NEVADA STATE LAW ENFORCEMENT OFFICERS' ASSOCIATION

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March 18, 2013

To the Nevada Board of State Prison Commissioners:

The Nevada State Law Enforcement Officers' Association strongly opposes the plan now before the Legislature to move Parole functions from the Nevada Department of Public Safety – Division of Parole & Probation, to the Nevada Department of Corrections. Based on details submitted by NDOC Director Cox to the Nevada Legislature, law enforcement in Nevada, and the public, will suffer should this plan be approved.

We have listed for your consideration a few important areas of concern should this proposed change be allowed to take place.

1. The proposed change follows the "California model" proposed by James Austin, a contract analyst for NDOC who has for years encouraged Nevada to become like California in the way they handle Parole and Probation services.

2. California has a terrible record with parole. California parole failures allowed the horrors of the Richard Davis, Phillip Garrido, John Gardner and other cases to happen. As a result of the murder of Polly Klaas by Richard Davis nearly every state in the nation enacted some form of three-strikes law. California has over 35,000 parolees serving "non-revocable parole", with no offender accountability and all costs born by the counties.

3. Moving Parole to NDOC during this legislative session was stated as phase 1 of a 2 part plan. Phase 2 has not yet been presented, but it is very likely it will be to next propose moving Probation services to the Counties. Nevada's County governments cannot afford to take on the duties and responsibilities of Probation supervision.

4. The Dangerous Offender Notification System (DONS) will be seriously impacted, as the NDOC computer system does not have the ability to interact with DONS and send out notifications. DONS is an officer safety tool implemented in 1996 following the murder of Sparks Police Officer Larry Johnson by a wanted parolee. It provides our Officers, Deputies and Investigators throughout Nevada with critical information on the risks, supervision status, special conditions and P&P Officer contact information for persons they contact on the street. DONS information is the first information which returns when police run any individual. It will be extremely expensive to fix the NDOC computer system so it can talk with DONS.

5. Currently Parole & Probation officers work under the Department of Public Safety. They are Category 1 officers with statewide police powers. NDOC intends to downgrade their new Parole Agents to Category 2 officers, and these agents will use more "intermediate sanctions" to keep offenders out of prison, instead of arresting parolees for violations and returning them to the Parole Board for possible revocation. The NDOC Director stated he intends to use these new Parole Agent positions as career advancement opportunities for the current prison staff.

6. Nevada Parole & Probation has a truly excellent record of service to the State and our individual communities. They hold high standards, and are a role model for the nation. This change will lower service, standards and negatively impact job performance.

7. The NDOC also intends to give their new Parole Agents additional duties which take them off the street, including meeting often with inmates in the prisons prior to their release to parole. Less time on the street will not be good for public safety.

8. We all understand the concept and meaning of "cash register justice"; this is exactly what we would be doing by putting NDOC in charge of the front door to release inmates on parole, as well as the back door to set conditions which keep parolees from being returned to prison when necessary. Early on, NDOC personnel indicated that Parole Agents would not be making arrests for violations. Law enforcement agencies cannot afford to have the fox in charge of the hen house. Parole & Probation, working under the Department of Public Safety, provides a check and balance on this revolving door process in Nevada. We have been fortunate it is in place. Let's keep it that way.

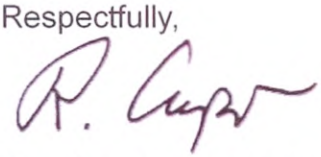
9. Former Chiefs and many past and current leaders of the Division of Parole & Probation, along with a long time member of the National Institute of Corrections, oppose the Governor's plan.

The NSLEOA is a statewide association which represents over 445 sworn, non-sworn and retired law enforcement professionals in 22 state agencies, which include but are not limited to Nevada Parole and Probation, Highway Patrol, Taxicab Authority, Capitol Police, Secretary of State, Nevada System of Higher Education and the Department of Corrections.

We ask that Governor Sandoval and members of the Board of State Prison Commissioners **NOT SUPPORT** this terrible plan. This idea will have a long-reaching negative impact.

We are very willing to sit down and discuss the adverse impacts of this plan in detail, as well as the plan which NSLEOA has recommended, that being moving NDOC under the DPS in order to improve accountability, re-establish leadership, develop trust and save on costs.

Respectfully,



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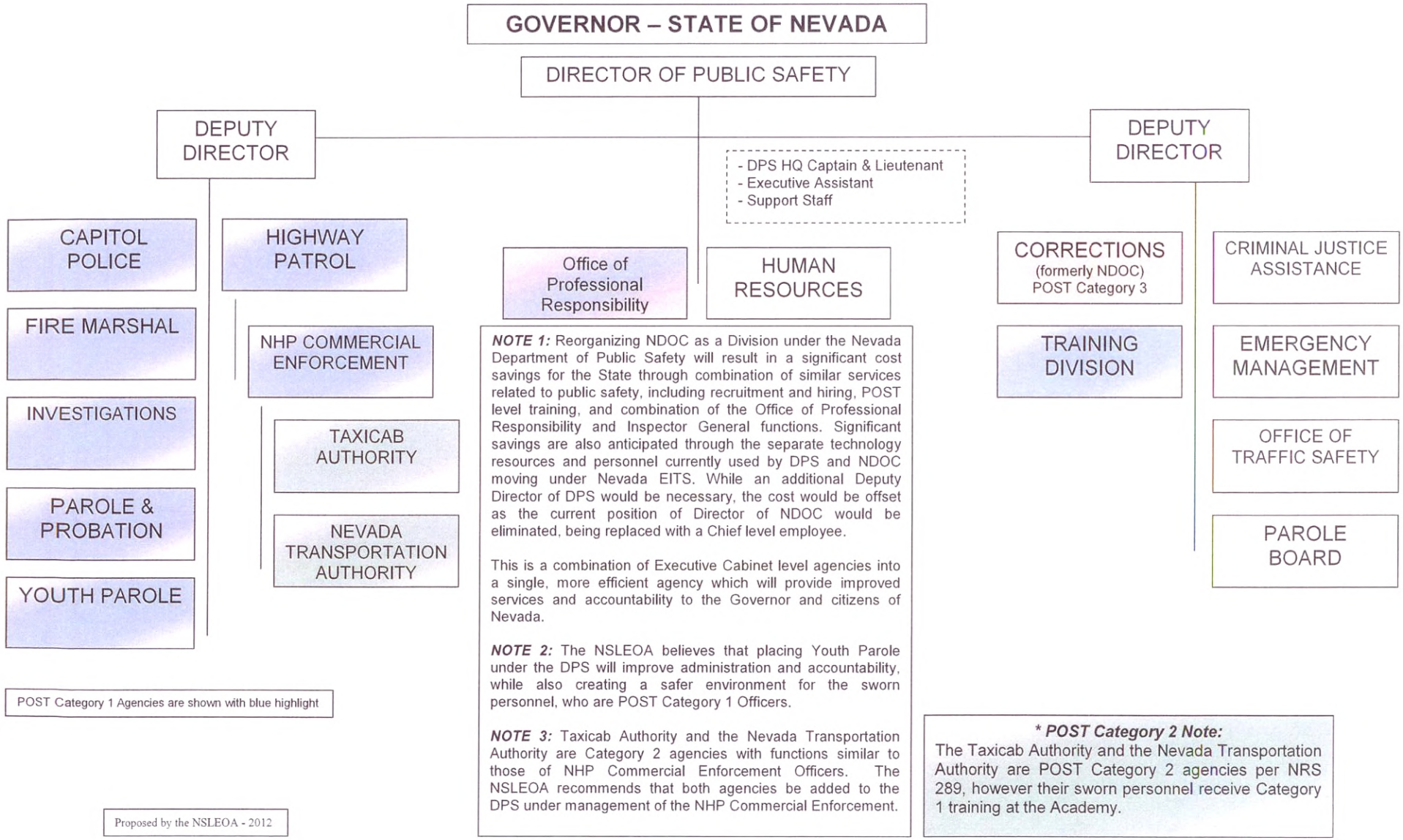

NOTE 1: Reorganizing NDOC as a Division under the Nevada Department of Public Safety will result in a significant cost savings for the State through combination of similar services related to public safety, including recruitment and hiring, POST level training, and combination of the Office of Professional Responsibility and Inspector General functions. Significant savings are also anticipated through the separate technology resources and personnel currently used by DPS and NDOC moving under Nevada EITS. While an additional Deputy Director of DPS would be necessary, the cost would be offset as the current position of Director of NDOC would be eliminated, being replaced with a Chief level employee.

This is a combination of Executive Cabinet level agencies into a single, more efficient agency which will provide improved services and accountability to the Governor and citizens of Nevada.

NOTE 2: The NSLEOA believes that placing Youth Parole under the DPS will improve administration and accountability, while also creating a safer environment for the sworn personnel, who are POST Category 1 Officers.

NOTE 3: Taxicab Authority and the Nevada Transportation Authority are Category 2 agencies with functions similar to those of NHP Commercial Enforcement Officers. The NSLEOA recommends that both agencies be added to the DPS under management of the NHP Commercial Enforcement.

POST Category 1 Agencies are shown with blue highlight

**** POST Category 2 Note:***
The Taxicab Authority and the Nevada Transportation Authority are POST Category 2 agencies per NRS 289, however their sworn personnel receive Category 1 training at the Academy.

Proposed by the NSLEOA - 2012