Committee
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AR100.01 Development of Administrative Regulations #5. Draft regulations should be reviewed by the AR Committee and the designated staff of the Attorney General's Office as needed.

(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: Anh-Vu Nguyen

INSTITUTION: H.D.S.P DATE: 9-5-12

Which AR are you recommending be changed? Please review with AR Committee

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(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: TELLY L KIDMAN

INSTITUTION: HPSP DATE: 2012/09/06

Which AR are you recommending be changed? Please review with AR Committee

Which section of the AR do you want to change? Please review with AR Committee
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(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: Felix Garay

INSTITUTION: HDSP DATE: 9/6/12

Which AR are you recommending be changed? Please review with AR Committee

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(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: James Feber

INSTITUTION: HDSP DATE: 9/6/12

Which AR are you recommending be changed? Please review with AR Committee

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(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: BRIAN MURILLO

INSTITUTION: H.D.S.P. DATE: 9-6-2012

Which AR are you recommending be changed? Please review with AR Committee

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(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: Haenberg

INSTITUTION: HDSP DATE: 9/6/12

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(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: Daniel Coleman

INSTITUTION: HDSP DATE: 9/6/12

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(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: ABRAHAM VILLASENOR

INSTITUTION: HDSP DATE: 9-6-12

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(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION

INPUT FORM

NAME: Erik Stone

INSTITUTION: High Desert State P. DATE: 9/6/2012

Which AR are you recommending be changed? Please review with AR Committee

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(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: JEFF CASTRO

INSTITUTION: HDSP DATE: 9-6-2012

Which AR are you recommending be changed? Please review with AR Committee

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(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: Lee Verlinger

INSTITUTION: HDSD DATE: 9-8-12

Which AR are you recommending be changed? Please review with AR Committee

Which section of the AR do you want to change? Please review with AR Committee
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(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: Daniel Nevarez

INSTITUTION: HDSP DATE: 9/6/17

Which AR are you recommending be changed? Please review with AR Committee

Which section of the AR do you want to change? Please review with AR Committee
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(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: Raymond O'Connor
INSTITUTION: HDSP DATE: 09/05/12

Which AR are you recommending be changed? Please review with AR Committee

Which section of the AR do you want to change? Please review with AR Committee
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Please write how you would like the AR to read using specific verbiage:

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(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: C. Brugh

INSTITUTION: H.D.S.P. DATE: 9/6/12

Which AR are you recommending be changed? Please review with AR Committee

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(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: Conrad Rotor

INSTITUTION: HDSP DATE: 9/6/2012

Which AR are you recommending be changed? Please review with AR Committee

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(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: Stephen Harrison

INSTITUTION: W.D.S.P DATE: 8/4/12

Which AR are you recommending be changed? Please review with AR Committee

Which section of the AR do you want to change? Please review with AR Committee
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(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: KENNETH WING

INSTITUTION: HDSP DATE: 9/6/2015

Which AR are you recommending be changed? Please review with AR Committee

Which section of the AR do you want to change? Please review with AR Committee
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(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: JAMES Hall

INSTITUTION: HDSD DATE: 7-6-12

Which AR are you recommending be changed? Please review with AR Committee

Which section of the AR do you want to change? Please review with AR Committee
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(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: Bruce Heinlein

INSTITUTION: HDSP DATE:

Which AR are you recommending be changed? Please review with AR Committee

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(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: Xavier Ballard

INSTITUTION: HDSU DATE: Sept 6, 2012

Which AR are you recommending be changed? Please review with AR Committee

Which section of the AR do you want to change? Please review with AR Committee
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(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: ERASMO BELTRAN

INSTITUTION: H.D.S.P DATE: 9/6/12

Which AR are you recommending be changed? Please review with AR Committee

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(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: Patrick Moreda #55 Mall

INSTITUTION: HDSP DATE: 9-6-12

Which AR are you recommending be changed? Please review with AR Committee

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ADMINISTRATIVE REGULATION
INPUT FORM

NAME: EFREN DE JESUS

INSTITUTION: HDSP DATE: 9/6/12

Which AR are you recommending be changed? Please review with AR Committee

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(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: KEITH MCKEEHAN

INSTITUTION: HDSP DATE: 9/6/2012

Which AR are you recommending be changed? Please review with AR Committee

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ADMINISTRATIVE REGULATION
INPUT FORM

NAME: Troy Johnson

INSTITUTION: HDSP DATE: 9/6/12

Which AR are you recommending be changed? Please review with AR Committee

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(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: Richard Garibay

INSTITUTION: HDSP DATE: 09/06/12

Which AR are you recommending be changed? Please review with AR Committee

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(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: Antonio R Bryant

INSTITUTION: H.R.S.P. DATE: 9/6/2012

Which AR are you recommending be changed? Please review with AR Committee

Which section of the AR do you want to change? Please review with AR Committee
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ADMINISTRATIVE REGULATION
INPUT FORM

NAME: Juan Contreras

INSTITUTION: HDSP DATE: 9/6/2012

Which AR are you recommending be changed? Please review with AR Committee

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(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: Kyle Ziemann

INSTITUTION: HdSP DATE: 9-6-12

Which AR are you recommending be changed? Please review with AR Committee

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ADMINISTRATIVE REGULATION
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NAME: Richard Hingus

INSTITUTION: HDSP DATE: 9-6-12

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ADMINISTRATIVE REGULATION
INPUT FORM

NAME: Colby Ingram

INSTITUTION: HDSP DATE: 9/6/12

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(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: Troy Pollard

INSTITUTION: HDSP DATE: 9/6/2012

Which AR are you recommending be changed? Please review with AR Committee

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(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: Bruce Stroud

INSTITUTION: HOSP DATE: 9/6/12

Which AR are you recommending be changed? Please review with AR Committee

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(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: Robert Ashcraft

INSTITUTION: H.D.S.P DATE: 9/6/2012

Which AR are you recommending be changed? Please review with AR Committee

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AR100.01 Development of Administrative Regulations #5. Draft regulations should be reviewed by the AR Committee and the designated staff of the Attorney General's Office as needed.

(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: Marshall, Floyd
INSTITUTION: HDSP DATE: 6 Sept 2012

Which AR are you recommending be changed? Please review with AR Committee

Which section of the AR do you want to change? Please review with AR Committee
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(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: VICTOR Avalos

INSTITUTION: H.D.S.P DATE: 9.6.12

Which AR are you recommending be changed? Please review with AR Committee

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(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: Jacob May

INSTITUTION: HDSP DATE: 9-6-12

Which AR are you recommending be changed? Please review with AR Committee

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(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: Escobar, Leonel

INSTITUTION: HDSP DATE: 09-06-2012

Which AR are you recommending be changed? Please review with AR Committee

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(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: Varela, Herson

INSTITUTION: H.D.S.P DATE: 9/6/12

Which AR are you recommending be changed? Please review with AR Committee

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(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: Daniel Zumschmiede

INSTITUTION: HDSP DATE: 9-6 2012

Which AR are you recommending be changed? Please review with AR Committee

Which section of the AR do you want to change? Please review with AR Committee
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(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: MICHAEL R. CREWS

INSTITUTION: HDSP DATE: Sept. 6, 2012

Which AR are you recommending be changed? Please review with AR Committee

Which section of the AR do you want to change? Please review with AR Committee
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(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: Justin Bellett

INSTITUTION: HCSP DATE: 9-5-12

Which AR are you recommending be changed? Please review with AR Committee

Which section of the AR do you want to change? Please review with AR Committee
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ADMINISTRATIVE REGULATION
INPUT FORM

NAME: Alejandro Caredo

INSTITUTION: HDSP DATE: 09/06/12

Which AR are you recommending be changed? Please review with AR Committee

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(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: ROBERTS, LARRY W.

INSTITUTION: HDSP DATE: 06-SEPT-2012

Which AR are you recommending be changed? Please review with AR Committee

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(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: Stephen DeFrees

INSTITUTION: HDSP DATE: 9/6/12

Which AR are you recommending be changed? Please review with AR Committee

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(Add Continuation Sheets as Needed)

ADMINISTRATIVE REGULATION
INPUT FORM

NAME: JAN M. SHULTZ

INSTITUTION: H.D.S.P. DATE: 9-6-12

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NAME: Sean R Williams

INSTITUTION: HDSP DATE: 09-06-12

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NAME: KEVIN DENNIS

INSTITUTION: HDSP DATE: 9 6 2012

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ADMINISTRATIVE REGULATION
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NAME: LEE, A

INSTITUTION: HOSP DATE: 09/01/12

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NAME: Ray Sheppard

INSTITUTION: SDCC DATE: 9-6-12

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NAME: ALEXEI GROMENIN

INSTITUTION: HDSP DATE: 09-6-12

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NAME: Colette Ball

INSTITUTION: HDSR DATE: 4-6-12

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NAME: Matt Padgett

INSTITUTION: HDSP DATE: 6-Sep-2012

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NAME: Benitez Christian

INSTITUTION: HDSP DATE: 9/6/12

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NAME: Alexander Kayode

INSTITUTION: Highdesert DATE: Sept 6th, 2012

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NAME: Pamela J. McCutcheon

INSTITUTION: H.D.S.P. DATE: 9.6.2012

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NAME: James Harpel

INSTITUTION: High Desert State Prison DATE: 9-6-12

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NAME: Alen Zanrovg

INSTITUTION: HDSP DATE: 9-6-12

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NAME: Riccardo Lossi

INSTITUTION: HDSP DATE: 9-6-12

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NAME: Jessie Brightwell

INSTITUTION: HASP DATE: September 6, 2012

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NAME: Jacob Murphy

INSTITUTION: HDSP DATE: 9/6/12

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NAME: D. RASCH

INSTITUTION: HDSP DATE: 9/6/12

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NAME: MICHAEL R WASHINGTON

INSTITUTION: M.D.S.P DATE: 9-6-12

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INSTITUTION: HDSP DATE: 9/6/12

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NAME: Frank Goodin

INSTITUTION: HDSP DATE: 9/6/12

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NAME: Whalum S.

INSTITUTION: HOSP DATE: 9/6/2012

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NAME: Kenny Head

INSTITUTION: HDSP DATE: 08-06-2012

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Board of State
Prison Commissioners

BRIAN SANDOVAL
Governor
CATHERINE CORTEZ MASTO
Attorney General
ROSS MILLER
Secretary of State

STATE OF NEVADA
DEPARTMENT OF CORRECTIONS

Northern Administration
P.O. Box 7011, Carson City, NV 89702
Phone: (775) 887-3285 - Fax: (775) 887-3138

Southern Administration
3955 W. Russell Rd., Las Vegas, NV 89118
Phone: (702) 486-9938 - Fax: (702) 486-9961

BRIAN SANDOVAL
Governor

MINUTES

Of the meeting of the

BOARD OF PRISON COMMISSIONERS MEETING

May 18, 2012

The Board of Prison Commissioners held a public meeting on May 18, 2012, beginning at 3 PM at the following locations:

Meeting Location:

Guinn Room

State Capitol Building Annex

2nd floor

101 N. Carson Street

Carson City, NV

Video Conference:

Grant Sawyer State Office Bldg

Room 5100

555 East Washington Ave.

Las Vegas, NV

I. Call to Order.

The meeting was called to order by Governor Sandoval with all the Board Commissioners present.

Also present were Chief Deputy Attorney General Keith Marcher, Senior Deputy Attorney General William Geddes, Director James Cox, Deputy Director Deborah Reed, Deputy Director Sheryl Foster, Medical Director Dr. Robert Bannister, State Health Officer Dr. Tracey Green, and members of the Press. Members of the public in Carson City and Las Vegas were asked to sign in, and the sign-in sheets are attached. (*Attachment 1*)

SANDOVAL : Good afternoon. I would like to call this meeting of the Board of State Prison Commissioners to order. Madam Attorney General, can you hear us loud and clear in Las Vegas?

MASTO: Yes I can thank you Governor

SANDOVAL: This first item on the agenda is public comment. I will take public comment first from Carson City for planning purposes. I feel awkward having my back to everyone but we have quite an ambitious schedule here with regard to the agenda. Agenda item number 5 with the administrative regulations with the proposed administrative regulations I am going to ask for individuals to see if there are specific regs that they want to be held out so I'd appreciate it if you have a comment with regard to a regulation that you would save that for agenda item number 5.

So with that we will begin with public comment. Is there any member of the public here in Carson City that would like to provide comment to the Board? And as I said I would ask that you keep your comments at 5 minutes so that we can get through this agenda.

COLUMBUS: Members and the Governor. For the record, Gene Columbus, Nevada Corrections Association. Very briefly for time purposes, we have a unique situation – well actually it's across the

whole State – with the staffing levels and the staffing system in general. I will go through that real fast. Recently there's information put out at Northern Nevada Correctional Center through a supervisory meeting and we've checked it for the accuracy and we got different sides of the story on this thing and in a nutshell we're going down to what I believe reckless staffing levels. Due to in part to possibly – well let me put it this way. There was some powerful statements made to the staff over there. Okay. NNCC custody would not be allowed to hire overtime, we will place the yard on administrative recall when staffing is not allowed a safe operation of the yard. It goes on and on. It blames the fact of a blatant abuse of overtime in the past. Where it's at right now is we have policies in place that allow the institution to operate at what I consider unsafe staffing positions. In a nutshell, what it blames is, I've talked to Deputy Director McDaniel yesterday on the phone with this and regardless how you interpret what was said in that supervisory meeting, it points to one area. Which is irresponsibility? It points to the fact that there was mismanagement in the past at that institution. And I'd like to submit some paperwork for the record that all of – all of the arrows that point go back to the Director of Corrections that filters down to those that work under his authority.

If in fact that's true that we have low staffing levels due to mismanagement we can't hire overtime to properly staff an institution, which puts the staff in jeopardy, jeopardizes the security of the institution, then my question to the Board and what I would like to examine is why? Where is the accountability? We have officers that are put under investigation for frivolous things. Class 5's, termination. Things of that nature. But we have administrators that are responsible or millions of dollars that are appropriated to them by the legislature. And according to my conversation yesterday and according to what I'm hearing, we had a problem in the past with abuse of overtime. We had a management problem. Staffing is money. So on behalf of the Association, we would like to follow up on this and I would like to submit these letters for the record and we would like to have this looked at. (*Attachment 2*) Thank you sir.

SANDOVAL: Thank you Mr. Columbus. And you have extra copies of your letters there. Are there any other individuals that would like to provide public comment?

BROWN: Tonya Brown. Advocate for the inmates, advocate for the innocent. There's some AR's that aren't on here but I would like to discuss the ones that are.

SANDOVAL: Miss Brown –

BROWN: Yes –

SANDOVAL: As I mentioned in my preliminary remarks, would you please reserve your remarks for a proposed AR's for when I call on agenda item number 5.

BROWN: Okay. So I will bring up AR's at that time.

SANDOVAL: Yes please.

BROWN: Okay. I provided you information at the last Board of Prison Commissioners Meeting, December 5, 2005 *[sic]* and there's been a problem about getting those public records that I submitted on the record. I've also attached the Settlement Agreement here outlining what is confidential and what is not. Okay. If you look at the first page here, it states which discrimination is. This came out of discovery and the deposition in the wrongful death suit of Nolan Klein last year. This here it clearly states that NDOC deems Wiccans as gang members. That is discrimination and that is illegal. Okay. So I have some issues about that. I also stated last time with the disciplinaries. I asked this Board to ask to file a complaint against certain members of the Attorney General's Office with the State Bar and ask that they be disbarred. And again, information came out of discovery which I have provided to you in this – and I actually provided the actual transcripts of the minutes instead of just one or 2 paragraphs of what was said. I had the minutes transcribed. Now dealing with a computer glitch, are you aware of the computer glitch Governor?

SANDOVAL: Why don't you describe what you feel is a computer glitch.

BROWN: Okay. If you go to the second page of the documents that I have provided you, it is highlighted. In Mr. Klein's case, this came out of discovery. On June 5, 2007, according to Don

Helling's deposition, when he was deposed we asked him about this. If this was in retaliation in the lawsuit of Klein vs. Helling of 2005 case, 390 case, Klein vs. Helling, if – this was regards to Inmate Fred Huston, if this is what happened, he said no, it was due to a computer glitch. The computer glitch on – in June 2007, flipped, creating false felony charges in inmates' files. This here is a false felony charges. When you look at this, and you look at the documentation on the first one here, that I provided you, it clearly states that it is a – that Mr. Huston was a victim of a money scam. That is inaccurate. But this false information continued to be in Mr. Klein's file disseminated to state and federal agencies. Mr. Klein filed suit in '05. In Klein vs. Helling. The Attorney General's office withheld an exculpatory piece of evidence which is now in the Settlement Agreement on page 15 that clearly shows there was no wrongdoing. In the Nevada Department of Corrections and the Attorney General's office intentionally withheld this information from Mr. Klein and the federal courts judge. And in that particular case, the Magistrate Judge stated that she had her own suspicions about this case. But she had no proof because nobody was ever charged, no disciplinary, nothing. That's because the AG's office withheld it from in camera. And that needs to be looked into by this Board. Now if you go back with that information that was provided in the file that was submitted in Mr. Klein's case and you take a look at the false felony charge June 5, 2007 and read all this other stuff, it makes it appear as though Mr. Klein had beaten an elderly inmate in order to steal his money when the whole thing was false. Didn't even exist. All he did was give the name of an attorney who set up a trust. All legal. And that was clearly demonstrated and proven in page 15 of the Settlement Agreement here. That we pointed at. But Mr. Geddes tried to have, who held confidential all those documents. He knew that this information wasn't confidential. But yet he tried to have this done. Now I assume that you will put all those records back on to – with the minutes that are from December 5th and have them passed. I provided you Don Helling's deposition as well. That needs to go back on. But in the meantime what I've discovered about the computer glitch, that not only has it affected Mr. Klein it has affected several other inmates. Inmates are getting sexual assault, murder, attempted escape charges. It's – the caseworkers are removing them, then they're reappearing and coming back. There are inmates who have lost their credits who – work credits for their good time or work credits. Some over 1,400 days have never been returned. These credits and this information affects their paroles. Which in turn affects the taxpayers. In 2010 that was submitted I believe to the Advisory Commission by Chairman – Chairwoman Connie Bisbee stated that there was approximately 3,000 inmates who were denied to their next consecutive sentence. Out of those how many had the computer – how many were affected by the computer glitch? This Board, in order to do an accurate accounting to the taxpayers to find out how many millions if not hundreds of millions of dollars that we are spending – they need to go back to the Parole Board starting with 2007 and look at every document, every parole hearing that was denied. Due a comparison with the Parole Board and NDOC records and then verify one last time – at least one last time – in case the computer glitch has come up.

For example, the sexual assault charge. One inmate that never went to prison for sexual assault. But yet it appeared in his file, it was removed, along with 1,400 days of his credits. Then last year it reappeared again.

Other inmates who are even – who are now paroled have been delayed in their parole hearings by 90 days – 30 – 90 days. Some have expired. That's costing the taxpayer's money. This computer glitch is costing the taxpayer's money; it's keeping those who should be out. It's putting false felony charges in inmates' files. And I have provided you a copy of KRNV story in which Mr. Suwe made the comment. And he states "we have enough other things to do in my opinion to track how many times we screw up." I will touch on that in dealing with the computer glitch – as you can clearly see, this needs to be addressed as the Governor, an overseer over this Board, you really need to really look at what's going on. Not do what the Advisory Commission – someone informed is wanting to do which is for me to provide them and Director Cox the names of the inmates so they can correct it. That is putting a band-aid on the problem. It's not correcting what's been done. The only way to do it is to go back to 2007 and to compare them. And if you can't do it then you either take every denial and grant every denial or release them. Thank you. *(Attachment 3)*

SANDOVAL: Thank you very much Miss Brown. Is there any other member of the public that would like to provide comment?

KELLY: Mr. Governor, I have a copy of my little statement along with some attachments I'd like to put on the record. But I'll just read excerpts.

SANDOVAL: Sir, please identify yourself.

KELLY: Sure. My name is Jim Kelly. I'm a Senior Correctional Officer working at NNCC. I am a former 5 year Lieutenant for the Department. How I got to be a Senior Officer has become a story for the courts. I have worked in 5 different facilities in the Department with many different levels of responsibility. I have been __ in inmate murder, inmate assaults, inmate deaths, cell extractions, shots fired, weapon usage, staff assaults, etc. But the worst thing I have experienced in the 11 years I have been with the Department is the way the administrators have shown their hatred to the line staff over and over again. Personally I don't understand it because if it weren't for the line staff, the inmates would probably just get up and leave. If you question the admiration about anything they eliminate you.

I was once a very dedicated Lieutenant for this Department anticipating a 20 plus year career. Now it looks like I could be thrown aside at any minute. This is a horrifying feeling. I was and still am very serious about the safety and security of the public and my colleagues. Despite this dilemma I face every day my other top concern is morale of the staff. This issue has just as about tied with me with safety and security. However the administration in my opinion has it dead last on their list of their priorities.

Let me read you a portion of the Director's biography from the Department's website. It says that *"Director Cox is a proponent of additional education and training for staff of all levels."* I have to ask, who wouldn't be? He may be a proponent but he sure doesn't provide enough of it. This is sort of an ironic statement to me and I think it will be clear as to why I feel this way when I ask the question of you at the end of my statement. I don't expect you to answer them but I hope that you'll research them and answer them for yourselves. I have enclosed a witness statement, a copy of my training portfolio that shows that I have earned a management certification from POST so as to show that I do have some idea of what I'm talking about. The ironic thing about this is the most of the training I've received to earn this certificate is from departments that I have never even worked for.

I know that I don't have to remind you of this, but I thought this should be shared with the public. These are the Nevada Revised Statutes that most people probably don't know about concerning our Department. I'll just give you the numbers and the highlights in this statement and have the entire law in my submitted statements.

NRS 209.101. This created the Department. As I said for all intents and purposes in the daily operations of the Department the Director is at the top of the chain of command and therefore is perceived to be the head of the Department.

NRS 209.121. The Director is responsible to your Committee. The Director is responsible; NRS 209.131, the Director is responsible for the safety and security of the public, staff and inmates. No other person is named in any NRS that has this responsibility.

NRS 209.132. This gives the Director the power to delegate all duties in his name. But no power to delegate the responsibilities is allocated to him by the NRS. Everything is done as *"an official act of the Director."*

So my questions to you are as follows: Why are people being threatened with termination if they hire overtime when the shift supervisors just want to get the minimum staffing levels for all of our safety? Why would there only be one officer working on the floor of the acute mental health unit or the extended mental health care unit for that matter, and in order to conduct tier time for inmates knowing these are unsafe conditions? Why would a day shift team work with 4 officers under – under the minimum staffing requirements for 12 hours while there is constant inmate movement on the yard? Why would a Lieutenant of a major facility not be able to hire overtime just to have a control officer? The Lieutenant was the shift commander and the control officer for one night that I know of. This is unheard of.

Why would the federal Stigney ruling be on the chopping block? Because we put in cameras? I'm not the sharpest knife in the drawer, but it seems to me that it would take a lot of training to get a camera to jump off the wall and physically help and possibly save his partner's life.

Why does the entire north side of Warm Springs Correctional Center perimeter fence lack a 24 hour watch on it now that NSP is closed? The 4-Post excuse will now be used I am sure but it holds no weight on 24 hour coverage.

Why is a Lieutenant demoted 5 pay grades for leaving a competent Sergeant in charge of an institution for 35 minutes with plenty of staff on the shift to respond to emergencies? This by the way happens probably every shift on one institution or another where Sergeants run shifts by themselves for the full 8 or 12 hours. An institution was actually run with a Senior Officer has the highest ranking officer on the yard at least one time that I know of. Officers that work at NSP know this happened several times there.

I know I'm causing a lot of controversy with this statement but I hope I have made my points, Governor. There is not nearly enough training and there is not enough safety and security of staff and inmates. I hope this Committee can take these questions, find the answers and see that this Department is becoming a rotting fish. Look at the Las Vegas Metro Police Department to see what I consider to be the best peace officer training section in the State and you'll see – as you'll see in my addition, my attachments, I had used their training quite a bit.

And by the way, I do fully expect to be punished or retaliated against by the Department by exercising my First Amendment Rights in this public forum. This is the Department's MO.

The Inspector General's office of the Department is already conducting a secret investigation on an incident involving myself outside of the Department. Ms. Del Porto was calling the Dayton Judge in the case and trying to get items and information that is of no concern to the Department. Yet they do nothing on the investigations that I have requested. It appears to me that a secret file is being kept on me by the IG's office. AR's 121, 321, 320, 332, 339, 340 and 457 all require us to report all incidents that we witness or have knowledge of. I have done my part with the IG's office and I expect them to do the right thing. You will no doubt hear that I am just a disgruntled employee. I don't deny this one bit. Having said that, I would like to leave you with one last quote from our own AR 343 which I've always tried to live by as a supervisor of others. "343.03 Fairness and consistency. 1. Employees are more accepting of discipline when it is imposed fairly and consistently." Please help us make this a reality instead of just rhetoric.

I am also including in the record an e-mail conversation between Ms. Del Porto and myself regarding her lack of enthusiasm in investigating my request. Thank you for your time. *(Attachment 4)*

SANDOVAL: Thank you Mr. Kelly.

Is there a Mr. Ron Bratsch here? B-R-A-T-S-C-H.

[unknown]

HINES: My name is Pat Hines. I'm the mother of a res – former resident of the DOC. In 1984. And I've been trying to fight in this State for criminal justice changes since – excuse me – 1985.

I would like to first speak to the AR's since they were brought up first. There's so much that could be said. I've already discussed my feelings and laughed with Director Cox because of his putting up 93, 96, 103, whatever it is, AR's for one meeting. It's the most absolute unrealistic thing I think anybody could expect to come out of a meeting like this. With so many errors and discrepancies and unfaithfulness within those AR's.

If you want to read them I suggest you pick up the ones that you feel that you know something about that should be changed and send it – send it to this Board. And let them know the feelings of people like us and what could be done to make it fair.

Everybody talks about all the criminals - the criminals. Well today's prisoners, people, are tomorrow's neighbors. How do you want your neighbors? Do you want them distraught, sick, mentally ill, no self

confidence in themselves because they've been told when to tie their shoes, when to go take a shower, so forth and so on for too many times?

In our prison system right now there is too much idleness of prisoners. I'd like you to think about that and help me try to get some changes made.

As far as AR's, there's 3 of them that I would like to be brought back at the next meeting after much discussion. One is AR 258. If you look at it ---

SANDOVAL: Ms. Hines, I don't want to interrupt, but do you mind holding your comments with regard to the AR's until we reach that portion of the agenda and I'll give you an opportunity to speak to the AR's at that time?

HINES: Okay. All right, the other thing that I wanted to speak to was the glitch. The glitch. Whatever you want to call it. It's supposedly happened in 2005, June 5 of 2005. Why in the world are we not considering doing something about it until 2012? Just think about that. I have had calls, like I've always had calls from parolees. "Well that's about the time that I got out" or "I was told that I had a robbery in my record." And there's been very many people who think that there has been a wrong – but now there's a wrong in their I-files. Can they see their I-files? No. All it would take to set this right is for this Board to say let's be fair about that. If an inmate comes up and says "I have found an error in my file. Help me correct it." I think that's what should be done for one thing. Thank you.

SANDOVAL: Thank you, Ms. Hines. Mr. Felton.

FELTON: Doc Felton, a resident of Nevada since 1971. Are you 2 set on expanding on my remarks here today will be put on line before the end of this month. The segment's title will be "Dear Governor Sandoval."

As you know, fairly recent study by Nevada's ACLU found our prisons to be unfit for human habitation. Seems clear that that dismal rating stops on your table here. That rating stops with each of you, most especially with our corrupt Governor Sandoval and our corrupt Attorney General Masto. You people are guilty of crimes far worse than those committed by many of our State's prison inmates. I request that you people dedicate a new website to explaining what you're doing to turn our hell hole prisons into decent humane facilities. Let inmates set up and maintain the website. I specifically request that you try to explain how Inmate Nolan Klein was victimized by one travesty after another before he died prematurely in prison due to serious health issues that were ignored. Do you people now admit that Nolan spent over 20 years in prison for crimes he did not commit? Do you acknowledge that Nolan was offered his freedom if he would agree to not sue the State or wrongful imprisonment?

A recent national report card focused on general corruption in each of our country of 50 States. Nevada was awarded a generous D-. Sponsors of the involved study include public radio. I know a good deal about your prisons and they warrant no report card grade higher than F. Hard fact, you people should be tried for crimes against humanity and sentenced to life terms when found guilty.

On 3 occasions I was wrongfully arrested and jailed for protesting criminal government in Nevada including violations of the United States Constitution. My last time in court permitted Washoe Commissioner David Humke and Judge Barbara Finley to ignore conflict of interest and constitutional protections with conspiratorial intent to railroad me.

There's no telling how many of the inmates you are responsible for were also railroaded by despicable judges including Brent Adams. I detest dirty politicians who trample on the Constitution, justice and our country's noble ideals. It bothers me exceedingly that Nevada is being run by some of the worst fecal matter criminals in the State.

SANDOVAL: Thank you sir. Next person on the agenda who wishes to speak is, I believe it's Mike – is it Weston, Meston?

WESTON: I'd like to give you a – my name is Mike Weston. I'm a retired pilot, business owner for 35 years with impeccable record. I've got impeccable driving record. No tickets, no accidents in 45 years.

6 years ago I stopped to complain about 2 reckless drivers on the freeway on I-80 near Robb Drive. I came upon a trooper that stopped what looked like one of the pickups. Trooper Ed Bauer's took the information and then he recognized me from a complaint that I brought against the NHP 4 months prior about a rude phone call response from Ed Bauer and Sgt. Kinnard. And that was regarding, I contacted them about the black ice – regarding a lady that had flipped over in her pickup and was stuck in the mud and we couldn't get her out so I went home and called NHP and talked with Trooper Ed Bauer and Sgt. Kinnard on the phone and they said we're not the – Sgt. Kinnard said "we're not the babysitters for NDOT. Go ahead and call them yourself." She responded in a sasquatch, deep growling response. I thought that was wrong. So I contacted Governor Guinn's Mansion that night and lodged a complaint. The next morning I get a call from the Captain of Sgt. Kinnard who apologized for their demeanor.

Okay. 4 months' later I'm driving home and Trooper Ed Bauer recognized me when I stopped to report these 2 reckless drivers. At first he took the information and then he said "are you Mr. Weston by any chance?" And he says "do you remember me? I'm Trooper Ed Bauer. You called our agency and Department and complained and called everybody?" And I said "yes." And then he paused a few moments, ordered me in front of the audio/video a second time to restage the verbal exchange. And the tape is, the audio/video that was shown before Judge Salcedo in the courtroom, it was – the time stamp has been reviewed by several people, video experts. It's been missing minutes, missing seconds where they spliced in or reworked the audio/video. I received a $300 misdemeanor citation. And evidence was tampered. There's documented perjury on that withheld audio/video. They only showed 2.8 minutes in the courtroom. The tape is over 15 minutes long. The time stamp is well documented, it's got missing minutes, everything. It's rigged. And then Public Safety – I have a letter from them. They make 2 trips to the evidence room on December 9th and the 15th. 5 days apart. During this time, Assistant D. Ealy, DA under Gammick, the Assistant DA said "we don't know where the tape" – at first she said the tape was destroyed. Then later she said "we don't know who has it. It's out of the office. We don't know where it is." And then 2 months' later I'm allowed to get a copy of the tape and I knew right away it's been altered. I went to the court to – 4 or 5 times to ask the Court Administrator why isn't my appeal, which was timely submitted within the 10 days, stamped, dated and signed – I have it all, it's not make believe; it's all there. They said "well we don't know where he is" you know, "you can't stay here and wait in the lobby or otherwise you're going to be arrested for" – I forget the words they used; not trespassing but "you can't loiter or stay here. You got to go." And I went back and forth.

Anyway, I started writing letters to the ACLU, the FBI. They didn't deny that the tape was tampered but they suggest I pursue, you know, go to ACLU which I did already and they didn't do anything. And during the 4-1/2 years, I was stopped by NHP 31 times. On stop number 29 and stop number 31, I had guns pulled on me, pointed right at my face by 2 troopers and I was really worried, you know, if they slipped the trigger or – I get shot or just what they were doing. It really bothered me. And then there's perjury caught on the tail end of the withheld audio/video that shows Trooper Ed Bauer's telling another officer that's caught on the audio portion and he says "what's happening?" And Ed Bauer says "oh Mr. Weston stopped by to tell me what happened – approached me and told me what happened back on Keystone about being run off the shoulder." But when you look at the tape, that's all missing. It's been edited and cut out. And he gave me a citation for obstruct and delay. Making it like, you know, I'm just stopping there for no reason.

I go before Judge Salcedo who's been voted as the lowest ranking judge in Nevada, or Northern Nevada at least. It's been in the newspaper, feature article on that, the ranking of judges – for 10 years in a row he's been voted as the worst judge, a "policeman's judge".

And I contacted Attorney General's office, talked to Investigator Dale and Wayne and Dale would just kept throwing me off and then – well it took me numerous times to get to him because they knew who I was when I was calling and the receptionist would slam the phone down, would not put me through. So finally I called under the pretense of being somebody else. I finally got a hold of these people. I'm the one that did all these banners and this is nothing what's coming up next. I did the crime scene banner. We're going to be doing more – I did all these signs of the professional – I'm a retired sign painter and pilot and I've been, doing this for years. And I plan on doing some aero banner pulling that I can do.

Huge banners from the plane. And also more protests and I'm working with Newsweek and Time and several other magazines if I don't get my day in court. To show an honest appellate court judge this rigged case here. Which I'm not going to let rest. I am going to get this – not only – it's on You-Tube now, but to get it on the front page of a cover story of our nation's court system and use Nevada and my case as a poster case of just how rotten the system is.

And I went to 3 top attorneys in Reno, paid for consultation fees and reviewed my evidence. They said "you have so much evidence here. You could bring a large suit against the State. But the problem is, it would cost $10,000 to $14,000 and there's no guarantee in this State that you will win, even with all this evidence, because the judges are just literally corrupt and this system is rotten."

And I no longer support the death penalty, which I used to before, because I don't trust it. I see all these cases from people 20, 30 years rotting in prison. They come out and they find out the prosecutors and judges for political gain and conviction rate, job security, you know – they withhold stuff and people rot away yet they're innocent.

I have no criminal record. I've never – except for this citation. I've never had anything sealed. I've got an impeccable record, everything. And I am going to keep ramping this up until Mastos will not be able to run for Governor and the other officials in the State that have done this. I'm not going to let it rest. My wife told me, you know, "just forget it. It's not worth it." I says "no. You can't let this stop because this is why the country is heading down hill going into depression." We have a screwed up corrupt national, state governments. Nobody knows what's going on behind the scenes. We've got – the country is collapsing. And Governor, I am asking you to let – do what you can to let me have my day in court. Which my right to due process was denied when they did not process my timely submitted stamped, dated appeal. An attorney said you know "there's no statutes to due process under the Constitution." And the State stopped the due process not letting me go to appeal my case to show the judge the tampered evidence, the perjury, all this other stuff on there. There's over 9 different documented evidence. You know, it's corrupt. This is why people go to prison and find out 20, 30 years later, oh, they withheld evidence or somebody lied or – and I get sick just thinking about all the people that are in prison, just rotting away around the country because there's no accountability, there's no check and balances. No check list, like when you fly a plane you have a check list so you don't run into a problem. Just – with the judges. The judge just sits there and he doesn't say "well sir did you get your – were you allowed to see your discovery evidence?" No, he just sits there silently and lets the judicial rape go through the process.

This is not – this is no better than South America or Middle Eastern justice. It's not much better. It's just a phony façade of so-called American justice and the proof in the pudding is you see all these cases where people are just rigged – not in every case. But before their convictions in this country. From jail walking all the way up to whatever. It's they're rigged. And most people give up, they don't pursue it. But I'm not giving up and these banners that – and these, Channel 8, on the You-Tube. We're starting to get some – we get over a thousand hits already. And I've got the attention of publishers already that they're interested in what we're doing. If I don't get my day in court, Ms. Mastos, doesn't respond or do what the State – allows me to have my day in court which the due process is supposed to be, I am going to ramp up with aero pulling banners. A lot more stuff is coming down the chain.

I just, you know, I'm not a criminal. I've got an impeccable record. Been married 30 years. I've been in business 35 years. Not a single complaint. I never had a chargeable accident. No tickets in 45 years. No violations flying. Aerobatic and corporate, the corporate level. You know I got 2 sons. One's in Afghanistan right now guarding a prison over there. Which I told him, "don't go over there because you'll probably come back in a body bag." I've got another son that just got out of the Marines. You know. I feel I'm a decent person. But I don't like to be screwed by the State and I'm not going to back down.

SANDOVAL: Thank you Mr. Weston. If you would provide the Commission with a copy of your, that cover sheet and the deal that you were describing I would appreciate that.

WESTON: I will. I have all that stuff.

SANDOVAL: __ staff that received those, I would appreciate it.

WESTON: Okay. I'll do that. Thank you.

SANDOVAL: Thank you sir.

ROBBIN: For the record my name is Tye Robbin and we did speak with you last week, put some information out on the internet. We've got a website right now called catherinecortezmastowatch.wordpress.com. So some of the information that you've heard here today is up there. And we did write a, an open letter to you. Mr. Sandoval, Governor Sandoval. Did you get that by any chance?

SANDOVAL: I have not seen it sir.

ROBBIN: Okay you haven't seen it, okay. I'll make sure you get it. I'll talk to your secretary again. But we just want to take care of some of these grievances. You know, we're just ordinary people that have been disenfranchised by the system. And respectfully we hope that you take a look at that letter along with Catherine Cortez-Masto who apparently is in Las Vegas. And just listen to us so we don't have to sit out there every day protesting once a week or whatever. And we can leave the fliers at home and get on with our lives. We would appreciate that. Thank you very much.

SANDOVAL: Thank you, Mr. Robbin. And if you would provide my office downstairs at the front desk with a copy of your letter I'd appreciate it.

ROBBIN: Okay.

SANDOVAL: Thank you. Okay, this exhausts the list I have in front of me of individuals that wish to provide public comment. Is there anyone else here present?

Sir, again I'd ask if you could briefly –

GAIDA: My name is James Gaida. I've worked for the Department of Corrections. The 2 issues or problems that I approach the forum – as stated previously I work, I've worked for the Department for 4-1/2 years.

CORTEZ-MASTO: Governor, I'm sorry. I don't think he has his mike on and I can't hear the gentleman.

SANDOVAL: Can you hear him now?

GAIDA: There we go. All right. I've worked for the Department for over 4-1/2 years. And then so because of the continual – I know the Country and the State is going through economic crisis. However, I have a general question of how is it that we are to save the State and the taxpayers money but I as a State Worker, now fully qualify for Section 8 housing and food stamps as well as WIC for my family of 4? And on top of this, then we get a letter that we're being penalized because we've had "abuses of overtime" at our institution, which I don't even know how you abuse overtime. Or how that's been done or said.

The first 16 hours of overtime that I worked because of the suspension of pay raises would be my normal salary if I didn't have to – if the step increases had been going as promised when I was originally hired as all State Workers were originally hired. I'm just curious how that saves the State and taxpayers any money when I'm not the only State Worker with that amount of service who – I'm sure we all qualify for the same subsidized housing and subsidized food. In that sense, we're triple tagging the State. Because now you're paying to feed us, you're paying to house us and we're collecting salaries.

I know it's all very popular in the Country now to bag on State Workers and government employees. But I don't think attacking one's dignity and making someone forced into these circumstances when you don't want to do that. But because of economic necessity I now qualify again, without fudging any kind of numbers or playing any games, I qualify for all these low income benefits that I really don't think a state worker should have to qualify. Because I really don't want to. It's embarrassing for me to come in, in a public forum and even discuss that. But I've been struggling now for over 18 months. I have absolutely no money left of anything to save with no future or hope in sight because the prolonging economic crisis.

And I'm not the only person. People all over the Country are falling in the same thing. I just thought this open forum it would be nice to bring that to the State's attention. And again, I don't see how that you know, saves the State and taxpayers any money when you have a proliferation of State employees who are now on government assistance and work for the government as well.

And on my second point, kid of coinciding with the fact, the violation of the Stigney rule and the minimum staffing levels, we are trained on the PR-24, an impact weapon, during our CER, which is our refresher training course and during the Academy. And we're, for whatever reason, not allowed to carry this or even a collapsible version of this or any other tools to use in the matrix of force continuum. So we are immediately forced from a verbal altercation to have to – you have no other tools available so you're going to go from verbal to hands on because there's no other choices available to you.

We're trained in these impact weapons. I don't see why we're not allowed to carry them. Every officer has to train in them. We have to retrain every year on them, yet no one is allowed to carry them for whatever reason. With no explanation apparently.

Numerous times I and fellow officers have requested to carry these impact weapons since we are trained on them. And we never hear any response. One way or the other.

So I just would like to bring that to the State's attention. Thank you.

SANDOVAL: Thank you sir. Okay, is there anyone present in Las Vegas who would like to provide public comment?

CORTEZ-MASTO: Yes Governor, there is.

SANDOVAL: Do we have somebody with some technology ability so that – we can't see what's happening in Las Vegas.

CORTEZ-MASTO: Governor, can you hear us okay?

SANDOVAL: I can hear you loud and clear. Please proceed.

MAHARIS: Okay. For the record, Mercedes Maharis, lifetime member of Cure, Washington, D.C., past Director of Nevada Cure. Good day, Commissioners.

We are happy to say that we are back in Nevada the way it stands now. And so I'm going to be more diligent in and able to attend these meetings. Which we consider to be of prime importance to society. And especially the State of Nevada. Since we've been working with prisoners for oh, since the late 90's, Governor Sandoval, we put a great deal of money and a great deal of our retired time into taking care of your graduates. And we've had some very positive results that you would be proud of. And we've had results that have been disastrous mainly because of the lack of health care in Nevada prisons.

Okay I have about 6 very brief items here for you. Number one, we don't understand and we're asking why you haven't implemented standards of accreditation for all personnel and all policy and minimum standards for Nevada prisons. We've been asking this since the late 90's and really, 99% of the problems that we hear about would go away if you would simply work with the AIA. It costs pennies per prisoner and is worth gold to society and the end result because things could operate smoothly.

Number two, we're still waiting for answers to our letters to your Board. I've – it's with great pains that I compose things throughout the years and yet I've never seen, I've never had the courtesy of a single reply. December 5th was quite a graphic letter. Maybe you've never seen it. I don't know. But it was delivered and if you haven't seen it, it's on the internet.

Number three, I'm producing a documentary about solitary confinement in Nevada prisons and in Arizona. I would ask you please to spend one hour watching this documentary. We invite you to watch it. Can any of us bear to spend one hour in isolation? Robert and I have suffered tremendously because of the suicides that have happened repeatedly throughout the years and one especially now because I'm a teacher for gifted and talented and I have a Master's in Special Education. But William __ is dead. It was just so tragic. How can this be happening in a civilized society? He was a gifted and talented artist.

It's just a loss, a great big minus that you can write down and I'll sign my name to it. That we lost this person. He could have contributed so much.

So we ask you to stop the practice of isolation, solitary confinement, dis-seg, ad-seg. Whatever one chooses to call it. A rose by any other name is still a rose. And it's isolation and it kills brain cells. It has to stop at some point. Because it's ruining people. We ask you to up the limits on a number of books that each prisoner can have. You have no idea the amount of problems that we have trying to get books inside NDOC. Books are the foundations of civilization. And this just tells me that there's very little interest in creating a healthy civilization in society here in Nevada. It really hurts me as a teacher. It's just devastating to know that this is happening to individuals who I believe there are 2,500+, the last figure that I heard, were mentally ill in prisons. And they've become more mentally ill. Not – they don't get better. We're not rehabilitating here. We just have to give up the punishment mode and move forward. It's just not right. So we ask you to help stop the suicides and provide mental health care for all prisoners.

And I'd like to know who it is so that I could talk to who came up with the magic number of 572 days in isolation. Think about it. 572 days because someone was scared, a trainee officer puts their hands on the inmate, which they never should have done. At least this is the report. And this individual is now, I am positive, has PTSD. He's stopped writing. He's tired. He can't sleep because of all the noise in the units. And this was another gifted and talented young person. And we'll hear some of his writings in my documentary. It's a shame. It's a crying shame.

Okay, next up, we've asked you before, please provide MD's specialized healthcare for HIV-Aids individuals. For the benefit of everybody in NDOC because it is the plague of our modern age and it is communicable and it will also help to enhance public safety because individuals will have been treated correctly and properly before they get out so it won't spread when they get out. And nobody's ever answered me. I went to the trouble of talking an HIV-Aids specialist MD in the State of Florida. And he said that he would volunteer to do videoconferencing for every HIV-Aids prisoners in Nevada. Nobody answered. I went to a lot of trouble to find this man. He's spoken at the National Health Convention for Prisons. So I'm upset about that.

Okay. Next is I've asked about the diet throughout the years. High fat diets produce disease. It's happening right now. And yet the diet has not changed. A small thing, but it's actually very, very large because it has to do with the bottom line with safety.

Please fix the phones so that the one minute remaining announcement does not come on after talking one to two minutes. I mean it should be a simple electronic adjustment. But nobody's watching the store. Now keep in mind that phone calls help prisoners emotionally, mentally. Helps families, helps sponsors to stay calm during incarceration which is a highly unnatural state. And it helps to protect staff. It helps to protect officers. And so – the terrible thing too, is, the phone calls, is that Nevada takes so much off the top. Prison Legal News said that the prisons take more money from the phone receipts than I believe any other State. That's wrong. Just give it up.

Okay. Finally, may we ask you to give – no there are two other things. Give all the officers radios. Or let them buy their own radios. Or take donations of radios. I know people who would donate radios to help. Because it would obviously prevent escalating violence.

And use the Inmate Welfare Fund, PLEASE, because I think it's the law, exclusively for inmates. It's not happening apparently, according to the AR's.

Please make a priority of allowing every person who says that there are computer glitches or there are things in their I-files that don't exist, to have immediate attention. I mean volunteers could come in and write down everything that they say. Then it could be examined properly if we don't have the staff. It just has to happen. I mean what if people are in there, what if inmates have been suffering for 7, 8, 10 years, meanwhile getting sicker and sicker and sicker so that they're destroyed when they come out and they're not even guilty? This is not rational.

So in the end, we just – we're taxpayers. We're paying for this and I think that you need to listen about how our money is being spent from the outside. Listen to our opinions. I mean we've seen fall out for

years because of what's not going on that's proper inside. And we do respect everyone who works inside the prison system. It has to be the worst job on the face of the earth.

There is something on You-Tube I would like to invite all of you to watch and it's about the prisons in Norway. Michael Moore has made a little 8 minute piece. It's on You-Tube. Look it up. Look up Michael Moore plus Norwegian prisons. It's a very beautiful piece about how it could be for everyone who's violent. For everyone who has mental illness. For society to have a different view that the way it is locked down in concrete tombs, it does not have to be.

Now I thank you for all that you do. I understand that you have enormously stressful jobs. But let's make a difference by changing, making a bright future instead of a challenging abysmal one. I feel despair for what's happening now. Please, let's go a different way. Thank you.

SANDOVAL: Thank you, ma'am. Is there anyone else present in Las Vegas that would like to provide public comment? Thank you very much.

CORTEZ-MASTO: No Governor.

SANDOVAL: No? I'm sorry, Madam Attorney General, was there somebody who wanted to speak?

CORTEZ-MASTO: No, there is no one else.

SANDOVAL: We will move on to Agenda Item Number 3. Acceptance and approval of minutes. Have all members of the Board have not had an opportunity to review the minutes as provided on December 5, 2011?

CORTEZ-MASTO: Yes.

SANDOVAL: Are there any changes or deletions to those minutes?

CORTEZ-MASTO: No.

SANDOVAL: The Chair will accept a motion for approval.

MILLER: I vote to approve the minutes.

CORTEZ-MASTO: I'll second the motion.

SANDOVAL: Secretary of State has made a motion to approve the minutes of December 5, 2011. The Attorney General has seconded the motion for approval. Are there any questions or further discussion on the motion? If there are not, all in favor please say aye.

CORTEZ-MASTO & MILLER *[simultaneously]:* Aye.

SANDOVAL: Aye. Opposed no. Motion passes unanimously. Agenda Item Number 4. Presentation and discussion on identification cards for re-entry programs. Director Cox.

COX: Yes. Members of Committee, Bradford Glover Re-Entry Coordinator or the Department of Corrections speaking to you from Las Vegas.

GLOVER: Thank you Director. For the record my name is Bradford Glover, I am the Re-Entry Coordinator for Nevada Department of Corrections. I was asked by Director Cox to give a brief presentation on identification cards for the Re-Entry Program.

I want to start off by discussing some of the difficulties in the past that inmates have had to deal with when being released. Inmates were being released with NDOC identification cards and then would take these cards to Nevada DMV and they would not use this card as proof of identification so the inmate would not be allowed post-release to obtain an identification, a Nevada ID card.

There's two things that we've done since then. One of the mitigation, mitigating things that NDOC has done is work with ___ organization was that Rain religious going to Nevada Department with the Department of Public Safety, Department of Motor Vehicles and Department of Corrections to assist released inmates in obtaining State issued identification cards. In 2010, Rain collected more than $15,000

for the purpose of assisting individuals, incarcerated individuals with obtaining Nevada State ID's. The project, the funds raised by Rain were given to the Department of Public Safety and then the Department of Public Safety awarded us a re-entry account fund.

The project started July of 2011 and is due at the end of this fiscal year, June 2012, and as of May 2012, 1,122 inmates have benefited from these funds. There was been 435 Nevada State identification cards processed. 687 birth certificates processed. And we spent as of today $14,000 in that fund.

Now the second thing that's going to benefit inmate's post-release, from being released from prison and obtaining their identification cards is Senate Bill 159. It was sponsored by Senator Gustaffas[?] and it was co-sponsored by Senator Flores. This bill took an act started in February 2012, and basically what this does, it sort of mixed the homeless waiver. If anybody who is considered homeless in the State of Nevada they can go to any DMV and request an identification card and the fees will be waived. As of February 2012, this now applies to any inmate being released within Nevada within 90 days. An inmate just has to take papers to any DMV and DMV will waive their $17 fee for identification cards. So in retrospect this is a wonderful thing because any released inmate, being released from Nevada Department of Corrections can go to any DMV and show their release papers to them and they can get a free identification card. Governor, that concludes my presentation. *(Attachment 5)*

SANDOVAL: Thank you. How many of those cards have been issued, do you know? Or how many have been requested?

GLOVER: Since February 2012, no sir, I do not know. But I can definitely get the information to you. But what Nevada Department of Corrections, what we're doing because part of Senate Bill 159 it states that we have to give every inmate being released an employment packet. This employment packet was created by the Department of Employment, Training & Rehabilitation and so it's a document that we printed at our Prison Industries and we give to every released inmate. This packet. And included in there is the bonding information and also the waiver form. It's a DMV waiver form that we put in there. And all the staff throughout the State lets the inmates know that "hey this is available."

SANDOVAL: Yeah if you could – yes, if you could follow up I'd be very curious of how many of those identifications have been issued and how many were requested.

GLOVER: Will do, Governor.

SANDOVAL: Further questions from any of the Commission Members? Mr. Secretary of State?

MILLER: Go to SB 159, does that address the forms of acceptable identification that the inmate must provide to the Department of Motor Vehicles prior to them issuing either an ID card or a driver's license?

GLOVER: Sir, basically what it says, Mr. Miller, is that in order – DMV will allow the release papers from Nevada Department of Corrections as identification in order or them to obtain an ID card.

MILLER: Okay. You said part of the problem before was that the inmate identification card wasn't sufficient ID –

GLOVER: Yes –

MILLER: In order to obtain a license and SB 159 addressed that?

GLOVER: Yes sir.

MILLER: Okay. Thank you.

SANDOVAL: Mr. --- Attorney General – Ms. __, this item is marked for possible action. Is there action that is necessary from the Board?

GLOVER: No there is none needed.

SANDOVAL: Any – Madam Attorney General, did you have any questions?

CORTEZ-MASTO: No Governor.

SANDOVAL: Thank you very much Mr. Glover. We will move on to Agenda Item Number 5 which is discussion, possible action regarding State Administrative Regulations. This is how we're going to proceed because we have quite a number of proposed regulations. Mr. Cox, I'd ask that you provide an overview of what we're doing today and what's contained in each of our packets. As I mentioned before, I am going to ask for individuals if they would like to bring up numbers in terms of which AR they are concerned about. I do have a letter that I received dated May 16, 2012 from the ACLU that outlined several regulations that I would like to make part of the record. I don't have on my sign in sheet, I believe, a representative from the ACLU. So I will, after you finish Mr. Cox, identify those AR's that are of concern to the ACLU. So with that, if you would please proceed Mr. Cox.

CORTEZ-MASTO: Governor, just for the record, Mr. Claussen is down here. He wasn't anticipating speaking because he's already submitted his written comments. *(Attachment 6)*

SANDOVAL: Thank you Madam Attorney General. Mr. Cox

COX: To the Board, Governor, I'm Greg Cox, Director of Department of Corrections. What we have in front of us today are a number of regulations, 97 total. I asked the Board at the last meeting to look at all of our temporary regulations. The members of the Board agreed to do that. There was a substantial amount of regulations that we'd had in the past. I know that I began working on this when I was a Deputy Director, at that time, under Director Whorton. And we have come full circle to try to resolve these problems and get these in front of the Board for action. There's been a number of questions in regards to temporary regulations and members of the Board and I also felt as the Director that we needed to have this meeting and to be able to look at these regulations and pass them to get them out of their temporary status that they're currently in.

With that being said, there are you know, beginning with AR 101, which is the Department audit process, in the binder that was presented to the Board, I have a complete listing of all the AR's that are going to be presented here today. Basically a summary of changes that include, that are included for every AR that's here. Most of the changes you'll see a number of the changes are regards to language that's due to a change in statute or a change in the name of an organization. As an example, there's the Division of Human Resource Management from the Department of Personnel. But as we begin to go through these regulations you're going to see a number of those issues that we've corrected and moved forward.

So beginning, if the Board doesn't have a problem, I'd begin with 101 and then start moving through those. I –

SANDOVAL: Mr. Cox, I mean I just – you said we have 97 –

COX: 97 –

SANDOVAL: And if you spend one minute on each we'll be here – and I don't want to brush over anything. I think what I'd like to do is hear from individuals who may have some objections to these proposed regulations and perhaps focus on those.

COX : I agree with that. Thank you Governor.

SANDOVAL: Thank you. So Mr. Bratsch.

RATSCH: Good afternoon, Governor, the Board. Ron Bratsch, I represent AFSCME Local 4041 for the record. I currently do sit on the AR Committee.

It is unfortunate that we need to be here before you today. We believe there was – if there was an official defined process for the Administrative Regulations, these matters would not be before us, before you today. I am here before you today on AR 301, 350. These items still are in front of the Administrative Regulation Committee. And we believe if there was an official defined process for the Administrative Regulations these matters would not be before you today. That's all I have. If there's any questions, I'll be more than happy to answer.

SANDOVAL: Mr. Bratsch, do you have specific concerns with regard to AR 301 and 350?

BRATSCH: Yes. Like I commented, I do sit on the AR Committee. And AR 301 has some changes that haven't even been through the Committee. So I don't understand why – how they can get through the committee process when they're still in front of them and be to the Board when they are still being addressed under committee. So they don't have any input from our Association. And 350 has a few things and I talked to the Director and even at the last AR Committee he said we would sit down and address some things. If we have to address some issues on AR 350 I don't know how we can pass this AR. That's our concern. I mean we definitely have issues.

SANDOVAL: Thank you Mr. Bratsch.

BRATSCH: Thank you.

SANDOVAL: Okay Ms. Hines I have notes that says that you have some AR's that you were concerned about?

HINES: Did you want me just to talk about one item? Is that the protocol? Because I have two things to bring up, I mean, that I did not get to speak to.

SANDOVAL: There will be another oppor –

HINES: The AR's first if that's –

SANDOVAL: Yeah. Ms. Hines, if you could just discuss the AR's that you're concerned about. They're Agenda Item Number 7 is public comment and you'll have an opportunity to bring up public comment at that time that you didn't feel you had an opportunity to do so at the beginning of the agenda.

HINES: Okay. Thank you. I will then speak to AR's. I'd like to speak first to AR 258 which relates to inmate finances. And I'm not going to say much about it except that I hope everyone in this room would take time to read it and see what you're asking of these inmates. That if they do this, they've got to pay 20%, if they do this they've got to pay 50%. And if you add them all up, they're never going to get out of prison because they have too many fees that they need to pay. So I think that needs your – your just expecting too much financially on a group of people who are trying to change their lives. And it's a very unrealistic thing. I'm recommending that it be sent back for re-review.

The next two that I'd like to speak to are AR 278 and 279. 278 is the Inmate Welfare Fund. 279 is the Offender Store Fund. I looked for 2 days trying to find in my own little storage method where it says that the money raised from Inmate Welfare Fund and the Offender Store Fund is to be used to the benefit of all inmates. It went for such things like the gym, as the law libraries. Maybe they needed a – they're a large prison and they needed a bigger thing of clothing. This is what this should be spent for. The Inmate Welfare Fund, 278, the Offender Store Fund, 279, both say they want to remand money back to the general fund.

I don't see how an AR Committee can do this when it's in the NRS statutes that this money is to be used for the benefit of all inmates. So I'm asking that 278 and 279 be returned for a re-review. And that's all I have on that issue. I did have something on the sanitation issue but I'll bring that up later.

SANDOVAL: Thank you very much, Ms. Hines.

BROWN: Tonya Brown, advocate for the innocent, advocate for the inmates. I have a few of the AR's. I want to point out first my top priority is AR 621. Infectious diseases. Okay, I provided the Board for the record, Dr. Kara Gedney's deposition on how they treat contagious diseases. And I know what I've seen. I know what was in the notes, what went over, it's described in her deposition as we went over it. And I'll just state in Dr. Kara's 2012 deposition she described how treating mersa is being treated by NDOC. According to what the medical professionals feel, protocol must be followed and it must be treated a certain way. According to all reports I have read on mersa and the proper treatment for mersa, NDOC does not follow protocol treating mersa. And according to Dr. Gedney's testimony, they provide them with ointment. Now I have personally witnessed these mersa symptoms and I know that the protocol for

these symptoms are not being followed, thereby subjecting NDOC staff, inmates and the outside community to a life threatening, contagious disease.

Mersa must be treated by draining the infection, cleaning and packing it and then treat it with antibiotics. NDOC does not do this. Thereby leaving the infection to fester, possibly spread throughout the body, spreading to the outside, the outside community, causing irreparable harm and even death to inmates, prison staff and the outside community.

I base this on the 2007 outbreak in Northern Nevada and Southern Nevada. Nolan Klein was what the medical profession called a "UM" – an unexplained miracle in that he survived. NDOC reported that 2 other inmates contracted mersa, the super bug. I've been told that Nolan was the only survivor.

Channel 4 covered stories on citizens contracted the mersa super bug and nobody could point where the outbreak was coming from. Questions are raised. Does NDOC report every case of mersa to CDC? The State? When inmates contract mersa, the super bug, or mersa – or prison staff? Are inmates informed of this? What protocol is taken to see that it doesn't spread to the outside community?

I wound up getting an infection, I went to the emergency room. And because I had been exposed to mersa through NDOC I was given the antibiotic. If you read Dr. Gedney's deposition, they don't provide that antibiotic because it's costly.

But it grows and it festers. And what he had in symptoms – he had it, it was oozing and draining in this visiting room. And that's a place, an area that can spread. You've got visitors coming in, visitors going out, spreading it to the outside community. That very well could have been the cause of the outbreak.

This needs to be treated. What they do is give an antibiotic ointment. When they're swollen and oozing you don't do that. You have to open it up, pack it, and treat it and give them the antibiotic –

SANDOVAL: Excuse me Ms. Brown, but do you have specific comments with regard to the proposed regulation?

BROWN: With that regulation?

SANDOVAL: Yes –

BROWN: That is – I haven't seen it. I don't know what is in there. I know what they're not doing. That's in the protocol. And it would follow under the occupational exposure to blood borne pathogens, number 62, AR 603. We're trying to combine them all in together. Because this is – these spread to prison staff, they take it home to their family. There have been guards, families affected by it throughout the country. From mersa. And they have no – they're not able to get it or they're not compensated for it. Because they can't prove whether it did or did not. But when it's spreading throughout and hitting the outside community, NDOC must notify and say "we are having an outbreak." Anything over one or two people – but we're having a lot of people coming down with it during that time frame. And here was no warnings to the outside community.

Okay and then that was my main thing on the AR's, that one that I wanted to reach and discuss first. There was also AR 31 *[sic]* the inmate death and serious injury. That too would fall under the seri – the one I just discussed. Because what about the coroner? And the person who performs an autopsy. Are they being informed –

SANDOVAL: Excuse me, Ms. Brown. What number was that? That you just brought up?

BROWN: AR 420, Inmates Death and Serious Injury, the procedure.

SANDOVAL: Thank you.

BROWN: That would apply to mersa as well. Because I tell ya, whether a person dies from mersa then it goes on their death certificate. But if, like it's an inmate acquires mersa and they do not die from it – like Mr. Klein survived but he had ongoing problems with it. He did not die from it. But he lived, oh, 2 years. Nearly 2 years longer. But that was still in his body. That disease is still in his body. Anybody who came in contact with it, had a cut, could get it. Because it will spread. It never goes away.

Number AR 446, Identification of Inmates Affiliation with Security Threat Groups and Destructive Groups. I have over the past several years provided you information to this Board regarding inmates and being labeled as gang members all because they practiced a certain religion. I have been told, the courts have been told, no this is not true. But in the document that I provided you clearly it is true. It came out of discovery. Gang affiliation – Wiccan. Totally illegal and discriminatory. Inmates are still being affected by it – wrong. Fix that.

AR 457. It talks about the Inspector General's office. As I stated in the minutes December 5th, I provided you the information, I provided you these minutes, I want you to review it. And then you'll have a better understanding of the way the investi – the Inspector General's office conducts their investigations into inmates in NDOC. This – inmates are being disciplined and being locked up, transferred without given any disciplinary hearing. Then when they are cleared, it's not removed from their I-files or their C-files. It still remains in their files. So when they appear before a Parole Board or even a Pardon Board, false information like in Mr. Klein's case. Clearly – you can look at the Settlement Agreement, page 15 – that came from the Attorney General's office after the Inspector General's office turned it over to the Attorney General's office. The Attorney General's office found no wrongdoing. This was in 2005. But they allowed Mr. Klein to be transferred, remain at NNCC. This is mostly on the part of the AG's office. They are most culpable right now as far as that goes. Because when Mr. Klein – as I stated – sued, they withheld that document that now I have it in the letter, in the Settlement Agreement, that was withheld from him and what they should have done in 2005 after the AG's office cleared and the Inspector General's office cleared , brought him back.

SANDOVAL: Ms. Brown, I am going to have to ask – excuse me – as you to stay to this agenda item please.

BROWN: Okay. And that's – these are the investigations. I have got other problems where they did a – the inmates who get investigations done, they don't know what the reports are, what the results are. They have no way to defend themselves. They have no due process hearing, no – nothing. But it's still in the file. And is it accurate? Now the concern with that computer glitch.

Okay. The other is destructive group and segregation – that's 508 and 509. Protective segregation. Again, you have NDOC and inmates going through an investigation, find no wrongdoing. Yet they was being stuck in segregated units. When they should be out in general population. And they're there for years. AR 604, that would go with the mersa.

AR 718. Inmate Personal Telephone Usage. Okay. Governor, I don't know if you are aware of this, but in the deposition last year given, NDOC is illegally listening in to phone calls between inmates and their attorneys. That is attorney/client privilege. And that was in Witherow and the State is trying to settle up with him. And I know for a fact that they were listening in in Klein's cases. That's how they knew certain information and that's where retaliation comes in too. This is what they do. Especially if you are a successful litigator. You have NDOC listening in – illegally listening in. That needs to stop.

And then there was the phone calls – oh and then AR 616 and AR 620. Again, it comes out of the deposition of Kara Gedney. That is extremely informative. If the public knew what was going on within NDOC and who got treated and who doesn't get treated, I think we'd start raising a lot of questions and demand a lot of things be done. And I'm suggesting, I'm actually demanding this Board read that deposition. But on the direct orders and the over the counter medication -

SANDOVAL: Excuse me. Ms. Brown, did you say 616?

BROWN: And 620.

SANDOVAL: Okay we don't have a 616.

BROWN: AR 616.

SANDOVAL: It's not on the agenda.

BROWN: Oh it's not, no longer being current or is it – okay, all right if it's not there then –

SANDOVAL: Nor is 620.

BROWN: Okay, where would it fall under? Because another thing that is, that as a taxpayer I'm rather concerned. You have NDOC who will prescribe over the counter medicine for like Tylenol and Advil and stuff like that over the years for long periods of time. Do you know they don't check the inmates to see if they're getting any liver damage? If there is any kind of a liver damage and yet we as taxpayers are footing this pill – why aren't they testing them for it. We're prescribing them this medication and we see it on TV, the commercials.

SANDOVAL: Ms. Brown.

BROWN: Yeah.

SANDOVAL: Excuse me for interrupting. It's my mistake. 616 and 620 are here so I apologize. They were the back four –

BROWN: They're back here. Yeah. Okay but this needs – this has to be looked into because if I'm saying I don't know whether you want to do it every 2 years or every 3 years, but anybody who's been on a regime of over the counter medication, whether it's Tylenol or whatever, for chronic pain, they should have testing done to see if liver damage is being conducted. They are not doing this. And when you have long periods of years and years of this type of abuse of prescribed over the counter medication, NDOC needs to see what it's doing to harm them. And they're not doing that.

That's pretty much it on my AR's. And then I'll come back under the – did I provide you a copy of the mersa? I did for the record and I just want to make a note on here. It states here on the first, second paragraph here it says – the deposition – it says "the protocol of treating mersa" – according to Dr. Gedney's testimony, they provide them with an ointment. In the next sentence, it's kind of me talking, it's not her testimony. It's if the infection is swollen, oozing it must be opened, drained, packed and treated with antibiotics. That's not an ointment. That's erythromycin[?] it costs me at Carson Tahoe, it's over $1,000 a dose. And that's one of the reasons they don't prescribe it. But that was not done. That's not what they do when they get somebody who has the oozing, the swollen, draining, the spreading of it. They don't treat it that way. They give them an ointment. Do you go on line, you know, type it up, you see what it looks like? They have to open it up, drain it, get the infection out, pack it, seal it back up and keep it clean. NDOC staff was not doing it and I believe that is how it's being spread throughout NDOC to other inmates and to the outside community. Because protocol is not being followed by NDOC. Thank you.

SANDOVAL: Thank you Ms. Brown. Is there anyone present in – no, before I go to Las Vegas, is there anyone else present in Carson City that would like to provide comment with regard to Agenda Item Number 5?

COLUMBUS: I would sir. Gene Columbus, Nevada Corrections Association Mr. Governor. Back on December 5th our law firm submitted paperwork for the record outlining these temporary AR's of operation, these temporary AR's and thus here we are today with a flash flood of 97 and some changes to these things. I don't see how you can realistically sit down, review 97 AR's and you put a rubber seal on that.

Two in particular are the AR 350, AR 339, I believe, is on there also. I request that 350 and 339 be further examined prior to approval. I submitted for the record today also a cover letter to the previous letter outlining some reasonable – the hot potato on 350 is the tattoo issue. And there's some reasonable language there that we would like, that we request you take a look at and maybe put in that regulation. We have folks that, we have officers and staff that had hired on years ago with tattoos. Tattoos have never been a security problem. They've never been you know, anything other than – it's pretty clear if you have a tattoo and it's reasonable, it's not offensive, it's obviously not gang related or anything else.

Case in point, there's an officer that has a tattoo of his son that was killed in a helicopter crash serving his Country. Okay. You know, ones like that, we have another one has a little rose. As I say, it's kind of

unreasonable the way it's worded and with everything else that the staff is going under nowadays with the impacts and administration and everything else, you know, do we really need to worry about tattoos. I think what we propose is a reasonable solution and I'd appreciate it if the Board could take a look at that and consider that.

And 339. Mandatory overtime I think there's a section in there for mandatory overtime. That makes it an automatic Class 5. I respectfully request also that we take another look at that and reconsider the policies that are created to make up a mandatory overtime list. There's been a lot of inconsistencies in the past. Officers have been disciplined for it. And we'd like to work with the Department a lot closer on that to come up with a more consistent base for the creation of an overtime policy prior to this. They're saying well that's going to be a Class 5. So with that in mind I'd appreciate that. Thank you.

SANDOVAL: May I ask a question Mr. Columbus?

COLUMBUS: Yes sir.

SANDOVAL: We do have quite a stack of -

COLUMBUS: Stack of proposed –

SANDOVAL: Regulations. But I want to make sure I understand that you've had an opportunity to review these and your issues are with 339 and 350 and no others?

COLUMBUS: Yes sir.

SANDOVAL: Okay. I just wanted to clarify. Thank you sir. Mr. Kelly.

KELLY: Jim Kelly again. I just wanted to also lend my voice to the opposition of AR 339 and AR 350. During my course of hearing that I had on my demotion there was a question as to AWO Mattice about "well you can't include everything in every AR, can you?" And he said "no." Now AR 339 if you've seen it, it's about 19 pages and they do try to list everything that we can possibly get into trouble for. And now they're adding one where we could be fired for refusing mandatory overtime because of the incompetence of the administration and their staffing. That doesn't constitute emergency to me. Because of their incompetence. The legislature approves money to fill every single position and they choose not to fill a lot of positions which leaves us in an unsafe position which therefore mandates that we have to hire overtime because they don't do it. They don't fill positions. So then we have to suffer the consequences of working 16 hour shifts.

Now some people are having to choose between picking up their kids or losing their job. That's a no brainer. That's no choice. Now I got to pick my kids up but I can't feed them because I got fired? That's just ridiculous.

Now as far as AR 350 goes, I don't understand how when you can work on an institution with the most vulgar tattoos that are all over these inmates' bodies. I'm talking vulgar. I can't even repeat what most of them say. Most of them are gang related. And as Mr. Columbus pointed out, the tattoos that we're talking about here are benign. Now the counsel for the Department of Corrections may misstate what these tattoos are. For instance, a rose I think was mischaracterized as some kind of, I don't know, Latin king symbol or something. I mean it's ridiculous what they're coming up with for reasoning. It's just ridiculous.

So you say if they can't – you know, the question to Warden Mattice was you can't include everything in the AR's can you? Well they're trying to. They're trying to do that. They're trying to put this idiotic thing into AR 339 which is already ridiculously large. But they can't add one sentence, in my case, because I was demoted for not obeying an order that wasn't written. And he was asked if you can't put one line in this AR that says you need 2 supervisors on the institution at any given time. It's not in the OP that I was accused of violating. I think Ms. Traut can speak to that more clearly, perhaps even Ms. Del Porto. But we're being investigated for things that aren't in writing and they're trying to include more things in our AR 339 which we're not supposed to be doing. Or we'll get fired or doing. Thank you.

SANDOVAL: Thank you Mr. Kelly. Madam Attorney General, is there anyone present in Las Vegas that would like to provide comment with regard to the Agenda Item Number 5?

CORTEZ-MASTO: Yes Governor.

MAHARIS: Yes, Mercedes Maharis for the record. Concerning 813. I've been taking inventory to prepare for legislature in 2013 about psychological review panel. I see on here you have number B and it says "materials provided to the panel will include but are not limited to the following items" and then it lists them. I have seen several hearings where the files are not available to the members of the panel. And yet the hearing goes on. And I don't, you know if it's written here, it should be followed.

Also just a side note. If I were coming back this is the place I would come because these procedures seem to be a rehash of what happened 10, 20, 30 years ago. And then they have a little vote and it goes. And you know. This is not professional psychology to me.

And also it says number 4 in 813.01 "the members of the panel shall be the Director of the Department of Corrections or a designee. The Administrator of the Division of Mental Health and Developmental Services of the State Department of Human Resources or designee and a psychologist or psychiatrist who is licensed in the State of Nevada." Well I think that all three need to be licensed to be rendering such incredibly powerful decisions in individual's lives. They have to be psychiatrists. You know, this is the only panel of its kind in the United States in case you didn't know that. From, based on my research.

And I think it's very dangerous when they announce apparently. I saw a hearing where it was yelled out "oh it's time to go to the psych panel." Okay. Now everyone knows that this individual is a sex offender. And what do you think happens? Their lives are in danger.

And on that note I think that it would be very wise to have all sex offenders in one institution. So that they at least don't have to worry about getting stabbed which has happened. About getting attacked, about getting shot. This sprinkling of them everywhere and having hearings that are public knowledge in the prisons is a recipe for disaster.

Governor Sandoval, Attorney General Masto. This is unacceptable. Especially that this is the only one of its kind in the United States. So for 2013 somebody has to bring this up in legislature and I think it's, has to go. The entire procedure. Thank you.

SANDOVAL: Thank you ma'am. Madam Attorney General, are there any other individuals who would like to provide, bring up any issues with regard to Agenda Item Number 5? I do, I understand that Mr. Claussen is present there on behalf of the ACLU. And Mr. Claussen, please correct me if I'm wrong, but at least my review of the letter is that your organization has expressed concerns with ARs 339, 407, 446, 610, 613, 722, 750 and 814.

CLAUSSEN: That is correct, Governor. Thank you.

SANDOVAL: Director Cox, now will approach this – but I suppose I'd like to hear some of your comment with regard to the concerns to some of these AR's that are contained in Agenda Item 5.

COX: To the Committee, Director Greg Cox. Beginning with AR 258, response to Ms. Hines comments in regards to it. I do have Debbie Reed here, Deputy Director of Fiscal and Support Services for the Department. However, most of the requirements under 258 are covered by statute and have been in place for a number of years. I understand her thought that she believes that many of the deductions from inmates' pay or inmates' accounts, she doesn't agree with that. But as you can see with the authority for 258, it has numerous statutes that govern, having governed for a number of years.

Now going to AR 278, Offender Store Funds, Offender Store and Coffee Shop, some of the comments with regard to it and how it's operating. Again, it is operated by, you know, under statute and it's been operated that way for a number of years. I know that she wanted most of the, and indicated that she wanted most of the money to go towards the gym and the library. The responsibility of the Director is to __ the cost related to the operations and maintenance of offender stores and coffee shops where they exist.

And then make store funds to be utilized for the benefit of inmates to ensure the continuation of offender stores and coffee shops. And that's what we do with the money.

Going to AR 300, I'd like the Board to pull that as a temporary. The Department of Corrections and the Department, or Division of Human Resources, State Division of Human Resources have recently signed a delegated agreement allowing the Department to proctor the exams and expedite our recruiting and hiring process. We've been very successful in doing that. I will bring to the Board at the next meeting an AR that includes those changes that have been agreed on between the Department of Administration Division of Human Resources and the Department of Corrections.

AR 301, Shift Bidding. I can tell you since I've been in, since I've been the Deputy Director and now the Director, that our staff have continually commented on this regulation. It's been discussed, it's been repeatedly discussed over and over. There have been some changes to it. But you know, like officers cannot bid on the same post for more than two years. I believe that requirement, a best practice. Something that we should do in Corrections. Not leave a person in the same post for a number of years. It doesn't enhance security to do that, for someone to be, as an example, in a tower for year after year after year.

There are other language changes that's been included in there. Basically, you know, they talk about a number of things, you know, from talking about nepotism. But basically a lot, just a lot of clarification there speaks to some words about the Monday of each week so we actually go out and re-post the bids as vacancies occur in our assignments throughout our institutions.

I will tell you, having been a former shift supervisor in the Department, this is a regulation that – it's not perfect. But it has been vetted and looked at over and over again. And it's been a temporary since 2010. It was a temporary and it's been changed. I think it's fair. I think it provides what's needed to be able to provide for the shift bidding for the employees and utilizing their seniority for shift, for RDO's. And they also, according to 301, get to bid on their posts. And I would say, you know, it clearly – I know that our staff would disagree to some extent, but I believe it's fair.

SANDOVAL: Director Cox, what is the consequence if the Board were to decide to hold this one for now, until the next meeting?

COX: Well Governor, I would say that you know, with the shift bidding process it's clearly laid out. We do it every November. You know we need a document to be able to implement shift bidding. There's always, there's been questions by our staff because this is a temporary regulation. I have to have a regulation to be able to manage the shift bidding process. The heart of the matter as I see it, again, is that they, the staff have the ability to select a shift by seniority and their RDO's. And in this case, this shift even to take the position they want to work at. I don't know how much fairer I can make it than that. That's an obligation quite frankly, that a number of states don't have. A number of department of corrections around the Country do not allow for post bids, to pick your shift. We've done that. We have been fairly successful doing that. And I think this AR provides for a, like I said, a fairness. It's not arbitrary. It's been vetted repeatedly. I think that if we edited it again, I think we'd probably come back with some of the same, similar issues. It's not perfect. People are going to have problems with it no matter what we do.

SANDOVAL: Director Cox, when you say it's been vetted repeatedly, could you be more specific what you mean by that?

COX: It's been discussed. There's been grievances filed against it. There's been multiple employee discussions over the years about it. Since it started. There has been multiple changes made to the document in regards to employee input. Quite frankly, again, I believe that it has been vetted so many times with so many employees and been talked about with so many different committees over the years that – is it a perfect document? No it's not. But it is the best document that we have. And we need it to be able to proceed with shift bidding. Beginning in November again for annual leave and posts that they need to take beginning in January of '13.

MILLER: Mr. Cox, one of the concerns that we heard in public comment was that particular AR had not passed through, there were provisions of that AR that had not been fully vetted by the AR Committee. Can you describe for us whether or not there are any changes that may have not gotten through that Committee?

COX: Well looking at the document and going through the Committee, we have discussed this in Committee prior. Looking at any significant changes in the Committee which we allow employee associations and other members of our staff to discuss the AR's. They're on line. People see them. This is the key AR for all of our staff. They know it inside and out because I mean if there's any – there's two AR's that our staff generally are very interested in. AR 301 and AR 350. And I believe vetting it out, simply, again, delays the process and we'll just end up with another temporary AR and we'll be back to the same thing when we come back again. It's going to be some of the same comments about it, it's not perfect. And it's not. But it's not arbitrary. It's fair.

MILLER : I guess preliminarily, what is the purpose of that AR Committee? And how do they function?

COX: Those employees sit down, we meet on a monthly basis. We send the AR's out to the Committee, the Associations, the members are involved in it. We send them out for their review. They come, they sit down with us, they look at the AR's. Specifically one of the AR's that's currently under litigation and I can discuss that after the meeting in the non-meeting, actually concerning AR 350. But the focus of 301, I believe the Department, as the manager of the Department, having been the former Deputy Director, we have vetted this. We have talked about this. Over and over again. And I really don't think that there's any substantial change in there that affects the abilities of seniority to use for shift, the abilities of seniority to use for RDO's, abilities of seniority to be used for post and change of post. And those are three pretty concrete factors in this regulation that are still provided to our employees. That, quite frankly, aren't provided in every department.

MILLER: So the Committee doesn't vote or take any action –

COX : No –

MILLER: On each individual AR, do they?

COX: No, they simply give their comment.

MILLER: Okay.

COX: We review them when we go through and look at – if there's been big changes in regards to operational issues. Any changes in regards to NAC. Any changes in regards to statute. Something that the employees might bring that they thought was unfair. And generally that might be in specific instance or specific shift bid at a certain facility. And I would say in general that this goes correctly the vast majority of the time. Most of our staff go through this process with little or no problems. There are problems with it as there always are, okay.

MILLER: But again with regard to 301, are there provisions within that AR that didn't go through the Committee where this Committee wouldn't have had the opportunity to raise some of their concerns that they have had with it?

COX: I'll try to be as fair as I can. I believe that issue associated with this AR has been vetted, it's been talked about over and over again. It's been repeatedly discussed. What we have tried to do here is be fair, look at the issues associated with our staff. Not just the Associations, other employees that don't attend the AR Committee, and it's been posted. We ask for their involvement. If they have any issues with it. And I will be frankly, it usually occurs prior to the bid process which is in November and they bring these issues to us. It's generally the problem with this AR is usually an individual how they, how this process went through. It was a sequence. The seniority – "my seniority date was here, they skipped over me" or "I was on annual leave" – those are generally some of the issues associated. I believe it's fair. And I believe it's been vetted out for years and we will be in the same boat again when we come back here.

MILLER: Okay, if this AR doesn't really apply until November, what prejudice would there be to the Department by keeping this regulation as temporary and putting it through the AR Committee so that we can just find out whether or not there are any substantive concerns?

COX: Fair enough. But actually this bid process occurs every month, every week. It's posted what vacancies have occurred for staff that have been, let's say, want to go to a different shift. Have the seniority now to go to different days off. It is a continual bid. It occurs all the time. Non-stop. It is a chief component of our operation. You know the staff know it's a temporary. We work with them, we talk to them. And granted they're still not happy with it. Some staff. But I believe that that's – as a Director I believe that's majority owner[?]. But it is a regulation that's very key to our operation. And we use it every day all the time.

SANDOVAL: Director Cox, you said that Committee meets monthly. When was the last time 301 was discussed at that Committee?

COX: I'm not sure the last time we discussed 301. I could add I know that my AR Committee I can get that information to you. Again, any relevant issue to it, Governor, is posted and the regulations out there, people are aware of it. In general, when we have issues associated with 301 it is during the annual bid process in November but it's continual.

MILLER: If people are bidding all the time, as you say, but this is different. This is us adopting a regulation. And it would be helpful to me because my recollection from Mr. Bratsch is with, this was not, hasn't been discussed recently at least, at the Committee level. And if I were discussed, as you say, there still may be some differences. But at least there is a specific time and place by which Mr. Bratsch and those he represents could be across the table rather than doing it on a case by case basis.

COX: Governor, if you would like for us to take this regulation and postpone it to the next meeting and take that input I'd be glad to do that.

SANDOVAL: And I would appreciate that, Director Cox. I'm not sure how the other members of the Board feel, but I think – and again, it may be as you say, you came back with the exact same product that you brought before us today. But it would be helpful to me to have that input at that monthly meeting and have that reported back to us at the next meeting.

It is critical for you to have this in place by November and here we are in May. But I think there's sufficient time that we could hold another Board meeting to consider this.

MILLER: Director Cox, I had an actual agenda. I'm not sure whether or not it was discussed, from the AR meeting on April 30th in which AR 301 was up for review and Deputy McDaniel was, at least according to the agenda, going to present on that one. So I guess it wasn't clear to me either. From Correctional Officer Bratsch's comments whether or not there were additional provisions that were added. But I think I share the consensus of the Governor.

COX: Mr. Secretary again, you know, my staff have brought to my attention that we had an EMC hearing in 2010 which confirmed on judicial review this process. Again, there have been a number of employee committee hearings on these issues. I most certainly am willing to have it in front of the next AR Committee again. We will post it for next month. Take the information provided by the staff and the Associations and then bring it forward on the next one. I have no problem with that.

SANDOVAL: Madam Attorney General do you have any questions?

CORTEZ-MASTO: No Governor, I agree with both the comments and the concerns that you and the Secretary had on this issue.

SANDOVAL: Thank you Mr. Cox. If you would proceed with the others.

COX: AR 339, Code of Ethics, Employee Conduct, Prohibitions and Penalties. I also believe that the ACLU had several issues associated with AR 339. Beginning on page 3 of 19, I would agree to amend

under section 12(a) on page 3 of 19 number 12 that we add "gender identity or expression" into "the employee shall not discriminate against any inmate, employee or any member of the public on basis of race, color, religion, sex, sexual orientation, disability, gender identity or expression or national origin." So with that amendment, through the request and documentation received by Mr. Claussen, the ACLU, I would agree that be amended to include that verbiage.

There's further comments on page 8 of 19 from the ACLU concerning Title VII. Basis of race, religion, sex, sexual orientation, age, disability or religion. And also under Section F(1) discriminating or harassing another person because of the person's race, color, sex, sexual orientation, age, disability or national origin. We could again amend F(1) to include the –

SANDOVAL: Director Cox, I'm sorry. Could you tell me what page you're on again?

COX: Excuse me, Governor. Page 8 of 19, section F(1), discriminating against or harassing another person because of the person's race, color, religion, sex, sexual orientation, age, disability or identity – gender identity or expression. Add that, again amend that and add that to that to that section of the regulation.

I believe there's on the same AR, AR 339, page 16 of 19. In regards to comments made by the American Civil Liberties Union under of sexual misconduct. That verbiage actually reflects NRS 212.187, so being mindful of what the statute says, that's the reason that verbiage is contained in that part of the regulation.

NRS 212.187 is voluntary sexual conduct between prisoner and another person penalty. There's a section that includes the, I would not say exactly the same language but includes acts that they don't list homosexuality in the NRS specifically. So the AR's a direct reflection of the statute. So with the statute in mind, it's law. I would not be willing to change that.

And I think that pretty much covers – Mr. Claussen can present any other issues associated with 339. But I think that covers most of his issues.

The other part of AR 339 I think President Gene Columbus with Nevada Corrections Association talked about mandatory overtime. And it is a an additional to the Class 5. I'm sorry, I have to get to that page, but basically what we have done or what we're asking the Board to approve is that an employee that is mandatory overtime, which means we've reached our minimum staffing plan and he has to stay to work as a result of his position as Correctional Officer. It is in his Work Performance Standards, his job specifications when he was hired as an employee. If that person chooses to leave the institution. Leaving the institution below its minimum staffing plan which we've identified as safety and security of the institution staff and inmates breaches the safety and security of the institution when that person decides to do that. We're asking them and mandatoring them for overtime to stay because we need them to be at work and to stay.

We do give them opportunities to call their family. There is a fair amount of notice. But quite frankly, a lot of times a mandatory overtime occurs as a result of sick leave, people utilizing their sick leave for family illness or their individual illness and the shift supervisor is left with staffing his shift. And it is extremely difficult having been in that position myself, when employees choose to not stay on their post, to leave their position and go home. And I would say and again, that it's critical to the function of that institution with identified by mandatorying them, telling them they have to stay at work for overtime. It's critical to be able to manage that institution's safely and securely if they remain. And the consequences for not staying are that there is that through the progressive disciplinary process. Of course, other factors will be taken into consideration. But basically Governor, they are ordered to stay at work and they choose to leave.

SANDOVAL: And Director Cox, if I recall the testimony correctly, some of them are putting them, is lack for a better term, a catch-22 situation because they may have something urgent going on at home. Did you say there's progressive discipline or would a violation of this be a consequence of immediate termination?

COX: Class 5 – a Class 5 violation could bring termination. If they are ordered to stay at their post and they choose to abandon their post or leave the institution, there is a result of being mandatoried for overtime, putting the institution and breaching the safety and security of the institution by leaving. What I want to clearly make sure the Board understands with this regulation has changed, when you are mandatoried for overtime that means we've reached the minimum staffing plan which identified the safety and security of that facility. So when we tell you you have to stay, when we go below that, we're below what we believe and we've identified as the safe and secure way to run that facility.

MILLER: Previous to this provision being put in, what was the procedure? Or what discipline could they face?

COX: The discipline to be varied based on individual incident, but basically they were given a 5 day suspension the first time and a 10 day suspension the second time. And quite frankly, we've had a number of issues associated with the shift supervisor trying to run the institution where people are saying "I'm not staying" "I'm leaving" "I'm going home" and it puts that person, that Sergeant, Lieutenant in a position where they literally have to shut down the institution, some of the vital functions of the institution and make do and try to get people to come in off duty to replace that person. But during that time there are individual, that employee, has possibly put the institution because he's left that assignment, critical assignment, and walked out and put that institution and the safety and security of the institution in jeopardy by doing so.

MILLER: Previous to these provisions being put in, you relied on just the general authority on that first sentence of disobeying an order which would result in a security breach which would be a Class 4, which would be a suspension rather than an immediate termination?

COX: Correct.

MILLER: Okay. And you have had incidents that you think would justify an escalation of that offense so that you want to try to deter that activity?

COX: The reason I bring this in front of the Board is that the fact that we've had it employees repeatedly do this. And in order to support the operation of those institutions and those Sergeants and those Lieutenants who have a difficult job and have to staff that prison, having done that job myself, when somebody leaves the institutions and quite frankly folks, this is a provision that's almost in every department of corrections in the Country, when you're mandatoried to stay at that facility, you stay or you lose your job. And when you choose to leave under those circumstances, and there are circumstances where we say "you need to stay, we will attempt to find someone to come in" and that person leaves, they put the institution the safety and security of the institution in jeopardy.

This is one of the things in our Department that our staff have what I would say over the years continued to do and continued to put the position of those facility supervisors in a position that they can't safely operate that facility and we can't continue to do that.

SANDOAL: Director Cox, how often does this happen?

COX: It's happened in almost all of our locations. It's happened at Northern Nevada Correctional Center. It's happened – it did happen at NSP. It's happened at High Desert. It's happened at Southern Desert. I believe on occasion it's happened at Lovelock. It's happened almost across our operation.

SANDOVAL: So your amendment today is that you don't feel that the consequences as they exist now are a deterrent enough to ---

COX: It's clear to me, Governor, that it hasn't been a deterrent because they continue to do it. And in response to the Sergeant and Lieutenants' request, in trying to run these shifts and manage these shifts, on second shift or third shift or different parts of our operation, it is very difficult for them to be able to do that under these circumstances.

SANDOVAL: And I, just recalling the testimony of I think it was Mr. Kelly, about those individuals perhaps that have kids that need to be picked up, if there's no alternative for them, what do they do? As I said that's the classic catch-22 situation.

COX: I have been in that situation myself. And I was allowed to make phone calls to my family. I made provisions because I had this job as a Correctional Officer. I've been there. I've had that job where I had to stay. I've been mandatoried for overtime myself. And I knew that when I took the position. And I know it's difficult and I certainly have a family also, and I certainly care about my family. But looking at the public safety and looking at your job and looking at what you're providing to the public, the citizens of Nevada, are you leaving that position, I believe as the Director of the Department of Corrections, you put that facility and safety and security of that facility in jeopardy by walking out and leaving. There are some things inherently different with being a Correctional Officer and this is one of them. You know. It's different in some law enforcement entities where we don't patrol certain sections of the community. We don't patrol a certain section of the highway. These are positions that we have identified as positions that we have to have someone in. I want the Board to understand that. And the Sergeants and Lieutenants in this Department have asked me repeatedly to do something about this. You know "what do you want me to do, Director, when people walk out?" "How can I manage this institution?" So that's why it's on the Board today.

MILLER: Is there the ability to help make – let me ask this question another way – is this because, is part of the issue because there's a shortage of Correctional Officers to call in?

COX: Good question. In the process we do have where they can volunteer and we have a volunteer list and a number of our staff do volunteer for overtime, put themselves on the sheet. Usually this mandatory overtime results mainly due to call offs which requires the shift supervisor to go to his voluntary sheet and he literally has gone all the way through it and says "now I'm left with mandatorying people to work." And usually the process entails is you mandatory the least senior person on that shift to work.

SANDOVAL: So this process of the mandatory shift is a last resort after the voluntary list has been called.

COX: Absolutely.

SANDOVAL: Madam Attorney General, do you have any questions?

CORTEZ-MASTO: I do and just a follow up that I guess I have similar concerns about making a mandatory overtime because clearly if you go through a list and you don't get the volunteers you're going to get stuck always doing mandatory overtime. And I guess it goes back to the issue and the question that you asked which was of short staffing. It seems to me that what we have here is a problem with short staff on this particular issue. And if it is a question or more of an issue and in the security interests here and potential breach of security, why aren't we looking at trying to accommodate it through additional staffing needs?

COX: Madam Attorney General, when we reach the mandatory overtime, the legislatively approved staffing plan that we've identified, again – there's a number of factors involved in it. Basically I refer to sick leaves. It occurs in regards to usually that sick leave and the number of calls that occur on their shift that we have to ask to staff to be mandatoried. We go through all kinds of processes of volunteers. The shift supervisor calls and asks, he says "hey does anyone want to volunteer?" We have a volunteer list. He'll call around the shift at time. The last thing he wants to do is mandatory someone. But that's what he's left with. Even in advance what they'll do is attempt to contact people rather than mandatory to look at even saying "hey we know we're going to be, the possibility that we're going to have some call offs" due to whatever. The shift supervisors know their staff and they try to take care of this in advance. They do as much pre-planning – as much thought and care goes into their employees as they can possibly do. But they have to manage that institution. And I know it's difficult and I know it's tough for people to understand. But I told my staff, people have to run these prisons. In the absence of the Warden and Associate Wardens and other staff on the graveyard shifts, second shifts, Saturdays and Sundays. They have asked me "Director, please look at this because people will continue to leave this facility and I have

no way to replace them or take care of that mandatory position. I literally have to look at what I can do to cut and get on our minimum staffing plan", our operations plan that we've devised for the safety and security of the institution.

When it comes to staffing, you know, the legislature approved our staffing plan. It's been in place for a number of years. The legislature recently approved us getting additional staffing at various of our facilities – Southern Desert, Florence McClure, High Desert. With the closure of NSP. We have continued to ask for staffing. You know I believe that they've given us what they thought during this dire economic times they've provided us. And we do what we can do. We fill our positions and we have established a plan that sets that table for this is the minimum that we can run that prison with. No less than. And that's actually, folks, something that a lot of departments have not done. We've actually went and said "this is what this required" – before we will mandatory someone to work, we have to have this many people to run this facility safely and securely. That's where we're at when we get to the mandatory.

SANDOVAL : Now –

CORTEZ-MASTO: Governor –

SANDOVAL: Oh please proceed.

CORTEZ-MASTO: I'm sorry. We actually have and whether it's at your pleasure, we have an employee of NDOC, it's the Director of Human Resources who would like to comment – or the Administrator of Human Resources who would like to comment on this as well.

SANDOVAL: Please proceed.

GABRIEL: For the record my name is Sharlet Gabriel. I'm the Human Resources Administrator for the Department of Corrections. And sir, I would just like to offer for your consideration and that of the panel, is that there are situations that our supervisors, the persons running the shift, the Lieutenants, have no control over. And it's not only sick leave. We have annual leave. We have worker's comp. We have family sick leave. We have a large group of staff that qualify for FMLA leave. So anytime an employee is on leave and especially extended leave, that leaves a big vacancy. We have military deployments. We support that as well. And the only way that we can truly to keep, you know, allow our Sergeants the opportunity to be able to keep the facility staffed is that once they go through that volunteer list as Director Cox had said, there has to be a mandatory of overtime. And we advertise that when we recruit for these positions. We talk about it in the Academy. And yes, there are times when there's going to be family emergencies. And our supervisors do take that into consideration. But the bottom line is, the safety and security of the facility has to come first. Thank you sir.

SANDOVAL: Madam Attorney General, did you have any follow up questions for Director Cox?

CORTEZ-MASTO: No. And I guess it's not, we're not here to be combative. I think we're trying to find a solution here. It clearly is a unique situation. Unlike my office where if somebody was on FMLA we can spread the caseload around. That's not the case here. This isn't a situation where we can do that. It's a security issue that we need to make sure that there is staffing that's going to be covering it. And so I get the issue and I understand that. You know, one other question I would just have is overtime budget. I mean we haven't seen or I haven't seen lately your overtime budget and what that looks like. I know in previous years prior to Director Cox that there was a significant dollar amount attributed to the overtime budget or NDOC and there was a push at that time I think by this Board as well as Chief Justice Hardesty at the time, who chaired the Advisory Commission on Administration of Justice, to take those overtime dollars and turn them into Correctional Officers. And I thought we had done that. But I may be incorrect. And I mean – is there an opportunity to take a second look at our overtime budget to see if it makes sense to put more staff instead of just mandatory overtime, turn it into permanent staffing.

COX: Madam Attorney General, the Department of Corrections does not have an overtime budget. The Department of Corrections has never had an overtime budget. We have asked and have been working with Director Mohlenkamp with the Department of Administration to ask that, the Department of Corrections be funded for an overtime budget in each one of those separate codes in order to be able to

help us manage that. What I do as the Director is – and historically my predecessors and I've had discussions with every one of the last four of them – about this topic. What I do is I look in my budget currently, and we've been doing this for years, and we find the money when we can. And when we can't we go to IFC and we ask for it. And when we can't do that we go to the BOE, the contingency fund and we ask for it. This year we do not have to ask for it. We continue to – and I believe in order to be able to manage that overtime – well quite frankly, the Department of Corrections and the budget of the Department of Corrections would require that we have a budget for overtime at each one of our facilities so we can identify where we're at and it would help us be able to prepare for the next fiscal year. It would clearly, as some people have indicated, say that, there's possible mismanagement of that facility, it's not been managed correctly for years. In another state it was a key component of my job as a warden. It was a key component of my job as assistant warden. It was a key component of my job as a major. I had to manage that overtime in that budget.

What we do is we manage that through our own budget and the State has done that continuously and the legislature is aware of that. There was in previous – to another comment made by the Attorney General – yes ma'am, there was during the Guinn Administration a look at providing a relief factor for the Department of Corrections. And that was proposed. It was discussed at the time. And this was back, I believe – and I can be corrected – I believe it was in '05, '06 range. And it required that we add an additional 200 Correctional Officers to the Department to reach the relief factor that the Department Administration, the audit team had looked at. For Correctional Officers only. And as a result of that, the legislature – it was provided the information and the Department did not receive those staff.

The last legislature has provided us with some staff, I believe, and because of and too with the closure of NSP, to add additional staff to Southern Desert, Florence McClure, North Las Vegas and to High Desert State Prison. Along with Warm Springs Correctional Center and Northern Nevada Correctional Center. So I think there's a process and plan that we can lay out in regards to our staffing. But I have said repeatedly to the legislature as they have questioned me and talked to me. I realize the State's in dire economic straits. I realize that the Director of the Department of Corrections to come and ask for additional staff, which we were granted last session. And the Governor approved. I believe that was measured that we need to be able to operate. And again, with that in mind, we kept positions in Northern Nevada as a result of the closure. We are eventually, now, just getting Southern back. So with that in mind, yes, we can look at our staffing and we continue to do that. And present what we believe are viable options for the State and to the taxpayers of the State.

You know I have repeatedly said that I don't believe it's time for the Director go ask with the situation the State's in, to ask additional staff. I just don't think we can do that right now.

SANDOVAL: Director Cox, I want to make sure that I'm interpreting what you're saying. My understanding, based on what you've said is that you don't need more officers because of these transfer positions from NSP that part of the nut of this is that there are unavoidable leaves, like the vacation, the sick, the military and you do have people that are on that voluntary list, as I said, it's a last resort. So adding Correctional Officers, would that improve the situation?

COX: I would say that every – in response to that, Governor – every department in every corrections facility in the Country runs into the same circumstances we do. It's the nature of the business. Additional staff in some cases you know, will be a factor, you know, depending on these other situations. As Sharlet Gabriel has described, FMLA, military leave, annual leave, sick leave, the other factors that affect every department of corrections, every correctional facility. You know, I've seen additional staff to work facilities with a lot of staff in this business. And we still dealt with this. We still dealt with it.

So simply adding staff is not the only answer or the answer. It's a look at your operation. It's a look at varied parts of it and your staffing plan. It's look at multiple factors you know, including your RDO's and your staff and your training and recruitment and hiring. The positions that we have now available.

SANDOVAL: My last question is, Director Cox, is you have 12 hour shifts at some of your facilities.

COX: Yes.

SANDOVAL: What is the longest, let's say somebody has this mandatory overtime where they have to stay during the 12 hour shift?

COX: Good question. If you're on a 12 hour shift and you're mandatoried, you are mandatoried for 4 hours until we can bring somebody else in. Not being – not trying to over, make this overly complicated, but or facilities like High Desert have 15 to 16 different shifts with, to keep those type of operations in mind, when do we need our staff. When will we be most efficient and effective. When do we have inmates outside the cell, when are we moving inmates to eat. When are we moving inmates to recreation. We have a very efficient scheduled operation that clearly identifies whether we need our staff. So – and that's another component again that I think – I'm proud of our staff. I'm proud of our Department and what we've done to manage it.

SANDOVAL: Director Cox, I hope you don't feel like we're being critical of anything because this is helpful for me. I think I can speak on behalf of the rest of the Board. With regard to those 12 hour shifts, though, that's a new combination.

COX: Right. Our employees asked of me as the Director to implement 12 hour shifts at various parts of our locations. All over our locations. And we have them now. Granted, there are staff in some of our facilities that want more 12 hour shifts. And I would say due to the mission of that facility and currently looking at how that's affecting our operation, how that's affecting our overtime, how that affects our safety and security, how that affects mandatory overtime. I think you have to take in all those considerations. But they asked me to do that. We rolled out a plan that I think thus far has been efficient and effective to operating our prisons. It's not perfect. But it wasn't done arbitrarily. I think our staff to the vast majority are grateful that we did that. And you know, again, I gave that to them as a measure of some of the other things that we had done. To our employees.

SANDOVAL: I was looking at it another way is, do those 12 hour shifts reduce the amount of mandatory overtime?

COX: They can. They can do that.

SANDOVAL: Mr. Secretary.

MILLER: One are I'm still a little bit unclear. As it stood before this temporary regulation was put in place, if an officer disobeyed an order to serve another mandatory overtime shift that would result in the safety and security of the institution being jeopardized, that was punishable as a Class 4 offense and that was insufficient as a deterrent from other officers refusing to work that shift?

COX: Secretary Miller, Secretary of State Miller, that's correct. We've had the same staff repeat this even with five and ten days' suspensions.

MILLER : I understand a Class 4 offense, for the first offense, they can be either suspended, demoted or dismissed. Is that right?

COX: Right.

MILLER: For the first – so you could fire somebody if it was egregious enough just off of the first offense alone. But the second offense you have the same options available to you and for the third offense, like the instance where you just said where you've had people doing it several times in a row. It's a mandatory dismissal. So the same offense that you're asking for is really available to you at the first instance it happens. Is it you're asking to take any kind of discretion off the table in case there were, you know, significant factors that would weigh in favor of a Correctional Officer maybe not being dismissed altogether. Obviously, suspended or having very serious sanctions.

COX: My response to that is that the deterrent with the suspension and what we've done in the past history has not changed the attitude of a very small amount of our staff to doing this. And it hasn't been a deterrent. I have to tell you I'm surprised that if you receive a five or ten day suspension that doesn't deter you, but it hasn't deterred them.

MILLER: You could fire them on the second time.

COX: This currently says that's what will happen if you do this. In the past, historically we have done the five day and ten day. The reason I'm here today and I brought this forward is that has not worked. That has not deterred our staff. We want to continue, you know, to set and say "if you do this, this is what potentially can happen to you." And you go through the progressive disciplinary process. And what I mean by that is you go to a hearing and you're able to present your case. You're able to discuss that issue. But what we see is employees making a decision to leave. And that they continue to do that. And that's why we're here today because that deterrent and that past historic sanction of five day or ten day has not worked.

MILLER: In any of those instances immediately dismissing people to see if that would have an impact?

COX: I think my staff, they believe that that's an outcome that we've historically done. And I would say that that's correct. And what my supervisors have asked me to do, people that run these facilities, have said "Director, you've got to tell them that they can't just walk out of here and leave their post and leave this institution and put the safety and security of these institutions in mind, and not in mind, they simply walked out and leave me to try and fix this. Until I can get someone in. I've talked to them. I said 'you have to stay. I have to put you in this post.' 'I'm not staying. I'm leaving.' 'You have to stay.' 'No I'm leaving.' And they walk."

And again, in my experience in this business is that departments of corrections throughout the Country terminate employees for doing just that. Departments of corrections throughout the Country who have collective bargaining agreements do not allow you to do that. They do not allow you to walk without facing termination.

MILLER: I certainly understand the seriousness of the offense. I just don't – I guess I'm still struggling to comprehend why you would want to take away any flexibility whatsoever and provide for the worst case scenario, officer walking off that's got to go see his Mom on her deathbed or something. What may warrant a serious suspension for being a violation but may not automatically warrant termination. And in all other instances terminate them which you have the ability to do under a Class 4 offense anyhow.

COX: Well every situation. If you're an employee and you come in and say "I've got this going on." It's not like the supervisor doesn't try to work with them and says "go to your post. Go to your position. I will attempt to try to bring someone in. If I can't you have to stay. You have to go to that post." It's not like that communication doesn't take place. It's not like they don't have that discussion. These staff that are leaving, they don't care about that discussion. They walk. They leave. And when they take these jobs they know that we need them to fill those posts. That's part of this job. It makes it inherently different than any other law enforcement job. We need you to go into this position, we're mandatorying you to stay. That language is very clear to them.

Again, I understand your question. It hasn't worked, Secretary of State Miller. They haven't – there is a group of our employees that the five day suspension and ten day suspension has not worked. They continue to walk. Some people will say "I'll take the five days. I'll take it. I'm not staying." And then that shift supervisor, the person that has to run that prison, is left with trying to fill that post. How? With who? We're on a minimum staffing plan. Who's going to do it? He doesn't have anybody. That's how he got to that point. He has nobody but that person that just left. So he either has to get somebody in to call in, he's got to affect the operation of the prison. It might be the feeding the inmate population, it might be the recreating the inmate population. Those instances cause violence in these facilities when that's allowed. And there is huge potential for that. That's why states don't allow that. That's why employees aren't allowed to walk off their assignments and leave their institutions. Putting everybody else and the safety of that institution and the staff that are working there that said "I'll stay" – you know, it's not like everybody that gets mandatoried doesn't decide to stay. But those that don't, that's what they're doing to their fellow employees and that's what they're doing to the inmate population there. And the mission of that prison, we cannot accomplish what we need to do if that person leaves. It's as simple as that.

MILLER: You could terminate them under a Class 4 for first offense. Somebody walks off. That's one of the possible punishments, right? The dismissal –

COX: Progressively to that.

MILLER: Progressively?

COX: Progressively to that. What goes on with that sanction is, is that employee takes that five or that ten day sanction, that suspension, and may not do it for a number of years and then goes back to doing it again. Or the next employee does it.

MILLER: That is not clear if I'm reading this right. It says under that AR a first offense the minimum penalty is a suspension or demotion and the maximum is dismissal. So that means to me that if somebody walked off and said "I've got an important softball game and I don't care what happens at the institution" you could fire them on the spot.

COX: We have never done that sir.

MILLER: But you have the ability to do it.

COX: My staff understands that a Class 5 sanction and it goes to the disciplinary process there is a possibility, when all the factors are taken in and you present – it's not like we term them without them coming in and giving their say on what would occur to them. They go, they have a process. And they clearly understand that a Class 5 sanction will lead to termination. That's why we're asking for this. They know that.

SANDOVAL

I think Secretary raised the question is, why don't you exercise the ability to terminate on a Class 4 violation now?

COX: We never have done that. We've never termed on a Class 4 for this situation. That I'm aware of.

SANDOVAL: I think the question then is, why?

COX: Historically the Department, the culture of the Department has been one, and I think it's one of the number of questions here, is that we do not do that for this sanction. We have never – we have not done this in the past. We have let people walk out of our institutions, face suspension and not done that. And our staff know that.

SANDOVAL: It begs the question, and I'm not trying to be argumentative here, is why not say starting tomorrow, under a Class 4 we already have the authority, the discretion to terminate for refusing to do a mandatory overtime.

COX: I would agree that that's something I can do. But knowing the culture of our Department and how our staff view the disciplinary process and the Class 5 sanction they know that's termination. And I really believe that that's what's needed to correct the behavior.

According to the Senior DAG Attorney Traut, she indicates that she is hears our employee, is involved in our employee hearings in Northern Nevada. And she says that many times the hearing officers will take the lesser sanctions available and won't enforce the maximum.

Part of this process too, involves the hearing officers and their ability to, and they have chosen not to use that maximum sanction. And if it's a Class 5 they know what that sanction is. And that makes the hearing officer make the decision.

MILLER: I understand.

SANDOVAL: So anything else with regard to AR 339 that you want to comment on Director?

COX: I don't think so, sir. I think we've covered the vast majority of it. And I'm sorry if I missed something but I believe covered most of it.

SANDOVAL: Well let's go on to the other AR that has been brought up the most with individuals, which was 350.

COX: Yes, I would – in regards to AR 350 I'm going to ask that we have a non-meeting or a closed session with regards to that because we have current litigation in the courts in regards to AR 350. And I'd like to inform the Board of what has gone on with the courts and recent EMC hearings regarding that regulation so I would ask that we have a closed session in regards to discussion on that AR.

SANDOVAL: Attorney General?

[DAG]

The, a non-meeting is a non-meeting and at any time under the statute you can ask, you can have a non-meeting to discuss potential litigation or actual litigation. And in this instance it sounds like you have actual litigation.

COX: That's correct.

MILLER: But the choices for the Board are to do it now or to do it at the end of the meeting. There are those issues that, logistically that you can consider.

SANDOVAL : It would be my preference that in order to close the meeting they do it at the end rather than disrupt the meeting now. Mr. Secretary and Madam Attorney do you disagree?

CORTEZ-MASTO: No, I would agree withholding it to the end of the meeting.

SANDOVAL: Mr. Cox, are there any other AR's that you wish to discuss that were brought to your attention or brought to our attention by those that testified?

COX: Again, AR 407 Use of Handcuffs and Restraints. Specifically again AR 407 on page 3 of 5, with the American Civil Liberties Union regarding transportation of pregnant inmates. I know there was some discussion within. There was an enormous amount of discussion in the recent legislature concerning this topic and we agree, the Department agreed in regards to transporting an inmates that are in labor, that are recovering from delivering and that they would not be restrained. I know that we have been cautioned that they want to ensure that that's being done and that we aren't restraining them and we have trained our staff, we have issued training in regards to this. We have discussed it. We provided multiple training. Within Florence McClure I know that Warden Carolyn Myles has been involved in that herself. And I really think their issues speaks to the transportation and clearly we said we will not transport an inmate, female inmate in leg restraints that's in labor that is being transported to deliver or that's in recovery or that has just delivered a child. We're not going to do that. And we testified that we would not do that. And what they've asked us to do is continue to reinforce that with our staff. And we are doing that.

SANDOVAL: So your opinion, though, that that language is included in this proposed ---

COX: I believe it is Governor.

SANDOVAL: Please proceed.

COX: Well –

CORTEZ-MASTO: Governor, excuse me – Mr. Claussen would like to be able to comment on that. If that's appropriate now. Or however you would like to handle that. Yeah, the ACLU.

SANDOVAL: Mr. Claussen, I had given you an opportunity – what I don't want to happen is for this to be a back and forth argument. If you have a position that you'd like to state, if you could make it brief I would appreciate it.

CLAUSSEN: Thank you Governor. I will make this very brief. I would simply ask Mr. Cox if I could with your permission, if you could address the sentence in the proposed reg that says "in case of doubt the officer should further restrain the inmate." That was also in that statement – in our letter – as a matter of concern.

SANDOVAL: And Mr. Claussen if you would direct us where exactly your pointing toward with regards to your comment.

CLAUSSEN: It's section 407.03.4. It's at the, near the end of the document on page 5 of 5 right about "medical". There's a sentence in the middle of the paragraph that says "in case of doubt the transporting officer should further restrain the inmate." We're concerned about that discretion.

COX: Governor, for the record, can I talk about, referring to the statute, NRS 209.376?

SANDOVAL: You may.

COX: And I think this will alleviate some of the, Mr. Claussen's concerns. "Limitations on use of restraints on offender who is in labor, delivering her baby or recuperating from delivery. No restraints of any kind may be used on an offender who is in labor, delivering her baby or recuperating from delivery unless there are compelling reasons to believe that the offender presents a serious or immediate threat of harm to herself, staff or others. A substantial flight risk cannot be reasonably confined by other means. If an offender who is in labor, delivering her baby or recuperating from delivery is restrained, only the least restrictive restraints which are necessary to ensure safety and security may be used." It's in our statute and it's pretty clear.

SANDOVAL: Mr. Claussen, you're not – is your concern that this proposed regulation would somehow supersede the statute that was just adopted by the legislature and signed into law?

CLAUSSEN: Well we're concerned that, it says, simply says "in case of doubt the transporting officer should restrain the inmate" and there's no wording in there about a compelling case for further restraint of an inmate. It simply says "in case of doubt there should be further restraint of the inmate."

SANDOVAL: If an individual were to do what you're concerned about they would be in violation of law and subject to penalty.

CLAUSSEN: Well I guess. But the regulation should be consistent with the law.

COX: Governor, members of the Board, I believe that it is. You know this was vetted and repeatedly went through not only the departments of corrections, officials throughout the Country, but jails, detention centers, sheriffs, and multiple other law enforcement. There was a tremendous amount of comments in regards to this statute and this law, according to the last session.

SANDOVAL: My question would be, Director Cox, what's the harm if you were to add a phrase that says "in accordance with NRS", you know.

COX: I'd be agreeable to doing it Governor. I think that would suffice. I think Mr. Claussen, your concerns – if I may ---

SANDOVAL: If you were concerned about a contradiction or conflict between this proposed regulation and the State's statute. If we were to add at the end of that sentence "in case of doubt the transporting officer should further restrain the inmate in accordance with NRS" – and I don't know the number off the top of my head. Would that alleviate your concern?

CLAUSSEN: That would certainly be an improvement, Governor. But I mean I still think there's a logical inconsistency between "in case of doubt" at the beginning of the sentence and you know, and a reference to a phrase in the statute that uses "compelling reasons" at the end of the sentence. I mean doubt is not compelling. I'm sorry I'm getting argumentative about this but I think it's significant.

CORTEZ-MASTO: Governor, this Catherine. And you know it seems to me it is somewhat inconsistent from what the NRS – I just read it. I don't understand why we don't use that specific language in the NRS and take out this "when in doubt" language. Because it seems to me, and from what I heard Director Cox say, it's very specific about how it should be handled.

SANDOVAL: So perhaps another suggestion would be is delete that entire sentence "in case of doubt the transporting officer should further restrain the inmate" and in the second sentence have "the transporting

officers must use good judgment in the use of additional restraints and in accordance with NRS" – I don't have it in front of me, Madam Attorney General.

COX: 209.376 Governor. NRS 209.376.

SANDOVAL: Mr. Claussen does that satisfy your concern?

CLAUSSEN: Yes it does. And thank you very much to all of you.

COX: I will propose to the Board that if we amend to take that language, that it be considered for passage.

I think the next AR that had some consideration was AR 420. Inmate Death or Serious Injury Procedure. And I know that Ms. Brown had brought up some issues associated with that. There's a fair amount of authority that the Department's been given historically in regards to statute. It has a number of statutes listed with this regulation. The Department has proposed a bill draft, a BDR concerning the ability to use the coroner in regards to the death or an injury that may occur inside an institution that's not overseen by a physician. And I know that Deputy Director McDaniel has talked about this repeatedly when he was the Warden at Ely State Prison and having that in place. So we have looked and would next session move that we have the funding to be able to do that. But of course this AR right now does not contain because the law hasn't been passed to suggest that.

CORTEZ-MASTO: Mr. Governor if I may, is it possible if you take a five minute break? We've got another page to go and I've been drinking a lot of water.

SANDOVAL: All right. So I have 5:45. We'll be in recess for – well it's 5:45 so till five minutes till the hour. So we'll take a ten minute recess. Thank you.

CORTEZ-MASTO: Thank you very much.

SANDOVAL: We'll call the meeting back to order. Mr. Cox, if you would proceed please.

COX: Governor, I believe we were at AR 446, Identification of Inmates Affiliated with Security Threat Groups and Disruptive Groups. I'd like you to know -

CORTEZ-MASTO: Governor, could you ask Mr. Cox to, or Director Cox to put his microphone on. That would help.

COX: I'm sorry Madam Attorney General. AR 446, Identification of Inmates Affiliated with Security Threat Groups and Disruptive Groups. There was some discussion from the American Civil Liberties Union about security threat groups and disruptive groups. This regulation has been adopted through the courts. It's been through a very lengthy vetting process. It's an identification and what we use to not only help us manage our gangs, our security threat groups within our facilities, but also help law enforcement.

Inmates and one of the issues associated with the ACLU on 446 is may not call any witness. What we do in the event of let's say an inmate would come in and say "I want you to talk to this inmate." We make it very clear to that inmate that information provided to another inmate could potentially – because we know in the field of Corrections that that has the potential to put the safety and security of that individual in jeopardy. We make it very clear to them that calling witnesses as a result of this due process which means basically that they are requesting why they have been validated as a security threat group member. And sometimes that simply is not just from the Department of Corrections but other law enforcement agencies, including Metro, Washoe County and other law enforcement agencies, quite frankly, throughout the Country.

We allow the person to come in, present their issues, why they say they're not involved or why they're not associated with the group. We know that issue in and of itself – when an inmate comes in and says "I'm not – I want you to consider me not being part of this group" that that's a commitment by the inmate, it's a very serious commitment. But it's also one used by other inmates to get that security threat group identification off of them and law enforcement and we take that very seriously. As we should. But we also take the safety and security of the inmate very seriously because when they do come forward and

ask for this, it has the potential to put them in harm with the inmates from that same security threat group or gang.

I believe it's been vetted through the courts. We've had, we've been very successful at doing it. We have, and have had due process for inmates associated with these issues and have removed inmates that we believe were not affiliated. We do a very extensive review of the Judgment and Convictions, Pre-Sentence Investigation Reports, any Notice of Charges they might receive. We have looked at how they were validated, we look at tattoos, we look at every bit of information we can possibly garner. And it is very – once you've been identified, to be removed – to be put on as a security threat group member is a pretty intensive process and it just doesn't happen because somebody thinks you belong to a security threat group.

Any comments from the Board? And I move that we go to AR 610, the Immune Deficiency Virus and Acquired Immune Deficiency Syndrome. Again, there was some issues associated with the ACLU and we did have some discussions, I did meet with the ACLU and discussing placing inmates in services and we have – and there's been some representation that other departments across the Country and Mr. Claussen has indicated a number of states. I'm still gathering that information at this time. I would say that this Department makes this change as requested, that there's a development of a plan that has to occur. There's an education of staff that has to occur in our culinary operations. There's an education of inmate population. In other words, we're not ready to implement that now. I would say that it would take me to review, and I would have to lay out a plan that would include a very intensive plan on how we might start this.

But I want to verify – and there's an Alabama case and I'm really waiting to see as they suggest – that it's currently being litigated in Alabama.

Quite frankly, I think we have a good policy and I would like to see what that litigation outcomes and then have time to talk to my peers across the Country. So I would not want to make any changes in regards to what we're doing right now. I would certainly look at any litigation or get back and talk to the ACLU in the future and develop a plan on how we might integrate these inmates into our culinary operations if that indeed is what we want to do.

Access to care, I know that Dr. Bannister is here with me. And there's been some reference on AR 613, specifically section 613.0.01 that refers to serious needs. And Dr. Bannister has informed me that the National Commission on Correctional Health Care uses that serious indication in a lot of their verbiage they have used. They have had – there's a lot of cases, legal cases that go – especially concerning deliberate indifference – and serious is used. Conditions are also considered to be serious if they cause pain and discomfort of the inmate's health. It's in one important case, Dean vs. Caughlin. Another court case is Estelle vs. Gamble, "condition need not be life threatening to be deemed serious in many treatment plans that are labeled elective are nevertheless deemed serious within the meaning." So there's multiple court cases that use "serious" and the National Commission on Correctional Healthcare are recognized expert agency that helps corrections adopt healthcare plans for inmate populations throughout the Country, recognizing and uses "serious" as a term. So I would say that with my information that I have received it needs to stand.

The other, going to AR 722, with no comments from the Committee, we have looked at legal correspondence and legal correspondence has been tested repeatedly in the courts. Clearly the prison, when we open up and we talk about legal correspondence, what we do is the inmate actually sits in front, stands in front of us and we open up his legal mail. There has been some question on monitoring. We've always had the ability to monitor. What this monitor means in general, that's a list that's prescribed it says "legal mail for the following inmates." We bring those inmates in front of the inmate. We open up the legal mail. To determine if there's any contraband and we do that in front of the inmate population. It's been upheld in numerous court cases and over – repeatedly over and over again.

Going to AR 750, in regards to section AR 750, specifically 06.1(c) and AR 750 which is Inmate General Correspondence and Mail, the issue is regarding correspondence that would be detrimental to security. Censorship of mail is an extreme step and we understand that. But the regulation to provide good order

and discipline. And quite frankly, that's in multiple legal cases over and over again. It's the same verbiage we've used historically. The Supreme Court has, you know, says that we can completely reject and redact information in a letter, other things that are being sent to the inmate. We have to notify them that we're redacting or rejecting that mail. They have a due process. And simply by reading it, is not censorship. So we believe we're complying with the law and the intent of the law and the statute.

In regards to AR 814, the comments made that would notify the Board that we are under current litigation in regards to this case. I don't want to say that this is a substantial, and there's a substantial problem to the Department not only for the issue involved with the policy associated with it, but – I certainly don't want to speak for the attorney or other people on the other side of this argument. But clearly, multiple people have told us and we've followed regulations in other States. This has been through the Attorney General's office and it's been vetted, it's been discussed repeatedly. The reason the Department needs this AR is because of inmates attempting to just simply get on this religious diet without having any mechanism or any process that they go through to fill out to get it. That doesn't mean we can fill it out and we're going to deny it. What it does mean is that we have the knowledge and the information. If we believe and we do interview the inmate and provide them with that religious diet as necessary to choose their religious beliefs. But every department that we've looked at across the Country including the State of California, the State of Michigan – and the reason that I talk about the State of Michigan because it has a significant Muslim population in its department. In the State of California that has over 140,000 inmates, contains this type of verbiage. And again, I would say that at least in my discussions with multiple people that may not agree totally with this, they believe that there ought to be a document the inmates have to fill out in regards to being able to get a religious diet. That's truly not being opposed. I don't want to misrepresent what they might be saying, but that's my, that's what I believe. And the real situation for us, it is a substantial problem. It is a substantial cost to the State and the taxpayers of the State. It is a security problem. Due to inmates trying to get to religious activities or groups that quite frankly, aren't of that religious belief or background. Simply trying to manipulate to get to that certain, that religious entity to be able to disrupt them in their religious practices and their religious beliefs during their worship services or anything like that.

We've been – other States have dealt with it and so are we. So I believe that the Board, even though there is current litigation, I've talked to the Senior DAG involved, I've talked to multiple attorneys about this. I believe that the Board, due to the substantial problem and the cost to the taxpayers and the security problems associated with this, we really need this regulation to be passed. And that's all I have, Governor.

SANDOVAL: Board members, do you have any questions for the Director with regard to the proposed AR's? According to my notes, Director Cox has requested that we withdraw AR 300. That the Board has indicated that AR 301 be returned to the Director for consideration with the Committee. There are proposed amendments to 339 and 407. If I missed anything with regard to what has been proposed, I defer to the other Board members. All right then –

MILLER: May I ask a question about –

SANDOVAL: Yes.

MILLER: With respect to AR 814, Director Cox, you had briefly mentioned that in California and Michigan have similar language. The ACLU had cited a concern about the current question and form being burdensome to people who are illiterate, mentally ill, etc. Does this language substantially mirror the language that's in place in those other States? How do they deal with those types of situations? Are they written forms or – what kind of language is put in place to deal with that?

COX: In response to Secretary of State Miller's question, what we do – and yes they are very similar to those lists that they have and questions that they are asked in California and Michigan. It's a combination of those. What we do to clarify is provide that with the Chaplain or a caseworker. We literally help them fill out that document. We wouldn't want an inmate to not understand what it is or to be able to explain it to them. The Chaplain, the Caseworkers - our staff sit down with that inmate and actually interview and we go through this process with them. We spend a lot of time with it. I clearly understand the description of it is onerous. But we literally sit with that individual down and say "you filled this out. Now let's talk

about it. Let me clarify this." And we actually go through the process with them repeatedly to ensure that they understand what they're signing, what they're filling out.

SANDOVAL: Do you have follow up questions? No problems with that?

MILLER: No.

SANDOVAL: If I may, Mr. Secretary, but if I'm illiterate, would you read these questions to me? How would you handle that situation?

COX: Governor in answer to that question, absolutely we would read it to them. Absolutely.

MILLER: And explain –

COX: And explain what this means and what the – with this, you know, going to like their religious beliefs, "let me explain what you're telling me and what this question means." And we would go through that. Our Chaplains are very good when it comes to this process.

SANDOVAL: But has it been, in other languages as well, if someone ---

COX: If it needs to be done in other languages and the inmates come forward and what it done, we can do that. We can reach out not only to our staff that are bilingual and other entities to get them to help. You know. In regards to different councils across the Country, we can reach out to people. We certainly do want to help them fill this out correctly. We wouldn't want something that was not done appropriately. So we would reach out to a number of people to help do that.

SANDOVAL: Do you have any other questions Mr. Secretary?

CORTEZ-MASTO: I have a question. If the question is done.

MILLER: I don't have a question with regard to this AR, I was just going to ask about the series __ and if you could briefly explain how it __. If the Attorney General's question relates to AR 814.

CORTEZ-MASTO: It does. Just a quick question, the attachment which is the questionnaire. Was this reviewed by the attorneys in my office and signed off on?

COX: Yes ma'am, it was reviewed by Senior DAG Will Geddes.

CORTEZ-MASTO: And is this type of questioning similar to what other – the other institutions that you've identified – do the same type of questioning that they ask as well?

COX: Yes it is. It's very similar to other questions asked by other States including Michigan and California.

CORTEZ-MASTO: Okay, thank you.

SANDOVAL: Mr. Secretary, you have questions with regard to the rescind - proposed AR's for rescission?

MILLER: Yes Governor. I just didn't see those in the summary of changes and so I just wanted to ask broadly why 616, 620, 634, 818 and 907 are being rescinded.

COX: Since AR 616, 620 and 634 are being rescinded I know that Dr. Bannister, our Medical Director, has been dealing with this. But it's my understanding that we've changed a lot of it, especially 616 and 620, we've infused similar language into other Administrative Regulations. And we've also looked at including them because of the ESP and Dr. Shansky's advice in regards to these specific AR's. Dr. Shansky is the expert that's been brought in that works with the Attorney General's office, the ACLU and the Department of Corrections to look at all of our regulations in regards to medical care and how we proceed with these. And a lot of his input has been incorporated in looking at how we handle these situations. It's specifically in regards to the case at Ely State Prison.

BANNISTER: We talked about – Bruce Bannister, Medical Director for the Nevada Department of Corrections – regarding these rescinded AR's, we discussed these briefly a couple of days' ago. AR 616,

this was – over the years, AR's have been created by a number of people. And we're fairly arbitrary in some cases. We looked at if there was a need for an AR, or if they – and an NRS was absolutely conclusive. And AR 616 was taken away because of the Nurse Practice Act pretty much covers and governs nursing practice and how orders can be given and things like that.

Over the counter medications, that was taken out because it wasn't even applicable to our current pharmacy process at this time. Our medications are prescribed when medically indicated. And if deemed safe. For certain indications the benefit outweighs the risk. Some are available in the canteen for inmates purchase at their will.

Prescriptions are a medical devices. That was, it's included in an AR. Again it's based – excuse me – a Medical Directive in its – basically part of providing medical care. It's one of the things that should an inmate's medical condition indicate a certain medication or device and it's been proven to be effective, they would be given it.

The co-payment assessment was deemed to be covered in several other policies so it was taken out of medical. That explains the 600 series.

SANDOVAL: Director Cox, could you respond to 818 and 907.

COX: Governor, I know that Bradford Glover is still in the audience down in Las Vegas and he can respond to that for me.

GLOVER: For the record, Bradford Glover. Mr. Governor, what we did for AR 882 *[sic]*, we took the verbiage from 818 and included it into AR 817. 817 is General Re-Entry Program AR. The AR basically includes the replacement of Social Security cards pending release.

SANDOVAL: Thank you. And 907?

COX: I'm sorry Governor, I know that Sharlet Gabriel, Human Resource Division Manager, is in Las Vegas and she can –

GABRIEL: This is Sharlet. AR 907, the plan was in 2004 was to provide a lot of written books and to set up regional libraries in the institution. It has not been cost effective and going forward we have a computer training room down South and one up North as well as at Ely. We're going to set up one there. So there's not going to be a need for all these paper guides.

SNDOVAL: I'm sorry, ma'am. For all these paper - ?

GABRIEL: The book.

SANDOVAL: Oh.

GABRIEL: You know, guidance saying that reading material you know, in paper form.

SANDOVAL: So in other words, you'll be providing these electronically?

GABRIEL: Yes sir.

SANDOVAL: And there will be the same access from inmates to that as there would be books?

GABRIEL: No, this is not for inmates, sir. This is for staff.

SANDOVAL: Oh excuse me, for staff then.

GABRIEL: Yes, they have access to computers and they'll have access to computers in our training areas around the State. And again they can go on line and get the information that they need instead of us purchasing booklets and making copies of them and instead of a paper library.

SANDOVAL: Thank you.

GABRIEL: You're welcome, sir.

SANDOVAL: For the members any further questions with regard to the proposed AR's and the ones that are being proposed for rescission?

CORTEZ-MASTO: Governor, I do. With respect to AR 813 and a comment that remains with respect to the review panel. Is it accurate it's the practice, the procedure that's in place here is pursuant to NRS?

COX: Yes, Madam Attorney General. That's true.

CORTEZ-MASTO: Okay, so any changes necessarily to this process would have to then be a change at the legislative –

COX: Correct.

CORTEZ-MASTO: At the legislature. Okay. Okay. That answers my question, thank you.

COX: Thank you.

SANDOVAL: If there are no other further questions or comments from the Board members. The Chair will accept a motion for adoption of those proposed Administrative Regulations and also the rescission of those that have already been described in the record, to the exclusion of 300 and 301. And my notes reflect for AR 339 at section 1(a) paragraph 12, that there would be the inclusion of gender identity or expression after disability. And the same language would be include at section 7(f)(1). And then at 407, at 407.03(4) that we would delete the sentence "in case of doubt the transporting officer should further restrain the inmate." And that at the end of the second sentence it would read "the transporting officers must use good judgment in the use of additional restraints in accordance with Nevada Revised Statute 209.376."

MILLER: It is earlier suggested that motion, also to include the exclusion of AR 350 which we're having a briefing from legal counsel.

SANDOVAL: Yes, thank you Mr. Secretary.

MILLER: With that I will move for approval of the Administrative Regulations as described by the Governor.

SANDOVAL: The Secretary of State has made a motion for adoption. Is there a second?

CORTEZ-MASTO: I'm sorry, I second the motion.

SANDOVAL: There's a motion by the Secretary of State, a second by the Attorney General, a Motion for Adoption consistent with what I've described on the record. Any questions or discussion regarding the motion?

CORTEZ-MASTO: Governor, the only thing that I would ask is that with respect to AR 610 *[sic]*, if I'm not mistaken, Director Cox said that although this may be no longer a temporary AR as we pass it today, he's still contemplating the law under this provision as well as long term what we may do with respect to this issue in working with the ACLU. So I'd like to, if that's correct, have that part of the process, the motion as well.

COX: That's correct, Governor.

SANDOVAL: Any further questions or comments? If there are none, all in favor please say "aye."

MILLER: Aye.

CORTEZ-MASTO: Aye.

SANDOVAL: Aye. Opposed, no. The motion passes. *(Attachment 7)*

Agenda Item Number 6, the Board member comments. Do the Board members have any comments?

MILLER: I just have two brief comments. One I had some concerns raised to me about the manner in which operational procedures are brought forward or adopted by the Department. I have discussed it with Director Cox. There is an Administrative Regulation which suggests that those should be developed

and/or reviewed through staff meetings, suggested programs, employee councils, or similar formats. It's not on today's agenda, but I would ask that at the next Board of Prison Commissioners Meeting that there be an informational item or an action item to discuss the operational procedures.

And then second, and not – and myself, through the remaining members of the Board being how late it is and how long this matter has gone, but you know, I feel strongly that this Board should continue to meet on a regular basis. We used to do it quarterly. On the same day as the Board of Examiners. Is four times a year. It's typically at 1:00. Obviously the scheduling can be difficult, but given the scope and responsibility outlined in both the Constitution and the NRS of this Board, I think it's our obligation to meet. I just wanted to express my concerns that the Board hasn't met as regularly as I think we should.

SANDOVAL: Thank you Mr. Secretary. And I would disagree. I don't want to continue to have meetings with 98 proposed regulations. And in consultation with the Attorney General, I would be more than happy to meet more often. I think we just met in December. We're meeting in May. And perhaps we should stay on that schedule. But I'm more than happy to meet quarterly.

SANDOVAL: Director Cox.

COX: Governor and Board members, I truly appreciate your time. I know we talked about this at our previous meeting. And in getting these temporary AR's approved I really believe that we will be able to discuss what the significant issues of the Department, not only that these are very important issues and items of course. But I really think we're going to be able to discuss other issues. You've really stepped forward today and what I'd say caught us up to where we need to be and I really appreciate your time and efforts and my staff time and efforts and the citizens of the State and their comments about the regulations and the process. The Department has been you know, should have moved forward at a quicker pace and not put the Board and members of the Board that they would ever have to hear this many regulations.

I appreciate your time and the efforts associated with this. And I certainly don't want to come in front of you again, any of you again, with this many regulations. And of course, work with people when they're brought forward.

SANDOVAL: Thank you Director Cox. Madam Attorney General, do you have any comments under Agenda Item Number 6?

CORTEZ-MASTO: Yes, thank you very much. I would agree to more of the meetings as well. I also would like it to be on our future agenda this issue talking about the glitch that we heard today. To brief the Board on what that entails and concerns if any, and if it's been cured and how we've addressed that issue.

And then secondly, with respect to unanswered letters and questions that advocates have sent, whether it's to our offices or to the Department of Corrections. Is there a process we can streamline that so we can ensure that those letters, however they come to us, whether it's through our offices or at this forum, that there is a response provided so that they don't go unanswered? I know at one time they were talked about in NDOC and whatever that was, is not an issue with respect to higher – because of the budget crisis. But I'm just hoping there's a way we can address some of these unanswered letters as well.

COX: Certainly, Madam Attorney General. We should be responding back to issues associated with the citizens writing letters. I take those things very seriously. My staff do. We try to be responsive. We quite frankly, get a huge amount of letters and e-mails from people. I do have an employee that really does a fantastic job of responding to family issues and I certainly would support and have telling our staff of course to respond. Communicate back to that individual. Sometimes it is by e-mail, sometimes it's by letter. Sometimes it's by a phone call. But answer the questions. Explain to them what the situation is and do it as quickly as we can to be responsive.

You know I take this job as being one that I'm being paid by the citizens of the State to do it. There are some tough questions sometimes but I do want to be responsive. I think that's part of the job. And I also think that will lead to less complaints or less issues if we are being responsive. Sometimes they don't like what I say or what my response is, but I try to work with them on those responses.

SANDOVAL: Does that satisfy you, Madam Attorney General?

CORTEZ-MASTO: Yes, thank you.

SANDOVAL: Any further Board member comments?

Then we'll move on to Agenda Item 7. Public comment. Are there members of the public here in Carson City that would like to provide public comment?

BROWN: Tonya Brown, advocate for the innocent, advocate for the inmates. I have a couple of concerns, major concerns. You just passed the minutes of the 2011, December 5, 2011. I provided you with a copy of the transcribed minutes of my testimony from December 5, 2011 for the record. And I will briefly touch on that because I've been having trouble trying to get my attachments that I've submitted on to the record for public record during that meeting. They're claiming – NDOC is claiming that it's confidential. It is not confidential. Not at all. And I would like them back on the place at up on the website. The attachments, I believe it's 3, 2, 3 and 10. Attachment 10. To be placed back in the records.

What we also ask is as I stated, because I'm going to read it from the minutes I had transcribed to refresh your memory, because what's in the draft is one or two paragraphs of what I said. I have twenty pages of what I said. I'm not going to read them all of course. But the woman back here would agree who was asking what are the numbers, what are the numbers.

What I provided to you was information that came out of discovery of the wrongful death suit which is, his case number, CV number 3 – 10, CV-00679-ECR-VPC. I took those documents that were public record after the Settlement Conference on November 29th, right the following week. Mr. Geddes came and said they were confidentiality which they were not.

Then to this day they are still playing confidentiality. I have again, provided you the April 5, 2012 Settlement Conference, Settlement Agreement we finally signed. Judge Valerie – Magistrate Judge called us in, ordered us in as to why it hadn't been settled. Because the AG's office was trying to get things to be confidential. Which was not part of any Settlement Agreement.

So we worked on it and I agreed to let some things go. Such as some of the things with the Inspector General's dealt with other inmates. I don't really care. But I do have a question, a problem with what I did submit. The stuff that I submitted is public record and I would like the woman back there in gray to take a look at Exhibits 2 – I don't know who you are. If you were asking me.

[unknown]

BROWN: Okay. Who are you? Excuse me who are you?

SANDOVAL: Ms. Brown I'm going to interrupt you now –

BROWN: Okay, okay Governor. Okay so anyway, this is what I'm asking for. I want my documents that I, from December 5, 2011 to place on the website so I can go and just click on them and everybody can see it. That would include Don Helling's deposition. Which is a public record. In which he describes the computer glitch. And it puts false felony charges in files. That's part of the record.

I want you to take what I've just submitted today which is the Settlement Agreement, you can take that and compare it to what was deemed confidential. Those documents are not confidential. And that would include the letter and I will read it. It states – this is what I asked for.

> "I am requesting that I ask for an outside investigation into the Attorney General's office for constitutional violations. Example, withholding exculpatory evidence, Brady violations. It is apparent that the Attorney General cannot conduct any kind of investigation into its own office because it would be conflict of interest. I am demanding a letter of apology from NDOC, the Inspector General's office, and the AG's office. Attached are letters from Fred Houston, NDOC, and Bates numbers that are now public record."

So everything that I provided dealing with Fred Houston and Tonya Brown and Nolan Klein are public record.

I'm asking that the Board of Prison Commissioners file a complaint with the State Bar of Nevada against certain DAG's William Geddes and Janet Traut for what I believe to be violations of inmates' constitutional rights, Brady violations. For example, H&H, which means Hager & Hearn, document 1084 – 1089, a 2000 letter to Janet Traut from Deputy DAG from the Reverend Jane. Regarding Inmate Michael Spencer and his suit. This letter details the NDOC discriminatory and retaliatory acts made in certain interfaced religions, aka, Wiccan. Did Mr. Spencer ever receive this letter to be used to benefit his case or was it ever turned over in his case? I know the answer to that. No. The Attorney General's office never turned it over in discovery. That's a Brady violation.

I'm asking this Board and the – that's with Janet Traut.

Now for Mr. Geddes, as you will recall he came and he stated he demanded – not demanded but he – the document that I presented was 3810, 3811 – they are duplicate copies. Again, they are not part of the Settlement Agreement. What it is, was a letter dated – I have it, it's on page 15. Magistrate Judge Valerie Cooke gave a suggestion which we used. And I used my language which my language was the AG's language.

It states in here on page 15 "our office has concluded concerning Inmate Fred Houston moneys entrusted to Tonya Brown. Our investigation revealed Inmate Fred Houston set up a trust and appointed Tonya Brown as Trustee in the account. Inmate Houston became concerned when supporting documentation was submitted to him reflecting the source of the distributions of funds. Interviews conducted with the individuals in the Trust and the reviewing of the bank documents revealed no criminal activity existed. The conversation with an NDOC Inmate Caseworker revealed that at the time of the conversation with Mr. Houston had no further concerns regarding his monies." This was a letter written from the Attorney General's office on December 2, 2005. Mr. Geddes was representing Mr. Klein in 2005. In Klein vs. Helling. Because he was suing that they were basically saying that they were retaliating against him because he – retaliated against him – I won't get into the details. But I will tell you this. It was the same Magistrate Judge in our wrongful death suit that had that case. And it appears in her reports and recommendations she had no proof and she was very concerned. She questioned it. And her reports she was suspicious of it. Because Mr. Klein had been charged much less convicted – he even had a disciplinary hearing – but yet he was transferred to Lovelock, delayed medical treatment. Okay.

All right. Now when Mr. Klein sued, Mr. Geddes deposed him in 2006. Mr. Geddes and the Attorney General's office knew there was no criminal activity so they allowed that lawsuit to move forward. Thereby keeping all that documentation, slanderous information regarding him and myself to be dispersed throughout State and Federal agencies. Now the Judge, Magistrate Judge, this year, said that I can pull this document out to exonerate us to give to the Boards and everybody. This is what goes on. You have people within the AG's office withholding exculpatory evidence from plaintiffs who are inmates. You this court oversees NDOC. And you must file complaints with the State Bar against Ms. Traut and Mr. Geddes for withholding evidence in discovery and cases and that is what I'm asking for.

So – and I'm submitting this as part of the record. This – the way it is written, does not preclude me from moving forward with future civil litigation against the State. And I will be.

But in the meantime I would like to have –

SANDOVAL: Ms. Brown, excuse me. When you say this, do you mean the Settlement Agreement?

BROWN: Yes, the Settlement Agreement and the full and final Release. And the case number which is 310-CV-00679-ECR-VPC. Which is what I brought to this Board December 5th in which Geddes stepped up and said they're confidential in which NDOC even in the last few weeks are – yep, they're confidential. I have the e-mails. "They're confidential. We're not going to put them on." They're not confidential. You are violating my First Amendment Rights. You are violating the Open Meeting Law.

I want it stopped I want those records put back on there. And I want every one of these documents that I submitted including Kara Gedney's deposition, which deposition Geddes again stepped in on this one when I presented it to the Board of Prison – the Advisory Commission on the Administration of Justice April 17th. This is a public record. We agree – I said I don't – take her address out. It's out. They printed it out, submitted it, Director Cox and your Commissioner, so was Attorney General Masto. She sits on the Board. They received this. This has all been redacted her address because this is what was produced.

Don Helling's deposition is on the record on the Advisory Commission on the Administration of Justice. But yet I can't get it on the Board of Prison Commissioners. Why? Because most people and most inmates and their families do not know about the Advisory Commission on the Administration of Justice. So they don't know they can go there and look. But they know they can come here and look and see what's going on. Because Don Helling's deposition is extremely damaging.

Okay. That's how we got computer glitches. I know you have a solution, a partial solution for the computer glitches -

SANDOVAL: Ms. Brown, I am going to have to ask you to wind up.

BROWN: I am. And I'm going to do the computer glitch right now. Okay. I have a somewhat of a solution for the computer glitch. We cannot fix the problem, I don't believe, from 2007 until present. But we can fix the problem from here on. And there are two things that we can do. We can make sure that we have the Parole Board be quasi-judicial. Because right now inmates are not allowed to see their I-files. They're not allowed – how are they to know what is in their file is true or accurate? They have no way of knowing. They must be able to see them. And this would fall under the quasi-judicial with the Parole Board. Because that information goes to the Parole Board as well. So from 2007 with the computer glitch, you have, for example, this false information here in Mr. Klein's file. It was printed off January 24, 2011. Sixteen months after his death. It's still in there. And it's false felony charges. As though he was convicted. So that went to the Pardons Board, it went to the Parole Board and he was denied. Now even the Parole Board and the Pardons Board retaliated against him because he continued to maintain his innocence, fight for his constitutional rights and he was a successful litigator. Or it was the computer glitch. Or it was both.

Okay. So the problem with the computer glitch too is the other way is this. You're talking, Mr. Director Cox was talking about no monies. If we disband the Parole Board in conformed to what other States are doing, and I have a recommendation to the Advisory Commission, this is one of them. Disband the Parole Board, conform to what other States are doing. Thereby eliminating the Parole Board, saving about $5 Million perineum. We would save – and then having them, NDOC take over, it would conform to what other States, which is mandatory parolees. They're caseworkers are the best people to know. They know what's in those files. In fact there are caseworkers who didn't know about the computer glitch who were told by the inmates to look, found problems this year. Fix the problem. Submit it to the Parole Board and guess what, it's back in the file again. False charges. Within four months. This could resolve the problem of the computer glitch going forward, not back. If you keep it under one parole.

In 2010 the Parole Board –

SANDOVAL: And again Ms. Brown –

BROWN: Okay –

SANDOVAL: I'm going to have to ask you to –

BROWN: All right. I'm sorry. This is one of the things that can be dealt with. There's no answer for the computer glitch from 2007 because here's the thing. Inmates who were denied parole, went to their next parole hearing, maybe they made, there's a possibility and I think there could be, is that it was fixed. And then they went to a parole hearing and then they got out. So really don't know who's been affected by it. The only way to do it is for this Board to ask to set again an examination of the Parole Board,

compare it with the NDOC's records. Every denial since 2007. Find out what was in the file. What became of it.

And I do have another recommendation too, and that Travis Barrett, an attorney down in Vegas, said that if you want to appoint their law office to do it, because honestly we can't trust the AG's office to do it. It has to be an outside source. Let he law office look at the parole papers and look at the NDOC records. Do a comparison and find out who has got the false felony charges in there and if they've been corrected or what else is in there. And if this man died because of a computer glitch and just – here's the interesting thing. The courts –

SANDOVAL: Ms. Brown, I'm going to have to ask you –

BROWN: June 4, 2007 in a letter from the AG's office was a deal that they offered him. You just sign a waiver not to sue us we're going to let you out. So this man on June 4th he was not a threat to society. He refused because he had a constitutional right in Noah [?] which is actually is Klein and then Noah vs. Meligan – it was his case. He did the work, it was his. It was published. So he knew. On July 10th he went to a Parole Board hearing. He was denied. Not only was he denied. They went back and revoked all of his granted paroles. And put him back onto his first life sentence. He didn't violate the condition of any of those paroles. Other than how he had the computer glitch that said he now committed burglary and the intent with battery. Which meant if you look at the documents like here, the other stuff that I found in the Inspector General's file. It made it appear as though he had beaten up Mr. Houston. But clearly in this letter that is now before you, Mr. Houston had no problem. There was no threat, there was nothing. The only thing is, is that he gave Mr. Houston the name of an attorney and because of that, they transferred him because now he was trying to scam Mr. Houston when it was all slanderous and that information went forward. Thank you very much.

SANDOVAL: Thank you Ms. Brown.

Is there anyone else present in Carson City that would like to provide public comment to the Board?

KRAUSE: Good evening. My name is Kara Krause, I am from the Attorney General's office representing the Nevada Department of Corrections. I just wanted to respond to the issues regarding the confidentiality of documents of that Settlement Agreement. We have concerns regarding Ms. Brown's compliance with the Settlement Agreement that she has provided to you. Specifically the confidentiality of documents clause. Based on the information provided by my office, it appears that the documents which she is now claiming are now public record are actually covered by the section and, which is the confidentiality of documents clause, of that Settlement Agreement. Unfortunately, I was not able to look at them today.

So – and additionally, that as far as that goes, I wanted to see if you have any questions or concerns about that letter?

SANDOVAL: do not.

KRAUSE: Okay. And then on behalf of the NDOC I'd also like to reserve the right to request that any confidential documents that Ms. Brown may have submitted to the Board today be stricken from the record. Thank you.

BOWN: Tonya Brown –

SANDOVAL: No Ms. Brown. We're not going to –

BROWN: I'm letting you know now this Board is violating my First Amendment rights and the Open Meeting Law. It is not part of the document. It is clearly defined. Those documents were not a part of the record.

SANDOVAL: Ms. Brown I understand you made a very clear record with regard to your position on those documents.

BROWN: Okay and I'm letting you know, you have just violated my rights. This Board has. Because it's very simple. Look at this document here I just submitted today. It is not in the Settlement Agreement. It is not mentioned. It is not a part of it –

SANDOVAL: Ms. Brown –

BROWN: Thank you.

SANDOVAL: Thank you.

Madam Attorney General, is there any member of the public that, in Las Vegas, that would like to provide public comment?

CORTEZ-MASTO: Yes, Governor.

MAHARIS: Thank you, Mercedes Maharis for the record. I think that we wouldn't have a problem with people doing overtime, officers, if the 80% of the population in NDOC that I believe drug – there on drug related charges – that I read that Attorney General Masto said this is a major problem. So low level offenders for drugs should be released and wear ankle bracelets and have treatment in the community and home because clearly community corrections are going to be the trend in the future. And so all the staffing questions would be moot.

Thank you.

SANDOVAL: Thank you. Is there anyone else in Las Vegas that would like to provide public comment?

CORTEZ-MASTO: No Governor.

SANDOVAL: We'll close the public comment under Agenda Item Number 8. We still have before we adjourn to go into a closed session with regard to AR 350 to hear from the Director with regard to pending litigation. Mr. Attorney General *[sic]*

MILLER: Governor, the meeting you're talking about is a non-meeting so you can adjourn. You can have a non-meeting following the Chairman.

SANDOVAL: Then the – excuse me – the Chair will accept a motion for adjournment.

MILLER: Clarify and correction. If we adjourn, do we have to come back into session if we want to take any action on 350? Would that be appropriate?

[unknown]

Under a non-meeting, a non-meeting is for you to hear from your attorney regarding potential litigation and it doesn't count as any kind of action so yes you would have to come back into –

SANDOVAL: Then it would be my preference to not adjourn if we're going to take action on AR 350. But we have not taken action on that one.

[unknown]

Governor, I wonder if, with the adoption of the regulation – no that was withdrawn, wasn't it.

SANDOVAL: 350 was not part of the motion.

[unknown]

That's right.

SANDOVAL: So we won't adjourn. We'll go into a non-meeting. A non-meeting, excuse me, not a closed session but a non-meeting to hear from you with regard to pending litigation associated with AR 350. Given that it is a non-meeting, the defined term, then the only individuals that can be present for that are the members of the Board and counsel. And that's it. Not even the Director. Correct?

[unknown]: The Director can remain but I advise him not to speak.

SANDOVAL: Have comments from other Board members?

CORTEZ-MASTO: No Governor, I am fine with whatever your pleasure is. I would be – because this involves a client, or the Director of course, that the Director should be able to be there. But however you would like to do this, I would be fine with that.

SANDOVAL: I'll rely on counsel for the Director to be present and then respectfully ask that everyone with the exception of the Board be, the Deputy Attorney General and Director remain.

Thank you.

We will go into a non-meeting at this time.

The meeting resumed and the discussion continued regarding AR 350. Pursuant to AR 100 recommendation was made that AR 350 be maintained as a temporary regulation and further recommendations would be consistent with the outcome of any legal proceedings regarding AR 350. The motion to maintain AR 350 as temporary was passed unanimously.

The chair asked for any additional public comment and there was none and the meeting was adjourned.

APPROVED THIS _____ DAY, MONTH OF _____ 2012

_____

GOVERNOR BRIAN SANDOVAL

_____

ATTORNEY CATHERINE CORTEZ MASTO

_____

SECRETARY OF STATE ROSS MILLER

Recorded by Cynthia Keller, Executive Assistant, Nevada Department of Corrections

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