



BRIAN SANDOVAL
Governor

JAMES DZURENDA
Director

BARBARA CEGAUSKE
Secretary of State

ADAM LAXALT
Attorney General

**STATE OF NEVADA
BOARD OF PRISON COMMISSIONERS**

**Board of Prison Commissioners Meeting
Tuesday, November 16, 2016
MINUTES**

The Board of Prison Commissioners held a public meeting on Tuesday, November 15, 2016.

The meeting began at approximately 9:00 AM at the following locations:

Meeting Location:	Old Assembly Chambers State Capitol Building 2nd floor 101 N. Carson Street Carson City, NV	Video Conference:	Grant Sawyer State Office Building Room 5100 555 East Washington Ave. Las Vegas, NV 89101
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1. Call to Order

Action: The meeting was called to order by Governor Brian Sandoval.

Attendance: Governor Brian Sandoval; Secretary of State Barbara Cegavske.

Attorney General Adam Paul Laxalt was not in attendance.

Department Attendees: James Dzurenda - Director; Quentin Byrne - Deputy Director;
John Borrowman - Deputy Director Support Services; David Tristan - Deputy Director Programs;
Pamela DelPorto - NDOC Inspector General

Public: Refer to [Item 1 Exhibit](#)

2. Public Comment

There was no public comment.

3. Acceptance and Approval of Minutes – August 16, 2016 meeting. (For Possible Action)

Action: The Acceptance and Approval of Minutes was passed unanimously with no changes.

4. Presentation and Discussion of Report of Chief Medical Officer pursuant to NRS 209.382-Dr. John DiMuro, Chief Medical Officers' designee (for Discussion Only).

Discussion: Cody Phinney, Administrator for public and behavioral health spoke as the Chief Medical Officers designee. Vincent Valiente, Environmental Health Specialist, from the Nevada Department of Health and Human Services, Division of Public and Behavioral Health presented the report on behalf of Dr. John DiMuro and highlighted the findings from the report which included an overview of each facility related to nutritional adequacy, infectious disease, and sanitation practices, in addition to an audit of the medical staff. Any and all

violations that were identified were corrected and or being addressed. Governor Sandoval asked Ms. Phinney if visits were announced and if NDOC is meeting the sanitation standards. Ms. Phinney referenced the report which indicated that NDOC is within the standards for sanitation, and that the visits to the facilities are unannounced. The compliance of dietary allowance for age, activity and gender requirements in statute was addressed and all were found to be adequate. In the past compliance was not documented; only noncompliance was documented. Therefore they moved forward with a verification system that documents and confirms compliance. The NDOC is in compliance with regards to inmate nutrition. Doctor DiMuro recommended that each facility posts the nutritional document for each of the menus in the law libraries for inmate review. Mr. Valiente explained that if a correctable critical violation is observed they are corrected while he is on-site. If not immediately correctible such as a dishwasher not working, a repair order is put in. The written report was not made available to Board Members prior to the meeting. The full report was provided to each of the board members after the meeting, in compliance with NRS 209.382. Dr. DiMuro's report also provided information that medical and dental care has not been an issue at any facility. (See [Item 4 Exhibit](#))

5. Discussion on NDOC Mental Health Policy Reform program consolidation and new Mental Health Programing. - James Dzurenda, Director (for Discussion Only).

Director Dzurenda provided an overview of the mental health policy reforms that NDOC has undertaken including working to centralize mental health delivery services for the seriously mental ill (SMI). The Director provided information that SMI inmates were previously being housed in segregation at the Ely State Prison, and that practice has stopped. NDOC is transitioning the SMI population to the Northern Nevada Correctional Center (NNCC) and the Warm Springs Correctional Center (WSCC) so that NDOC can follow national research best practices for programs to deal with inmates that have traumatic brain injuries, disorders, or personality diagnosis. NDOC is working to develop a step-down unit for the transition of inmates back to the general population, after they receive treatment. NDOC has identified an Interim Mental Health Administrator, Dr. Roy Hookham, to support the direction of centralizing services, working with current staff to determine where the resources are needed and best placed. These efforts have been implemented to reduce victimization, and improve public safety. The focus is to no longer release inmates directly from segregation to the community, but to ensure there is a buffer before being released from prison to the community. As part of an integrated health system, the plan will work to decrease violence in the prison; provide additional staff training; work as a team; reduce recidivism and provide community service connections and to measure success.

Secretary of State Cegavske asked about challenges with staffing and whether or not it was punitive segregation. Director Dzurenda said it is difficult to keep staff because people can earn more in the public sector. They are conducting a national search for psychologists and he said it's easier to obtain staff in the northern Nevada region. By implementing a therapeutic environment at Northern Nevada Correctional Center staff will see the impact they have on these offenders and feel successful in their mission. Also discussed were the lack of job applicants for mental health positions; the transition of staff; staffing level rates; psychologies; and working towards a therapeutic environment. (See [Item 5 Exhibit](#))

6. Revisions to Inmate Discipline and Segregation. - James Dzurenda, Director (For Discussion Only) attachments:

- a. Association of State Correctional Administrators (ASCA)'s Restrictive Housing Unit (RHU) Guidelines and 13 RHU Guiding Principles. (See [Item 6 Exhibit a](#))**
- b. Department of Justice (DOJ)'s 53 RHU Guiding Principles. (See [Item 6 Exhibit b](#))**
- c. Grant Request – Vera Institute of Justice – 1 year Technical Assistance Grant (See [Item 6 Exhibit c](#))**

Director Dzurenda explained he is taking a strong stance on reforming segregation practices. He explained that inmates who have acted out with violence and are placed in punitive segregation are the inmates that they should be concentrating additional programming on such as anger management and anger programs. Currently inmates in segregation do not receive programming. Director Dzurenda said there have to be formalized programs for these offenders that are individualized based on their history and the mission of getting them back

into the population and also eventually back into the community safely. The benchmarks are going to be the Department of Justice's 53 guiding principles. Director Dzurenda contacted the Vera Institute of Justice and applied for and received a grant where the NDOC will receive technical assistance from Vera to implement new operational and regulatory changes that will safely and effectively reduce segregation and restrictive housing placements. They will strategize and support in implementing the best way to engage staff at all levels to accept and fulfill the policy reforms that will ensure data-driven, best practice programming for inmates.

Governor Sandoval asked if there was anything they can implement in the meantime to begin accomplishing these objectives. Director Dzurenda said they began working on the seriously mentally ill inmates issue and they are currently revamping the timeline of discipline and the amount of disciplinary sanctions allowed per incident. He said they have also changed the policy for Close Custody inmates, which was not considered segregation, but general population. They were previously housed 22 hours per day in their cell which according to the guidelines is now considered segregation. Close custody is now allotted 5 hours per day out of their cells, along with programming. Director Dzurenda explained that 88% of the prison population will be discharged within 18 years back into the community. He said that they cannot move violent offenders into segregation and do nothing to help change that type of behavior whether it is mental health related or not. Therapeutic programming and behavioral adjustment programs are needed so that they go back to their community in a better state than when they went into prison.

Secretary Cegavske asked if the NDOC is working with parole on these issues. Director Dzurenda said they are working on getting more programs that will be recognized by the board as appropriate programs for release. He said the biggest challenge right now is finding housing and jobs for transient offenders. He put together a parole checklist package to ensure that 45 days before a parole hearing, everything parole requires is already in place so there is no delay in an inmates release. Secretary Cegavske also asked for an update on inmates receiving their DMV ID cards. Deputy Director David Tristan said he has met with DMV officials and they have created a pre-parole plan which will identify inmates identification needs 180 days ahead of the inmates' parole hearing. He did identify wording in a statute that needs to be changed that will assist in identifying who an inmate actually is and move the process along faster.

Governor Sandoval requested that in the future, a representative from the Parole Board should be in attendance at these meetings.

7. Discussion regarding availability of inmate beds and future scenarios. - James Dzurenda, Director (For Discussion Only).

Director Dzurenda said the current overall count of inmate population is 13,742 which is well over NDOC's capacity if they use regular housing beds. They use unconventional housing beds by utilizing large areas of a housing unit that were originally created for other purposes. These areas have been made into dormitories by placing beds in them and making sure the inmates have 24-hour access to sinks, toilets and showers. Director Dzurenda provided the capacity analysis in terms of available beds and the projections which had been understated in the past. He said they need to concentrate on having less offenders come into the system and more offenders leaving the system successfully. He believes if they do a better job while inmates are in the system there will be less recidivism and therefore less inmates coming back into the system. He said if they have better release mechanisms and wraparound services releasing inmates sooner to programs and supervision in the community, they will be less likely to return to prison. They need guidance with looking for jobs, finding resources and getting into community programs.

Nevada has the least amount of parole releases to the community per inmate population than anywhere else in the country. Director Dzurenda said parole and corrections are working together as a team to improve the parole release numbers. Governor Sandoval indicated that we may not be doing enough on the back end of the sentences and that we did not want to create artificial boundaries to release, and wanted to have a conversation with the Parole Board Chairwoman on how we can change the status quo and work to ensure that the systems

were working collaboratively. There was discussion on what violations were sending individuals back into the prison system, and that we needed to address technical violations, without sending them back into prison, but to enhance the programs to help them be successful. Governor Sandoval said he wished a representative from Parole and Probation (P&P) was there as this conversation has gone on for over a year. He said he would be having conversations with the chairwoman of the Parole Board and Chief Wood to get this issue worked out. Director Dzurenda explained how when he ran parole in Connecticut he changed the mission of parole releases. When an offender violated his parole plan then the parole officer would work with them to change the plan to meet the needs of the offender to help make him successful. The goal is to find a way to adjust plans to help offenders succeed in the community and not come back to prison on a parole violation charge. For example if they are doing drugs again you have to change the way you're doing rehab with that offender, more appointments, look at the inmate's relationship with that provider, etc.

There was also information provided that 28% of the inmate population consists of out of state residents; there are approximately 1,800 veterans in the system; 1/3 of the returning inmates are there for parole violations and had no new charges. Governor Sandoval said this needs to be looked into further. Secretary of state Cegavske agreed that these numbers were alarming and there need to be changes. (See [Item 7 Exhibit](#))

8. Discussion on Second Chance Act Statewide Adult Recidivism Reduction Strategic Plan Implementation Competitive Grant and discussion on additional Re Entry and Programs to help reduce recidivism.- David Tristan Deputy Director (for Discussion Only)

Deputy Director Tristan provided an overview of the re-entry efforts in Nevada, and highlighted the focus of the Second Chance Act Grant. He explained that Nevada is one of 4 states that were awarded the grant. He said they have been working with UNR, UNLV, and P&P to put the grant proposal and strategic plan together to reduce recidivism. They are also working with DHHS regarding release planning for the mentally ill population. If successful in meeting the matrix that was set by the grant, they will be eligible for a 2nd and 3rd year grant continuation. They have already begun working with P&P, DHHS, DETR and additional agencies to reduce recidivism. They will be provided with two new Veteran coordinators through the Americorp Grant and the Veteran's Administration. They will provide additional resources to assist veterans with the goal of reducing their recidivism rate. The Board Members want to be briefed after the legislature on the program status. (See [Item 8 Exhibit](#))

9. Discussion/possible action regarding State Administrative Regulations – James Dzurenda, Director (For Possible Action)

Director Dzurenda provided an overview of all the changes to the administrative regulations, with a focus of improving both staff and inmate safety. Administrative Regulations considered:

- AR 110 Mission Statement
- AR 405 Use of Force
- AR 412 Armory Weapons and Control
- AR 422, Search and Seizure Standards
- AR 719 Inmate Visitation
- AR 722 Inmate Legal Access
- AR 810 Religious Faith Group Activities and Programs

Action: The board approved the regulations unanimously. [NDOC Administrative Regulations](#)

10. Public Comment - There was no public comment.

Adjournment - Governor Sandoval adjourned the meeting at approximately 11 AM.

APPROVED THIS 7th DAY, MONTH OF March, 2017

GOVERNOR BRIAN SANDOVAL

SECRETARY OF STATE BARBARA K. CEGAVSKE

Transcribed by Cynthia Keller, Executive Assistant, Nevada Department of Corrections