



STEVE SISOLAK
Governor

CHARLES DANIELS
Director

BARBARA K. CEGAVSKE
Secretary of State

AARON D. FORD
Attorney General

**STATE OF NEVADA
BOARD OF PRISON COMMISSIONERS**

MEETING MINUTES

The Board of Prison Commissioners held a public meeting on Tuesday, August 30, 2022, beginning at 10:00 a.m., and was conducted at the following locations. The meeting could also be viewed and heard via YouTube.

Meeting Location:

Grant Sawyer Building
555 E. Washington Avenue
Suite 5100
Las Vegas, NV 89101

Video Conference Location:

Old Assembly Chambers
State Capitol Building
101 N. Carson Street
Carson City, NV 89701

1. Call to Order/Roll Call of Board Members/Confirm Quorum

Action: The meeting was called to order by Governor Steve Sisolak at 10:00 a.m. Governor asked for the clerk to take roll. The clerk took roll and confirmed a quorum was established.

Board Members Present:

Governor Steve Sisolak – in person in Carson City, NV
Secretary of State Barbara Cegavske – by phone

Board Members Absent:

Attorney General Aaron Ford

Nevada Department of Corrections (NDOC) Attendees:

Charles Daniels, Director
Brian E. Williams, Sr., Deputy Director Programs
William Gittere, Deputy Director Operations
Lisa Lucas, Deputy Director Support Services
William Quenga, Deputy Director Prison Industries & Acting PIO

Kimberly Smith, Chief Human Resources Officer
Dr. Michael Minev, Medical Director
Ronald Oliver, Acting Assistant to the Director
James Kendall Jones, Inspector General

The Governor moved on to item number 2, the first session for public comment to address the Board of Prison Commissioners on agenda items. Governor Sisolak asked if anyone had public comments and began with individuals at the Carson City location. After persons gave public comments in Carson City, Governor Sisolak asked if there were public comments from the meeting location in Las Vegas. Note: public comments were also accepted in written form via email until 9 p.m. the day before the meeting.

2. Public Comment: (1st Period) Only items on the agenda (3 minutes).

Carson City:

- Good morning, my name is Denise Bolanos D-E-N-I-S-E B-O-L-A-N-O-S. I'm a member of Return Strong. I took a vacation day for my morning job to be here today because if we, the friends and families of incarcerated people, do not stand up for both them and ourselves then no one will do it for us. No one bats an eye about anything that goes on behind the walls. It could be that others aren't aware because truthfully if you're not

living with the weight of incarceration you wouldn't need to be aware. It could be some simply don't care, or it could be that mail doesn't seem important in the grand scheme of things. And that is precisely why it's important. It's more than mail, for us it's a lifeline. We ask no action be taken today on AR 750. The people housed within NDOC are there because they have been convicted of a crime. Whether or not they are guilty, that is the bottom line. By imposing these revisions with the rationale of eliminating drugs coming into the facilities you're effectively branding us as criminals as well. Making us guilty by association. What is simply a mail revision to you is one more thing lost for us. It means a child can no longer draw a colorful picture for her mom of her favorite toy. It means yearly Christmas cards from an aunt to her only nephew are gone. It means that my quick "I love you" doodled on the outside of the envelope right before I send it to my husband is gone. All of those things now discarded as unauthorized or rejected mail. When I asked my husband what his thoughts were on the revision, he let out a long, defeated sigh and he said, "They take everything. They always take everything that makes us feel human. Anything we have left and anything good. The concrete ties to our families. The things that feed our soul and give us hope and add to our sense of humanity. They take it all." I read a quote in a faith-based article that said for those subjected to the hell of incarceration, receiving a piece of mail can feel sacramental. A tactile reminder of the presence of loved ones and hope beyond the present reality. We should be strengthening ties with families and communities not further severing them. Thank you.

- My name is Karen Gidney and I was the Senior Physician for the Department of Corrections for 30 years. I was placed at NNCC in 1987 by the National Health Service Corps to do four years in an area that was considered health manpower shortage and was under significant lawsuits for not giving appropriate medical care. I stayed 30 years and when I retired, I decided that one of the things that I would do is be an advocate for prison reform. I'm here to today to advise the commission not to support the revision of AR 750 which would create more restrictions on the mail families could send to their loved ones in prison. I have seen for decades, on the inside of the prison system, the positive emotional impact a birthday card or a drawing from a child can have on the incarcerated which gives them connection, hope, and the feeling that they are not forgotten. I know the prison system thinks restricting more mail will decrease the potential for drugs that come into the prison, but I want the commission to step back and look at it this way: if there is a demand for drugs it will come in another way. And many times, that means that staff will bring it in or enable it to come in. If you want demand for drugs to go down do not make someone's life behind bars more miserable and disconnected from their family than it already is. Thank you.
- Hi, I'm Heather Koppler and I'm asking the Board of Prisons Commissioners to take no action on the revision of AR 750 today. My incarcerated loved one has had a series of strokes this August. With this revision to AR 750, I and other family and friends are not able to send greeting cards and colorful get well notes at a time when this would be greatly appreciated and inspirational. This is how I show my love and support for them. My loved one needs to know how much I care during this health care crisis. Limiting mail to blue or black ink, white paper, and number 10 envelopes greatly cuts down on the way to express our feelings, thoughts, and ideas. To families with small children who may only be able to draw a simple picture, this is terribly wrong. Please allow friends and families to continue sending colorful mail and cards with the former regulation. Again, I ask, do not take action on the revision of AR 750. Thank you.
- Good morning. My name is Nicole Williams. I am an activist with Return Strong. It would be easy for me to tell you about the impact my loved one's incarceration has on our family, on our daughter, and the challenges to maintain our family's bonds through letters and pictures and photos and across a visiting room table. But in the end, I don't believe this is what you need to hear to make this decision so I'm going to focus on evidence-based information, data, and numbers because I believe this is what you need to know. But

don't forget, behind that there are people and families and children. There are marriages and new romances and friendships that are all trying to find ways to maintain and even grow and thrive. I attended the quarterly meeting that is held between NDOC and Return Strong and the ACLU and we asked why this revision to the mail policy? Why take away greeting cards and internet print outs, and color? We knew the answer would be to limit drugs entering the facilities and we acknowledge that some drugs enter that way, but we all know that is not the bulk of drugs entering the facilities. According to the Vera institute, who you are familiar with since they have worked directly with Nevada in the past, ostensibly the rule changes are meant to prevent contraband from entering prisons. Though there's little evidence to support the evasive approach which amounts to collective punishment. In Florida for example, of the 3.1 million contraband items that enter the prison system from January 2019 to April 2021 only about one percent came in through the mail. Texas prisons stopped in-person visits and limited mail but that didn't stop drugs from getting in. Reports confirm that most often its staff, not drug-soaked papers that bring contraband into facilities. The state claims the need for evidence-based practices, but a quick search will show that evidence doesn't support these changes. We are only asking for one thing: pause and give thoughtful consideration to these changes before they are implemented. Ask questions and review data and research before you implement it. Don't take action today. I want to make one final ask that is unrelated. Governor Sisolak, you are on record talking about how much you care about Nevada families, and I believe you. I have seen you stand up for us before, two years ago. Whatever the reason is, Nevada prison families are struggling in this economy. I work full time. I don't get assistance, but our incarcerated loved ones have to be cared for. We travel to get to visits and keep minutes on our phone. The state making a profit off of us at this time and this economy is too much. We know you have the power to provide us relief today and that was our initial asking, for you to help us. Reduce our or eliminate the markups on commissary packages and vending machines until this works its way through the legislature. We need relief today. By June, some of us will lose our housing and being made silent sacrifices that are just too much. Two things today, Governor, please don't take action on AR 750 revision and please end or cap the markups and provide us some relief. Thank you.

- Good morning, Governor. Good morning, Board members and thank you for hearing us. I am Dr. Susan Chandler. I served on the faculty of the University of Nevada Reno for 25 years where I researched, among other things, issues of incarceration. More important to this morning's deliberation I have taught history, literature, and creative writing at the Northern Nevada Correctional Center for six years before Covid closed the prisons to volunteers. I am a founder of the Nevada Prison Education Project, a wonderful group that works hard with NDOC and the Nevada System of Higher Education to bring credit-bearing, degree leading courses into Nevada prisons. I am here to urge you to take no action on AR 750. On a weekly basis, I worked with men in my classes who were struggling, struggling hard to keep their souls alive in a very difficult situation. And the most important, by far the most important asset in doing that was their connection with their families and especially their children. They wanted to show the children that they could learn, they could discuss that there was something important and reliable in their parenthood and in their souls. A second thing that was very important to them was the chance to use their brains to discuss with others in a classroom. Issues of consequence. And these two things, the connection with family, connection with children, and the possibility of learning in a classroom. Learning serious subjects are so important are so so important. They serve the men; they serve the families. Especially the children. And they also, I am confident, serve the prisons and our society because we want people returning strong from prison. Thank you very much. I want to add thank you, too, Governor, for your support of education. I know I saw you at the College of Southern Nevada graduation where I was with our wonderful friend and mentor Keisha Westbrook who has just shown what people coming out of prison can do.

- Hello, Governor Sisolak. My name is Kira Christine. My husband and I and our children met you before his incarceration. He is an amazing man and husband who fought hard to rebuild his life after fighting his addiction. Unfortunately, he had one last price to pay for choices made before he began his journey with recovering from addiction. I want to talk to you about two things today. First, the struggle to be left as a sole provider of our children and our entire family including him. I would like you to know since my husband has been away, I've become a certified recovery support specialist, a community health worker, obtained employment with my new career, received my certification for smart recovery seeking safety, and rap. I will soon be starting college to obtain my bachelors in social work. But when I found out that the state is making a profit off of families, and that since February that was announced in the audit, nothing has been done to provide relief, rips me apart at times. I believe in you Governor Sisolak, and your faith and your heart. I look you in the eyes today and I have trust within you. Please, don't just hear the words and reports. Please do something to help us. The pandemic and the economy, everything hits prison families differently. Ask us, give us space to really talk to you and you will hear more than a two-minute sound bite. You will hear the truth and our reality. Please provide relief from the markups. And a lot of families don't really understand how that impacts them and so they won't stand up. But we do and we are asking you not to wait for the legislature session. We are asking for help now. The second thing I want to ask you is not to take action on AR 750 today. Not yet maybe not ever, but definitely not today. This entire mail debate has had me struggling to be objective. My husband and I are both in recovery and he has talked to me about the amount of drugs in the prison and we agree something has to be done. But at the same time that we say that we underpay and undervalue the work that correction officers do, and we do nothing to invest in wellness of the people who are incarcerated. My husband started his own NA program in the trustee program because there is nothing there. It's a human warehouse. Families and communities are also victims of incarceration, but the hidden victims are the children of incarcerated parents. Research indicates that 45% of children of incarcerated parents communicate only via mail service and do so on a weekly basis due to the inability to travel to visitations. As we learned with Covid, visitation can be significantly altered quite quickly without notice making mail correspondence the only way to consistently remain in contact. The imposed policy changes will significantly decrease parent-child contact with large amounts of mail being sent back to the community due to things like pictures being drawn by children who, in most cases, cannot write in blue or black ink. Children do not communicate the way that adults do and do not have the emotional or cognitive processing to understand [3 minutes reached] the limitations placed on their communication. Please have discussion and do not take action on this AR change until this has been vetted out. Thank you.
- Good morning. My name is Nevaeh Jackson. I am activist with Return Strong but more importantly I'm the daughter of someone incarcerated. Please do not take action on the revision of AR 750. Letters, cards, and drawings, and pictures are a huge way to keep our loved ones connected to us. Phone calls and visits are big, too, but with the 66% markups in commissary, make phone calls and visits hard to afford. Governor Sisolak, please put a stay on markups. How does it make you feel when you receive mail from someone you don't get to see often? It feels great, doesn't it? Now imagine getting only photocopies of all that mail. It's not the same, is it? There is no real, real reason why these changes need to happen. The only thing that is going to change is the mental health decline in our loved ones. Please take no action on the revision of AR 750. We have a petition signed [by] over a thousand people. May I hand it to you? [petition handed to Governor Sisolak]
- Good morning. My name is Desiree Miller and I'm with Return Strong. I'll make this quick. Please don't take action on AR 750, it's a huge mistake. Our loved ones look forward to these things. Our kids look forward to

sending them too. My daughter sends my husband mail all the time and now those cards can't be sent if this passes. Also, the markups need to stop, too. You have the power, please take it. Thank you.

- Thank you, everyone, for listening. My name is Lisa Foley. I'm not a family member of anyone incarcerated but I'm here because AR 870 [AR 750] will do such harm that I felt compelled to come in, in person, and speak. I'm not sure if it's a civil rights violation to the families or to the incarcerated. I'm not an attorney but I do know that it is terrible timing. The emotional harm the inmates experienced, and the families of the inmates, during and after Covid's long period has been harmful and we shouldn't be looking for anything other than trying to do rehab and repair lost souls following this traumatization. I know that there's a terrible challenge with staffing shortages in the prisons and it's so difficult for the prisoners to get released for basic things like showers and outdoor time but this would be a very, very poor time to slap the families, as well as the incarcerated, in the face and say "we're going to restrict your mail" even when this is a time that mail can be so healing. And it's one of the few threads you have that doesn't really involve much staff to have a smooth system of mail coming in and as others spoke, as Dr. Karen Gidney mentioned, this is not an issue that's going to stop any paraphernalia from coming into the system. It's just a tiny drop in the bucket. Thank you for listening, bye-bye.

Las Vegas:

- Hello, Mr. Governor. My name is Melissa Duna. I'm here to talk about banning, not banning AR 750. Why should you consider not casting the ban greeting cards and colored pictures, and etc., items including legal documents printed that our loved ones need? I believe it's not fair. I believe NDOC understands the effects [this] has on inmates and their families. I know from my own experiences with my son being incarcerated last year, for the first time, he was sentenced to prison on, when his first birthday came I wasn't sure if I should send him a card not knowing how he would feel by receiving it, first time being away from all his loved ones at home. I sent one along with his two nieces and nephew. That was last year of 2021. He has never received any of his greeting cards or mail. The kids like to, would love to draw pictures, but they know colored pictures ain't acceptable, so we stopped sending mail and switched to Core Links electric messaging since he never does receive his mail from NDOC. I think it should be addressed and known that the mail is inspected before it is delivered to the inmates. And why should the families be cause to be considered that it is causing drugs into the jail? There was Covid and nobody was allowed in the prison or the jails but yet drugs still seem to get in. I have faced very horrific and chilling events and it has caused my family great, great pain every day with the on-goings of NDOC and it is my pleasure to sit here today before you and the Board of this prison because I have so much questions and answers that we need to be fulfilled. And every one of us family members and every loved one deserves to know really the going on in NDOC. I have contacted many public officials, AGs. I have went to organizations and I'm grateful and I thank you, Return Strong, for letting me sit here and voice my opinion. My son is inmate number 1244730 and he was sexually assaulted and he is constantly in segregation. And he is suffering and fear[s] for his life. He does not eat, Governor. He only relies on commissary to eat. Every day it is a struggle. I have letters and I am tired [3 minutes reached] and I am sick, and I need answers. Help the families. Thank you.
- Thank you, Board, and thank you Governor Sisolak for taking the time. My name is Rose Mckay and I'm here with Return Strong to ask you to please respectfully stop the action to revise anything in AR 750 such as the greeting cards. This will bring great harm to the family members that are in your institutions. They're in there for the purpose to repay their debt to society. This will bring great harm to the family members trying to keep hope in the hearts and minds for those are that are in your institutions. The words and pictures on

the greeting cards give our family members a ray of hope, a memory of days gone by, memories that they want to come home to. Reading a card from a family member can mean turning away from the clipped edge or jumping off of it. This is a very dire situation for some that are incarcerated. Don't take away the greeting cards and the handwritten color pictures from their children. This is so vital to children. Children are only able to communicate and express their feelings in the drawings they send. The vibrant colors tell the story that they are feeling. And their loved ones incarcerated can see the pictures and take great pride in what they do. If you stop this, this is very detrimental to the well-being of the children. Not only those incarcerated but the children. This is their only way of communicating with their family members. Don't take away the children's communication with their loved ones. And then printed materials. There's all kinds of printed materials, publications for education, knowledge, for faith, hope, and peace. The words by the prophet that encourage the spirit and not kill the spirit. The legal material that is kept from the incarcerated. I know from experience that my loved one does not get the legal documents that are mailed to him. I don't know where they go if it wasn't for me stepping in and doing it, he would not know what's going on in the courts. This has got to stop. They ask for the material; they beg for the material with rejection after rejection. You have to keep this material going for the legal aspect of them knowing what is entitled to them. Don't take away the important information that is needed for them. In closing, many have found our loved ones either entering a system with mental issues [3 minutes reached] thank you I'm just saying we are here to help. Let us help you. We know, we know what to do. We are educated people we have experts in the fields also. Please do not take action on AR 750 today or ever. It is too dire for the well-being of our loved ones. Thank you for listening, Governor. Thank you, Board, for listening.

- Good morning my name is Faith Adkisson F-A-I-T-H A-D-K-I-S-S-O-N. I want to start out by acknowledging Governor Sisolak's efforts for prison reform starting with AB236 which passed in 2019. Thank you, Governor. My family and I support your re-election efforts and look forward to working with you in the future to address problems that we have identified. Secondly, I want to preserve our objection to the adoption of the Administrative Regulations that are before the Board today on the grounds that this Board has not complied with the requirements of the *Administrative Procedures Act*. This Board is not exempt from 233B requirements. Last but certainly not least, we want to point out to the Board that AR 521 is not being applied in a manner that is consistent with the enabling statute where NDOC continues to prevent offenders from participation in minimum custody programs and activities solely because of a unilateral decision making this process also in excess of the enabling statute. We have submitted supporting materials that detail this issue. We look forward to seeing you for the next four years, Governor. Thank you and have a wonderful day. This is presented on the behalf of Patricia and Michael Adkisson.
- Good morning, Governor Sisolak. My name is Jodi Hocking. I'm the Founder and Executive Director of Return Strong and I really just have some, I feel like our families have really made the bulk of the points. I did want to just say a couple of things that one, like we're appreciative of the space to see democracy really in action. And people that are here today giving comments have taken time off of work and found babysitters that they're paying for out of pocket in a multitude of different ways. And I'm gonna just say it's a little strange the dynamic here today without you or one of the Board members here because there's note passing and people nodding off and eye rolling back and forth between each people, and it is super disrespectful to the families and the people who have come here to speak today. And so, I didn't plan on saying that but I feel like it needs to be addressed. Really all I wanted to say was to reinforce what families have already said. We're creating policies over things that are not evidence-based or proven. Staff, there are multiple people in this room [who] have acknowledged the fact that they know that the revisions to AR 750 are not what create like reduce that. They have said that it is something bigger and they could go further and that they were trying to

be like middle ground and nice to families. But you can't be nice by implementing something that restricts our communication without it actually even working. Then what is the point? The other thing is about the markups. We need your help with the markups. Legislation has already started through the Interim Committee and will be moving to the floor on that. And we're asking for relief in the meantime, and you've been able to stand up and kind of be a champion in that during the restitution deductions. And that audit came out in February, and nothing has happened and we're all still drowning. So basically, it comes down to two things. We're asking you to do something that is in your power and control to do, which is to provide relief around the markups. And then we're asking you to not do something, which is to not take action on the revisions to AR 750. Thank you.

Governor Sisolak: Acknowledged that Secretary of State Cegavske was on the phone and paying attention. The Governor further stated he could only be in one of two places, there are families who attend the meeting in Carson City as well and he is trying to accommodate everyone. While the Board members cannot be in all locations at the same time, they are listening intently to all comments.

- Good morning. My name is Holly Murphy and I'm here today to ask that you do not take action on the revision of AR 750. I understand that your purpose here today is to prescribe regulations for carrying on the business of the Board and the Department. I strongly believe that the proposed revisions of AR 750 are not necessary in fulfilling your duties and purpose as the Board of Prison Commissioners, I drove six hours today to speak to you and believe me, I would not have done that if I didn't wholeheartedly believe that passing AR 750 is going to be a huge mistake. I am aware that there is a serious problem with drugs entering prison. I am also certain that the root of this problem does not come through letters from loved ones. Banning inmate mail takes away birthday cards, it takes away drawings from children, it takes away the little bit of physical family that these inmates have left. I have yet to see the studies that show that passing AR 750 in the state of Nevada is going to stop the drug problem and I don't think it's fair for AR 750 to be passed today before that research can be, has been conducted and proven. What I have seen is the results that have come from mail bans in states like Texas. The Texas state prison system passed a mail ban in 2020 very similar to the proposed revisions of AR 750. The drug problem did not stop with this ban, so they further passed a ban against in-person visitation. After completely isolating these inmates from their loved ones the drug problem continued. It has been proven by reports, time and time again, that the drug problem does not stem from loved one's mail, it most often enters through staff. Now I'm asking that you take more time researching and better determining the root of this problem before passing a regulation such as AR 750. These restrictions will result in declines in mental health, the well-being of the incarcerated, and on the rehabilitation process as a whole. There are better ways to improve the NDOC drug problem that do not negatively affect those incarcerated and their loved ones. Please do not take action on the revision of AR 750. Thank you.
- Good morning. My name is Sabrina Torres. I am a founding member of a local print company here in Las Vegas, Nevada and I'm also an advocate for Return Strong. I found numerous articles on prison mail restrictions in different states throughout the United States and there is minimal if any compelling evidence that strict mail restrictions will reduce the amount of contraband that is brought into any given facility. The Legislative Finance Committee in New Mexico did an in-depth report on restrictions imposed on personal mail for inmates and according to their findings there was no evidence to support that restrictions on mail have decreased drugs being smuggled into their facilities. The report actually shows that the rate of positive drug tests rose from 2 to 3.7 percent. New Mexico is not the only state that has not had much success in trying to limit contraband being found in their facilities after implementing strict mail restrictions. Pennsylvania was one of the first states to implement scanning personal mail and the Pennsylvania Department of Corrections found that 0.7 percent of incoming prisoner male was tainted with drugs in

August of 2018. This was before implementing their program. Since implementing their program, the rate as of July 2019 was 0.6. This begs the question if research is being done and contraband is still getting into facilities, what is the basis of this mail restriction? Please, do research and please do not take action on AR 750 today. Thank you.

- Hello, good morning, members of the Board and Governor. My name is Mark Bettencourt. I'm here this morning as a Board member of Return Strong. I'm also here as the campaign director for the Nevada Coalition Against the Death Penalty and as a son of two formerly incarcerated parents. I will keep this brief. We are here today to not only present our personal stories and the impact that AR 750 would have and mean, the trauma it would force these families and for the incarcerated individuals to go through, but we are also presenting substantial evidence as to why AR 750 does not make sense and why this policy will not produce the desired results that we are all seeking. We can all agree that we have the safety and security and the well-being of not only incarcerated folks, but correctional officers and staff in these prisons and jails. We want that just as much as you all do but we also know that, and what we've seen what we've just heard, is that this is not going to actually produce those results. And so, we're here asking you not to ban color drawings from children so that parents can look over them. We are asking you to consider this and to make a data- and evidence-based decision around this policy and obviously the rest of the arguments that we've expressed today. I will spare you reiterating them but please, we humbly urge you and plead for you not to pass and not to take action today on AR 750. Thank you.
- Good morning, Governor. Morning board. My name is Chris Cavello. I will not go over all the other details that have been expressed here several times this morning, but I do want to point out a couple things. Some other states have introduced similar mail policies only to find that they are ineffective. Courts have already called out these mail practices in Portland, Oregon and Santa Clara County, California. Barriers to communication via the mail is dehumanizing and causes greater hardship for incarcerated individuals as well as our communities. The Department of Corrections should be encouraging family and community contact as part of our public safety and the humane treatment of those that are incarcerated. I would have read the whole letter that I wrote here but I do want to reiterate to you, Governor what Jodi Hocking brought up because I felt the same way. I felt horrible when Miss Duna was up here pouring her heart out, for her emotional trauma what she and her family are going through. And I did witness the same thing that Miss Hocking did, I think it's very disrespectful. As humans we need to listen and we need to pay attention to what some of these families are saying because it is very hurtful, it's hard for us to go through. That's all I had to say. Thank you, Governor. We look forward to your re-election and seeing you at more Aces games. Thank you.
- Hello. My name is Sonia Williams and as the shirt represents, I was Returned Strong. For the five years that Eric was alive in your prison system, just about every time he called, Eric would ask Jacelyn, our daughter, to write him a letter. But anybody who has ever had before school-aged children can agree that Eric was asking for Jacelyn to draw him a picture. Very young children are only able to express themselves on paper, by picking that perfect color to color the brightest sun or the prettiest flower. The only way Eric knew how Jacelyn's day was, was because of the colors she used. He watched her grow through her artworks. Jacelyn self-created portraits of her all dressed up on her first day of school or when she lost her first tooth. When I retrieved Eric's property from High Desert after he had died, as my daughter and I went through it, whoever had packed up Eric's cell kept Eric's collage of Jacelyn's artwork and photos from his wall together, gently folded it as to not destroy what Eric had created. When Jacelyn pulled out the bundle, she looked at me and said, "Mama look, my daddy loved me most out of everybody. Look at all my pictures he had." And she was happy for just that few minutes. I think about Eric's last few moments alive taking his last breaths. I

guarantee you he was looking at that collage of color photos taken or created by his little girl. Now NDOC wants to take those moments away from families. From the children of the incarcerated. This change is too important to make on a rush decision and NDOC may have planned for this for two years, we know it was in process for a year and a half or a year and a half ago and then the implementation stopped. They should have brought it to the table for public comment before now. They already began implementing it in August before public comment and before the BoPC heard it. That is wrong. Please do not take action today. We know all we can do is give feedback on it but there are a lot of people who are upset and stressed and angry and confused about these changes. Not just what the change is but how it will be how it will change things and how it will be put into practice. Please do not take action until NDOC is able to clearly communicate regarding the policy and answer the questions that people have because right now they are unprepared to do so.

- Mercedes Maharis for the record. Good morning, Commissioners. It's good to see you again and I'm not going to replay everything about the mail ban and confiscation, they've said it beautifully and we support this not going forward, please. In addition, we have other issues on the agenda coming up and I wanted to make sure that medical is number one. I have some pictures that I hope that you received, Governor, about the expired food being served. 2010 expiration on pretzels being served in July. There's millions of dollars, of course as we know, going through the budget and I'd like to know why we have to have improper clothing for our prisoners. It's terrible for getting around to wear these shoes that a man wrote us and said, "I tried to get boots to shovel snow at Ely, but the Officer said, 'Sorry, you're s[inaudible] out of luck.'" So, let's take some of those millions of dollars and please put decent clothing on people. It's a miracle that he didn't get frostbite. More medical problems that we don't need especially since it seems that everything leads to court. All roads lead to court if we want to get anything changed and that's so sad and wrong. Please. Now, this person is in federal court right now and the medical treatment that he did not receive, well I'm surprised he hasn't committed suicide. I don't know what to say about it other than it's inhuman. And I know that your heart is open to humanity in general, so please, let's do better with medical. Or we can send our prisoners home under house arrest, put electronic monitoring on them so that they can at least have a chance and they can be respected. As far as mental health, yes, we would all have mental health problems if we had to deal with this daily and not have peroxide, bandages, and have to beg for them. I know that your heart is open about this please help us. [3 minutes reached] Ok, thank you. Peace for all.
- Good morning, my name is Frederic Vonseydewitz. It is a pleasure to see you again, Governor, and Director it is a pleasure to see you again. If you don't remember, I met you both at graduations for Hope for Prisoners. I won't reiterate what Return Strong has said here, they've said it very well. I will point out though that time, and time and time again, the United States Supreme Court has struck down a ban on the internet. They have said, and I quote, "The internet is synonymous with information. It is impossible to live without it," and I dare say not one of you can say otherwise to that. It is the only way they get information about case law and in a lot of ways it's the only information they get at all in there. And yet you want to put a ban on it. It's in there, I mean you can shrug your eyes if you like but I'd be happy to read you where it's in there [inaudible, microphone was muted as pointed out by Governor Sisolak] sorry about that sorry. I, okay G publications page 8, pamphlets and anything copied off the internet will be rejected with the exception of pamphlets received through religious services. Anything off the internet will be rejected. Why? I would dare say you all know Jon Ponder. He's sat at this table, the CEO of Hope for Prisoners. When you write Hope for Prisoners as a prisoner, of which I was one for a decade, they send back a pamphlet of information to you. With you now banning or wanting to ban pamphlets I dare say that information is no longer available to them. Alright the Colorado prison system tried to ban the internet, it got reversed. Texas tried to ban the internet, it got

reversed. Alright the funny thing is, this is a picture of the Encyclopedia Britannica on a town in Switzerland. I can't send that to anybody, but I can actually take the Encyclopedia Britannica and make a photocopy of the page its on and send it to him [3 minutes reached] thank you. I won't go on any further. I'm happy to talk with anybody if they'd like to but the fact remains what you're doing is wrong. The AR 750 regarding inmate communications is 13 pages long the AR that ensures [inaudible].

Governor Sisolak: Closed agenda item number 2 Public Comment and moved on to item number 3.

3. Acceptance and Approval of Minutes – April 28, 2022

Action: A motion to approve the minutes was made. Motion passed; minutes approved.

Governor Sisolak: Moved on to item number 4.

4. Director Daniels – Comments & Update - *Charles Daniels, Director, Nevada Department of Corrections – (for discussion only)*

Good morning, Governor Sisolak and Secretary Cegavske. For the record, my name is Charles Daniels, Director Nevada Department of Corrections. The Nevada Department of Corrections remains committed to the health and safety of its employees, offenders and volunteers. To begin with, I will address concerns regarding NDOC's revision to mail processing procedures covered in Administrative Regulation 750. Portions of the language used to contest proposed modifications is inaccurate. The agency is not banning offender mail. For instance, NDOC is not banning photographs, inmate advisory newsletters, verifiable publications, newspapers, or personal correspondence other than greeting cards. To the contrary, we are attempting to foster a safer environment by eliminating dangerous contraband being introduced through the mail. As long as the procedures are adhered to by the senders, each recipient will receive the allowable amount of mail outlined in the regulation. Modifications to AR 750 will result in more expedient mail processing and mitigate the amount of contraband entering our secure facilities.

As a reminder, the Board of Prison Commissioners meeting announcements are posted in accordance with NRS 241.

In the interest of time, NDOC will not present information related to Medical (agenda item 5), Prison Industries (agenda item 9), Human Resources (agenda item 10) and the Inspector General's Office (agenda item 11) although their division leadership is available to answer any questions.

Governor, at this time I will turn over the update to Bill Gittere, Deputy Director of Operations.

(Agenda item 5 was vacated by Director Daniels during item 4)

6. Nevada Department of Corrections Operations Update – *William "Bill" Gittere, Deputy Director Operations – (for discussion only)*

Good morning. For the record, my name is Bill Gittere, Deputy Director of Operations for NDOC. In this past quarter our trend of net staffing losses continued. In the North, our average custody vacancy rate is nearly two and a half times higher than the South. Extremely high levels of overtime made it prudent to move more offenders south, further modify staffing patterns, and further limiting offender activities. In the South, we were able to overcome our vacancy rate with moderate to high levels of overtime and ran our institutions at mostly normal operations. Going forward, a concern is that we may not be able to safely stretch our staffing much farther without additional reductions in offender activities across the state.

In addition, I would like to add some context to a comment about contraband mail. If we assume VERA's report to be accurate that only 1% of mail contains contraband, for NDOC that means tens of thousands of pieces of mail per year enter our facilities. Regarding childrens' drawings, they can still be sent in as color photographs which is allowed. Paragraph G of 750 refers to pamphlets, not copies of pages from websites sent in as a part of a letter. This is still allowed as long as printed in black or blue on white paper.

Governor, at this time I will turn over the update to Brian Williams, Deputy Director of Programs.

7. Nevada Department of Corrections Programs Update – *Brian E. Williams, Sr., Deputy Director Programs – (for discussion only)*

Good morning, Governor Sisolak and Secretary Cegavske. For the record, my name is Brian E. Williams, Sr., Deputy Director of Programs for the Nevada Department of Corrections. The Programs Division is pleased to announce that ALL programs are operational. However, due to critical staff vacancies throughout the state they are not fully functional. All other programs are fully functional and have been actively recruiting offenders, volunteers, and community providers to participate in the various programs offered within NDOC. The programs division has begun utilizing distance learning in the education department, and will soon offer similar classes in Re-Entry, which allow us to impact more offenders in both our major facilities and camps.

In closing, we understand the challenges our department faces as we strive to ensure offenders have the necessary skills and abilities to achieve success upon their release. However, as we work towards bringing our mission to fruition, I would like to solicit the support of our legislators in providing the necessary resources and staff to accomplish that mission. With your help and support, NDOC and the state of Nevada will become a safer and more productive society for everyone.

Lastly, comments were made as it relates to the internet inside our facilities. I would just like to announce that AR 143 will be submitted to the next BOP meeting which will allow internet access inside of our facilities in addition to computer labs at each one of our facilities moving forward.

Governor, at this time I would like to turn the updates over to Deputy Director Lisa Lucas of Support Services.

8. Nevada Department of Corrections Support Services Update – *Lisa Lucas, Deputy Director Support Services – (for discussion only)*

Good morning, Governor Sisolak and Secretary Cegavske. For the record, my name is Lisa Lucas, Deputy Director of Support Services for the Department.

This fall, we will begin working with the Office of Science, Innovation and Technology on the Telehealth in Rural Nevada project RFP. This project originated earlier this year; however, it was postponed in an effort to add more State agencies to the project which resulted in better pricing for all involved.

This completes my Support Services update and if there are no questions, I will turn it back over to Director Daniels.

Director Daniels: Deferred to Acting Assistant to the Director Ronald Oliver who moved on to item number 12.

(Agenda items 9, 10, and 11 were vacated by Director Daniels during item 4)

12. Administrative Regulations presented to the Board of Prison Commissioners for discussion and possible action.

Governor Sisolak: Governor conferred with Secretary of State Cegavske and agreed all Administrative Regulations would be presented before discussion and possible action.

- Administrative Regulation 140 “Organization of Management Information System Section” Temporary Edition
 - Exhibits 12a & 12b
- Administrative Regulation 141 “Information Technology Standards, Controls and Security” Temporary Edition
 - Exhibits 13a & 13b
- Administrative Regulation 421 “Prison Rape Elimination Act” Temporary Edition
 - Exhibits 14a & 14b
- Administrative Regulation 509 “Protective Housing” Temporary Edition
 - Exhibits 15a & 15b
- Administrative Regulation 521 “Custody Categories and Criteria” Temporary Edition
 - Exhibits 16a & 16b
- Administrative Regulation 568 “Inmate Review of Departmental Records” Temporary Edition
 - Exhibits 17a & 17b
- Administrative Regulation 606 “Use of Inmate Workers in Health Care” Temporary Edition
 - Exhibits 18a & 18b
- Administrative Regulation 645 “Suicide Prevention” Temporary Edition
 - Exhibits 19a & 19b
- Administrative Regulation 658 “Reasonable Accommodation for Offenders with Disabilities” Temporary Edition
 - Exhibits 20a & 20b
- Administrative Regulation 750 “Offender General Correspondence and Mail” Temporary Edition
 - Exhibits 21a & 21b

Secretary Cegavske: Raised concerns and asked for clarification on AR 750. She asked why children’s drawings would be limited to blue and black ink and could not appear on the outside of an envelope.

Governor Sisolak: Raised similar concerns and asked for additional information or evidence from other jurisdictions that the changes proposed to AR 750 actually work.

Deputy Director Gittere: Explained how drugs are submitted through the mail and the potential impact on offenders and Department staff should the attempt be successful. He explained that anyone can mimic a child’s drawing and use that as an opportunity to introduce contraband.

Director Daniels: Further explained how the introduction of contraband occurs; through the mail, through the visiting room, and through compromised staff. He stated there are measures in place for each method, but some things get

through and the Department needs to improve and evolve those measures. There has been no discussion by the Department to eliminate mail.

Governor Sisolak: Requests additional dialogue to occur with ACLU, Return Strong, and anyone else who might be interested in participating. He has concerns on the mental health aspect for offenders and would like to know if there is a less invasive or egregious method available.

Secretary Cegavske: Indicated she feels the requested updates to AR 750 are necessary; however, agrees with Governor that more discussion is needed.

Governor Sisolak: Motion made to approve all other Administrative Regulations (140, 141, 421, 509, 521, 568, 606, 645, and 658), motion passed. AR 750 to be revisited at a later date once additional information is gathered including alternative options.

20. Public Comment (2nd Period) Comments on any item (3 minutes).

Las Vegas:

- Morning, Board. Governor. Secretary. My name is David Toliver, and I could be considered friends and family of an incarcerated person as of about five months ago; however, I'm also a military veteran, Henderson PD retiree ending as a Lieutenant of 10 years in the Corrections Division, and a 27-year career. And I've completed and been through an incredible program through the National Institute of Corrections as an Executive Excellence Program and I'm still holding on to my Certified Jail Manager through American Jail Association, but it will eventually expire because I'm no longer an LEO. So, my mission today is simple, in three minutes, I did send an email to the Board so that it could have the details and the exactness of my issues that I brought up. But it has four elements, one visitation: the visitation computer program as noted in my email and my letter with details is 100% horribly misrepresenting the available visitation appointments. So, for example, as of last night they're still offering an 11 o'clock visitation when there's no such thing as an 11 o'clock. And as you see my letter that I have submitted, it goes into further detail. I've now visited five times, one day a week. Extremely angry visitors. But on the flip side, the officers are kind of getting frustrated because they're kind of trying to explain something outside of their purview of IT issues and computer programming and insights. So obviously the inmates are going to suffer from that because I've seen and witnessed people be turned away because they thought they had a visit, and they didn't. Or they signed up for something that wasn't real. So, my next point to discuss is the vetting of visitors and I will go specific. My fiancée wrote a bad check in 2004 and therefore she's a felon but never reported on a week or yearly basis where she lives she wasn't arrested but for that one charge in 2004, writing a bad check. I'm trying to find out how that is jeopardizing the safety and security of the facility, the inmates, the officers doing bad things, etc., when in fact her imprint in society from 2004 until today is very well thought out in the letter that I submitted in my email. Third: follow-up. All I can ask for as a Lieutenant myself, retired, follow-up is tough when you have a litany of things that are brought to your attention; from the Mayor; from the Chief, etc. All I ask is that we raise the bar as best we can on follow-up because five weeks ago is when I brought it up. I've sent an email, we have faxed information, and if it wasn't for my incidental conversation with Associate Warden Bean, I would have basically felt that I got zero feedback, and no one cares. But that's what is not the facts I get, but that's the perception that one can get. [3 minutes reached] My last point would be that the officer/staff you have one end incredibly helpful, and you have one that's horrible and dismissive and that's [name omitted as Governor stated he did not want to get into personnel issues in this setting] in one of the offices. I do want to leave one comment, lack of information, incorrect information, can often render horrible decisions or limited results decisions even two great decisions so I appreciate your time.

- Governor Sisolak, this is Jodi Hocking from Return Strong. We would like to just ask in this process and discussion of AR 750 and those revisions there's two things. One, that was actually implemented in some facilities prior to having your approval and so there are families who have been getting mail sent back already. Some of them sitting in your room, some of them sitting here that we weren't even notified of the change yet and spent money on cards and mail and they all got sent back. So, we just want to make sure that while that's on hold, that the policy that mail isn't being returned to people. And then the other thing is we would ask for like data. What is, who are, like not who are the bad players, but what percentage. We can look up what happened in New Mexico, they tell you how many pieces of mail were scanned how many pieces were contaminated. And then after they implemented the change, what that actually ended up. I've like become a groupie of Victoria Gonzalez and like looking at what the data really is. So more than just coming to a meeting and saying there are bad players, its prison, of course there are bad players. But what is the percentage of that bad players in order to justify these changes, or going to electronic, or whatever is going to happen. Thank you.
- Mercedes Maharis. Nevada chaplain and silver-haired legislative forum senate District 3. I did not get to say anything about the AR 645 on suicides, but I did put in my extensive report, the data on suicides that we have that has virtually stopped. And I would like for us to be totally transparent so that we know who is really dying and why, [AR] 645 suicide prevention, can we please have 988 crisis lines in each facility? I don't know what their suicide prevention is because it wasn't put on the internet. And I didn't have the time. We have to send in a public information form now to get what the supporting materials are for these meetings and so it's not there. But if 988 is for everybody else in Nevada, and we don't have crisis lines and we certainly are unable to staff now with mental health in prisons. Isn't that discrimination? So, we need the 988 crisis lines as part of the [AR] 645 Suicide Prevention. Please make that a reality. It's not a difficult thing to do. As to the people dying, I have put here photos. Photos are worth a thousand words, you know. And I have put a little memory group of photos for those who have died. And I hope that you will look at their faces. Many are young. Now from 1905 to 2000 we only had 49 suicides in our system, only 49. It's spiking now in two years and NDOC Public Information has not sent us our request for update of all suicides between 2000 - 2007. I did have some numbers there but it's spiking. And its young people, unfortunately. Governor, young people in their 30s. Taking your own life and saying that you'd rather be dead than spend another day in prison is inhumane. So please, look at their faces. These are the ones in the last two years, so I believe it's around 13. But did you know that there's no central repository now? [3 minutes reached] For information about the suicides we have to call each county to the coroner. Please make a repository for all suicides.

Governor Sisolak: Asked for any public comment in Carson City, there were none.

Secretary Cegavske: Secretary voiced concerns regarding the timeliness of meeting materials and lack of division reports. After the meeting, the Executive Assistant for Nevada Department of Corrections contacted the Secretary of State's office for clarification and resolutions were discussed going forward.

Governor Sisolak: Governor moved on to item number 21, adjournment.

21. Adjournment: The meeting was adjourned at 11:29 a.m.

APPROVED THIS 17th DAY, MONTH OF October , IN THE YEAR 2022

GOVERNOR STEVE SISOLAK

SECRETARY OF STATE BARBARA K. CEGAVSKE

ATTORNEY GENERAL AARON D. FORD

Transcribed by D. Madsen, Executive Assistant, Nevada Department of Corrections