

CCR
Meet.
306
V. 3

NEVADA STATE ADVISORY COMMITTEE

to the

UNITED STATES COMMISSION ON CIVIL RIGHTS

Open Meeting

on the

NEVADA STATE PAROLE SYSTEM

VOLUME III

July 20, 1974

MORNING SESSION

BOULEY, SCHLESINGER, PROFITT and DICURTI

OFFICIAL COURT REPORTERS

187 North Church Avenue

Tucson, Arizona

CCR
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Meet.
306
v.3

NEVADA STATE ADVISORY COMMITTEE
to the
UNITED STATES COMMISSION ON CIVIL RIGHTS

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1 VOLUME III

2 July 20, 1974

3 9:00 a.m.

4
5 THE CHAIRMAN: Good morning, Ladies and Gentlemen.
6 I'm Woodrow Wilson, Chairman of the Nevada State
7 Advisory Committee of the United States Commission on
8 Civil Rights.

9 At this time we will reconvene our open meeting on
10 the state, Nevada State Parole System.

11 We are asking Annette Duframe and Clyde Ibsen to
12 come forward at this time.

13 MR. ROMERO: Would you both state your names, please,
14 for the record?

15 MS. DUFRAME: My name is Annette Duframe.

16 MR. IBSEN: Clyde Ibsen.

17

18

19

20

MR. CLYDE IBSEN

21

22 Q. (By Mr. Romero) Mr. Ibsen, is it?

23 A. (By Mr. Ibsen) Ibsen, yes, sir.

24 Q. When were you granted parole?

25 A. May of this -- May, 1974.

1 Q May, '74?

2 A Yes, sir.

3 Q How many times have you been up before the parole
4 board?

5 A This was my third time.

6 Q Third time?

7 A Yes, sir.

8 Q It was on your third time or after your third time
9 that you got released?

10 A Yes, sir.

11 Q How long was your sentence?

12 A Ten to 20 years.

13 Q Ten to 20.

14 And you were paroled after how many years?

15 A After nine years.

16 Q After nine years.

17 May I ask what your sentence was?

18 A Well, ten to 20 years was my sentence.

19 Q Well, pardon me, what the -- what you were sent up
20 for?

21 A Second degree murder.

22 Q Did you change your program from the time of the
23 last board denial and the time your parole was granted?

24 A No.

25 Actually, I brought less this last time to the parole

1 board than I did my other times. I had two other programs
2 on my previous occasion and this time I only brought one
3 program and I was released.

4 Q. What was it that you changed?

5 A. The location of the area of the country I would live
6 in and work in.

7 Q. You were working where and --

8 A. Well, I had proposed that I would go back to New
9 Jersey or remain in the State of Nevada other times and this
10 time it was just staying -- to stay in the State of Nevada.

11 Q. Mr. Ibsen, would you speak closer into the ~~micro~~ mike?

12 Did you need to have a job on the outside ready when
13 you were paroled?

14 A. That was a condition upon approval of the program
15 to be released I had to have a program approved, but I did
16 have one that was, when I went before the board I did
17 bring a program as a state employee.

18 Q. What do you do now, if I may ask?

19 A. I computer program for department of motor vehicles.

20 Q. Computer program? Did you learn a trade in the
21 institution?

22 A. Yes, I did.

23 Q. How does the prison staff assist you -- how did they
24 assist you, if they assisted you, in finding a job?

25 A. In finding a job?

1 Q Right.

2 A The prison staff didn't. It was really all my own
3 doing, I think. After I learned to program, I worked
4 for the department of motor vehicles for five years as an
5 inmate programmer and through the contacts, you know,
6 everyday talking and everything, they offered me the
7 position upon my release and the staff didn't really inter-
8 vene at all.

9 Q Did you find any difficulties, say when you first
10 came on?

11 A No. I think it was -- I was fortunate in the fact
12 that I had worked with the same people for the period of
13 five years and they -- and I had worked downtown for the last
14 six months from October 1st until I was released, I worked
15 as an inmate programmer on the -- what they call the
16 capital crew from the prison, which meant every day, Monday
17 through Friday, I would go downtown to work from 8:00 to
18 4:00, and, you know, working with the people it was just
19 a transition like moving from apartment to apartment.

20 There was no problem at all.

21 Q When you were paroled, you didn't find adjusting
22 to the normal, quote, unquote, way of living outside the
23 institution, did you?

24 A Fortunately, I didn't find really any problem. There
25 was a few things, you know, I didn't feel that I was looked

1 at or had a number stamped across my forehead or anything,
2 no, I think I adjusted fairly easy and rapid.

3 Q And when you were paroled, you were given the normal
4 \$50.00?

5 A No, I was given \$25.00.

6 Q Twenty-five dollars. Did you owe anybody money or
7 what?

8 A No, but I had, during the past, you know, nine years
9 that I worked in the prison, I worked leather and I had
10 accumulated quite a few thousand dollars on my own and I ---
11 was financially, they said no we're not going to give you
12 50, we're going to give you \$25.00.

13 Q When were you given your first paycheck as an employee?

14 A Pardon me?

15 Q When were you given the first paycheck, immediately
16 soon after working or two weeks later or --

17 A Well, we're paid bimonthly and it was the first
18 pay period that ended after I got out, actually, when I
19 got out I was given permission to return to New Jersey
20 to see my people and I didn't work the full pay period.

21 So my first paycheck was two weeks after I started,
22 but it was only for four days.

23 Q Has the parole board been in contact with you since
24 you've been out on parole?

25 A The parole officers have. Not the --

1 Q But the parole board have not?

2 A No, sir.

3 Q Have you been in contact with the parole board?

4 A No, sir.

5 MR. ROMERO: Thank you, I have no further questions.

6 Q (By Ms. Johnson) Mr. Ibsen, were you, before your
7 parole, were you allowed to see any of your referral
8 reports to the board, ever?

9 A No, I wasn't.

10 Q Did you ever ask about any portion of it?

11 A Yes, I had.

12 Q And did they read it to you or --

13 A No, they didn't.

14 Q Nothing?

15 A No.

16 Q What did they tell you about it?

17 A They told me when I did ask, I had gotten favorable
18 recommendation from the prison but other than that,
19 there was nothing else said about it.

20 Q When you were denied parole, were you given any
21 reasons for the denial?

22 A No, no.

23 Q Did you ask about reasons?

24 A Not the parole board, because you don't know that
25 you're being denied until after you leave the board room,

1 of course, and I asked the prison staff what the reasons
2 were and there was no explanation.

3 Q What did they say?

4 A They didn't know. that was all.

5 Q Do you happen to know whether you were recommended
6 by the institution?

7 A I understand I was on two occasions, this last
8 time and the time before that, I understand I was, but I --

9 Q The time before you were denied parole?

10 A Yes, sir.

11 Q Who told you that you were recommended?

12 A One of the staff officers at the prison, I don't
13 know.

14 MS. JOHNSON: Thank you.

15 THE CHAIRMAN: Anyone else have a question of the
16 witness?

17 Q (By the Chairman) Sir, I heard in testimony yes-
18 terday to one of the parolees that prior to entering
19 a debt situation, you had to get written permission from
20 your parole officer or the parole board. Have you had
21 any occasion to know if this is a fact or if this was
22 a condition of parole?

23 A I understand -- Mr. Wilson, I understand, from my
24 own personal parole officer told me that if I wanted to buy
25 a car, I would have to get his permission, of course, a

1 vehicle. And that he would suggest that I didn't go over-
2 board and get into a contract such as that, you know, where
3 I would be paying enormous payments monthly or anything.

4 He never told me that I couldn't, and in fact, on
5 the parole report that I have to submit each month, there
6 is a place, did I enter into any contracts.

7 And I have, I bought furniture, I paid about 75%
8 down because I wanted to establish credit and I asked,
9 you know, if I could, but he has never given me any hassle
10 about that and they've given me a free rein, more or less,
11 to purchase things on credit if that be the case.

12 Q But he did tell you it was a condition of parole
13 that if you were going to buy an automobile, to notify
14 him first?

15 A A vehicle, yes, get permission first and then I
16 would also have to have insurance, you know, first and
17 everything, all that paper work done first.

18 Q How often do you see your parole officer?

19 A Well, for the first month it was once each week he
20 asked me if I would come in once each week, and after
21 that it would be once a month.

22 Q Approximately once a month now?

23 A Yes, sir.

24 Q Are you able to make contact with him, do you have
25 his address or phone number or the address by which you

1 can contact him in case of an emergency?

2 A Yes, I do. Not his home phone, just the office
3 phone. Just the office phone.

4 Q (By Mr. Romero) Mr. Ibsen, one more question.

5 Yesterday Mr. Wright of the parole board referred
6 to the inmates as boys and girls. When you go -- have gone
7 before the board, is this basically the way they treat
8 you, as boys and girls? Or men and women?

9 A I felt, from my own personal feelings behind it,
10 that I was just being treated as another number. They
11 asked me irrelevant questions, did I have a family, what
12 my program was, everything that was before them in my
13 package, you know, they asked me nothing that was relevant
14 to my case. They didn't review my incarceration, you
15 know, the period I was incarcerated, my conduct, whether
16 it would be bad or good, no, they asked me three relevant
17 questions and one of the questions was, he said, I see
18 from the psychiatrist's report that your hands sweat a
19 lot, and I said yes, well, they're sweating now and that
20 was the extent of the questions on my last appearance.

21 MR. ROMERO: Thank you.

22 Q (By the Chairman) Was a condition of employment,
23 where you're working, is that you had to provide exfelon
24 card or have you registered as an exfelon to -- in this
25 county?

1 A. Upon my release, the day we're released, from the
2 prison, my parole officer took me to the sheriff's department
3 in Carson City and we registered there.

4 And then, because I'm living in Reno now, I was
5 taken -- I had to go to the Reno City Police Department and
6 register as an exfelon.

7 Q. And register there?

8 A. Yes, sir, I registered both places.

9 Q. Do you carry an exfelon card?

10 A. Two.

11 Q. Two exfelon cards, each registration you have a
12 card for?

13 A. Yes, sir.

14 MS. STANOVIK: I have a question.

15 Q. (By Ms. Stanovik) Do you carry those cards because
16 you want to or because you have to?

17 A. Probably because of my own convenience, there's
18 nothing on the card that says this must be in my possession,
19 as long as I've registered I don't know there's any rule
20 that I have to carry them.

21 Q. (By Ms. DeLuca) Mr. Ibsen, what is your attitude
22 about the fact that your parole officer is, I believe, a
23 law enforcement officer also, isn't he?

24 A. Pardon me?

25 Q. Your parole officer, what is your attitude about

1 your parole officer's different roles in regard to you,
2 as a person who you're supposed to be helped by, confide
3 in and also that he is one that could, if you broke the
4 rules, lead to a further incarceration. Do you have any
5 particular attitudes about the ^orules he's in?

6 A. No. Fortunately, the person that is my parole
7 officer has been really, you know, terrific, has a good
8 attitude toward me. He knows -- I have a good job and I'm
9 -- I had enough money fortunately, you know, that if I
10 needed stuff I could afford it.

11 And I haven't been in any situation where I've
12 really needed his assistance, as, you know, as far as any
13 problems. I just went about getting permission to get a
14 vehicle and when I went to leave the state and visit my
15 parents back home, everything had gone well.

16 Now, I've only been out a short time, you know, a
17 month or so, a month and a week, so I really don't know,
18 you know, over the next year when I come up with a problem
19 or anything what their attitude will be.

20 Well, I've just been transferred from the Carson
21 City office to the Reno office now, my case -- because I
22 live in Reno, and my parole officer con -- the Reno parole
23 officer contacted me yesterday by phone, just to say that
24 he was my new officer and that if I had any problems to
25 contact him. And that he would see me at the end of the

1 month. That's it.

2 Q In terms of the phone, Mr. Wilson asked you about,
3 being able to contact him by phone, you said that -- if
4 it were after hours, after 5:00 o'clock, would you be
5 able to contact him then or not?

6 A Well, with the new parole officer I don't know, I
7 really haven't spoken to him, but a minute on the phone.

8 The other one, of course I knew where he lived and
9 he never said I couldn't call him at home. But I did have
10 his business card from his -- from his office.

11 And to tell you the truth, it might be on -- his
12 home phone might be on there as well. But he told me that
13 I could approach him at any time if I ever had any problems
14 to contact him immediately. If I needed his assistance.

15 Q If you were to make any suggestions for changes
16 in the way the parole system operates, what suggestions
17 would you make?

18 A The parole system or while you're incarcerated, the
19 parole board or the system.

20 Q How the parole board operates, for example, and how
21 it is being a parolee and rules and regulations?

22 A My own -- of course, I really don't know that much
23 about the parole system outside yet. But going to the
24 board I had the feeling you were never being treated as an
25 individual, it was a mass load of cases, all right? The

1 prison saw you first and they made up their recommendations.
2 And then you went into the parole board room and three
3 irrelevant or four irrelevant questions were asked, you
4 know, do you have a family. Which all -- they've all
5 that information all the time.

6 And then you're allowed to say something and you
7 didn't know what to say. You were never asked anything
8 that was important or -- of course, I can only relate my
9 own condition.

10 I was never asked, you know, what I accomplished
11 during the past nine years, and I went in and I walked out
12 feeling, -- I went in, you know, optimistically, and came
13 out pessimistically, because of the attitude of the board
14 the way I felt and especially this last time, I knew I
15 had a good program going in, and the questions they asked
16 were just so far out of line as far as I was concerned.

17 I walked out and said, well, I didn't make parole,
18 but I would have topped out at the end of the year, so I
19 just kind of adjusted to that.

20 The same day. And that night I was probably the most
21 surprised person when I found out I did make a parole
22 because there was nothing that was asked indicating that I
23 would make a parole. You don't know what to look for.

24 If they just want time, is that all they want, or
25 do they want you to bring a program to them? Because each,

1 on my other occurrences, I brought them a good program as
2 a programmer, I would be making good money and so apparently
3 it was my own conclusion that I was doing that much time
4 because they wanted retribution, you know.

5 As far as time is concerned, nothing else, behavior
6 or anything else, and you don't know what they're looking
7 for. And so I went in 1970, I was denied for two years,
8 I didn't know why. I never found out why.

9 In '72, the same thing, I was denied for two years,
10 never found out why, and -- except that I had to do the
11 time. And that's what I would --

12 MS. DELUCA: Thank you very much.

13 THE CHAIRMAN: Any other questions?

14 Q (By Ms. Johnson) Would you say, Mr. Ibsen, that that's
15 a usual circumstance for a prisoner to have a good job to
16 go to and money and a car and that sort of thing?

17 A No, definitely not.

18 Q How unusual would you say that it was?

19 A Probably it's 99 to one the other way, you know.

20 Very -- few people walk out with sufficient funds to meet
21 their needs, the immediate needs, very few people are able
22 to walk out into a well-paying job, you know, an established
23 job.

24 I had been fortunate enough to have fallen into it.
25 I don't know, recidivism seems too great, you know, and I

1 don't know why. I would assume it's because of these two
2 particular reasons, there's no money, a person walks out,
3 you know, there's a joke out there that the gate money
4 has been moved up because the price of pistols has gone
5 up, you know, and it's not \$25.00 anymore.

6 But financially there are a lot of, you know, you
7 have to buy a whole set of clothing, and that runs a
8 couple hundred dollars.

9 If you're rooming, you go out, well, they have that
10 Motel 6, that's supposed to be \$6.00 a night, it's \$6.95
11 a night, you know, they get it as close to \$7.00 as they
12 can, so everything -- and we've never had any orientation
13 period about the cost of living out here, you know, and
14 of course, the cost of living out at the prison's sky high
15 too, but it's -- but we were never indoctrinated as far
16 as rents and our needs out here.

17 There was never any classes for that and any prepara-
18 tion for the outside.

19 Q In keeping with that, what about the vocational
20 programs there? Are there possibly some discrepancies in
21 the way, in the equipment and the time period, say in the
22 auto body shop and that sort of thing, that you have to
23 do while you're there, you have plenty of time to do this
24 kind of thing, but say if you had a job outside, you know
25 you have an hour to do a valve job or you know, two hours

1 to do a brake lining or something, is there a transition?
2 Is there any kind of transitional training to tell you the
3 difference, differences that you're going to run into
4 on the outside?

5 Instead of things you've been living with and
6 trained for?

7 A I can only answer for myself. You know, the auto
8 body I don't know how they're prepared. I would assume
9 the facilities are there, whether they are enforced by the
10 vocational officer or taken advantage of by the inmates
11 themselves, I don't know.

12 In my own application, there was no -- my work re-
13 mained the same, probably I've done less work as a civilian
14 employee than I have when I was an inmate programmer, you
15 know. And there was no transitional adjustment or
16 nothing more expected from me.

17 And probably nothing less expected from me than
18 when I was an inmate programmer.

19 Q Would you say that there are a lot of prisoners who
20 go out with just that \$50.00? Or whatever?

21 A Are there a lot? Of prisoners that leave with just
22 the \$50.00? I would say yes. I don't know. I would say
23 yes.

24 MS. JOHNSON: Thank you.

25 THE CHAIRMAN: Any other?

1 MS. LYNCH: I have a question.

2 A. But in fairness, could I add this? Fairness?

3 The opportunity is there too, where you can make
4 money. You have to sell your blood, but you can make,
5 you know, maybe \$40.00 more a month. You can work leather,
6 you know, which I did and which is, of course the way I
7 built up my own finances, the -- there are a few oppor-
8 tunities to make money illegally in the prison, and whether
9 or not a person takes advantage of it, of course, is the
10 own individual's own attitude.

11 But I would say the greater percentage of the
12 inmates that leave just leave with maybe a few dollars
13 more than that \$50.00.

14 Q (By Ms. Lynch) I believe one of the conditions of
15 your parole is that you can not associate with other
16 parolees. Do you think this is a good policy, do you
17 think it would be helpful to be able to talk to other
18 parolees about their problems on the outside, or how do you
19 feel about this?

20 A. I -- I really don't know how to answer that for
21 that fact, because I think it's again up to the individual
22 how they're going to act.

23 If you're going to hang around, you know, and you
24 haven't got a job, you know, and you're not selfsufficient
25 and you're going to -- whether it be narcotics or armed robbery

1 or whatever you're going to do, if you're in the environment
2 where you're not doing anything constructive, I think
3 you're going to lapse, you know, and you're going to
4 either pull an armed robbery or go into a bank or a burglary,
5 you know, burglarize something.

6 I think it's all up to the individual. I don't
7 know whether it's a good rule or a bad rule. I know that
8 when I got out, of course I had made some friends during
9 the past five years that I was able to go to but every-
10 body's not that fortunate, and have association with people
11 on the outside.

12 And the greatest majority aren't that fortunate,
13 all right? And who else do you know? But the people that
14 you've been living with for the past nine years, if you
15 don't -- so you have to make new friends and who wants to
16 stay home and look at four walls, you know?

17 And I don't think it's a really a particularly good
18 rule, but again, I don't know it's a bad rule for that
19 situation.

20 I can remember one instance of a person that is out
21 in the prison now, and I know I'm not supposed to use names,
22 but he was in for a murder beef and he was in quite a few
23 years and got out and he was only a youngster when he
24 went in, you know, 17, 18 years old, and when he got out
25 he didn't know anybody but exfelons. You know. And he was

1 violated for association and so forth.

2 But -- and I don't think it was a good rule there.
3 If that was the extent of the violation. If there was
4 more involved, then of course, I don't know. But I think
5 a person needs friends when you get out, and whether
6 they be exfelons or what, you know, you do need friends.

7 Q Do you think something along the lines of a halfway
8 house would be helpful?

9 A If they used it at the appropriate time, you
10 can't, you know, the longer you keep a person in prison
11 you say okay, a halfway house in my case, I wouldn't
12 have wanted to go to a halfway house once I made parole
13 because financially I could afford to get on out. I didn't
14 want any responsibility there. But if you get out, say
15 you're going to go up to the parole board in a year and
16 they started using that halfway house then, you know, and
17 this work release program, somehow involved, intermingled
18 the two, the work release and the halfway house that would
19 be a great idea, you know, and I think it would work and
20 you're going to have a percentage of people that, you know,
21 regardless of what you do that are going to hurt the
22 program.

23 But the majority of the people are going to help it,
24 you know, and I think by the combination of the two it
25 would be a great thing.

1 But before a guy, you know, goes to the board and
2 makes a parole, once that happens, you know, the person
3 doesn't even want it, you know, he wants to get out of
4 a penitentiary.

5 MS. LYNCH: Thank you.

6 THE CHAIRMAN: Any other questions of this witness?
7 Thank you.

8

9

10

MS. ANNETTE DUFRAME

11

12 Q (By Ms. DeLuca) Ms. Duframe, let's see, your sen-
13 tence was a five-year sentence --

14 A (By Ms. Duframe) Right.

15 Q And you served two years, right?

16 A Right.

17 Q What was the offense?

18 A Uttering a forged instrument, forged check.

19 Q When were you granted parole?

20 A I was released June 14th.

21 Q Of this year?

22 How many times had you been before the parole board?

23 A That was the second time.

24 Q Did you change your program between the time of the
25 last board denial and the time that your parole was granted?

1 A Yes. It was changed, the first time I was planning
2 to go to school and the second time I just forgot that.

3 The second time I felt like I was going to make it
4 because I had enough time. You know. First time, the
5 whole year I went to school and did, you know, just did
6 the things the parole board looks at but they wanted the
7 time.

8 Q Did you have a job in the outside ready before you
9 were paroled?

10 A Yes.

11 Q Is this preferred by the prison officials, that
12 you have a job?

13 A Well, I know that I would not want to go before
14 them without a job. You know, I just, I really wouldn't.
15 And the past couple of months I've been hearing that parole
16 and probation is supposed to help people get jobs and help
17 people with their programs, because, you know, when you
18 go to the board you have to have a program.

19 And yet, you know, how are you going to get one
20 together when you're sitting in there?

21 And I've been hearing that parole and probation
22 are supposed to help people do this, but in the two years
23 I was there I saw not one case of it.

24 You know. My job came through Rebound and I just --
25 and I don't know, you know, how I would have gotten one

1 without rebound.

2 Q So the prison staff did not assist you at all in
3 finding a job?

4 A No. Prison staff, no.

5 Q And the difficulties you found getting a job would
6 be, well, for example, being inside a prison and not --

7 A Sure.

8 Q -- anything else?

9 A You know, you write a letter to an employer and you're
10 in prison, you know, you're asking for the job and you
11 say, you know, hopefully or maybe or something, I'll be
12 released on this date, you know, and I'm not sure after
13 that when, you know, I'll be able to be on the job.

14 You know. Because you never know what day you're
15 getting out.

16 Yes, it's hard.

17 Q At the time you were paroled, you had been in
18 prison two years?

19 A Two.

20 Q Did the prison give you any counseling on adjusting
21 to life outside the prison?

22 A No.

23 Q Nothing at all.

24 How much money were you given when you were released?

25 A I was given \$50.00 and I had about \$50.00 on the book,

1 so I came out with about \$100.00.

2 Q When were you given your first paycheck from your
3 employer?

4 A Two weeks after my release. I was fortunate also,
5 I had one friend in Reno who I was able to move in with and
6 live with. I got out on a Friday and Saturday morning I
7 went to look at apartments and I just really got depressed,
8 you know. It's -- like deposit and all that, you know,
9 it's impossible. You know.

10 Q Would you describe your present financial
11 situation? How things are right now?

12 A Well, I've been out a month, I've had two paychecks
13 and I, you know, I want to move into my own place but
14 financially, I am not able to do anything but stay where
15 I'm at. You know.

16 I can't do it. I can't -- I can't -- I'm not making
17 enough money to maintain my own house, so I -- I'm going
18 to have to get a roommate or something to share expenses
19 because I can't do it alone.

20 I'm just not making enough money.

21 Q Where are you working, what type of job are you
22 doing?

23 A I'm a saleslady of Baum (P) materials, it's a home
24 improvement center.

25 Q What is your educational background?

1 A I got a GED when I was in the prison.

2 Q Did the parole department officials assist you in
3 locating housing or transportation or anything?

4 A No, no. They don't do that.

5 Q Are there any halfway houses or residential houses
6 available to parolees in Reno?

7 A No. And you know, like Clyde said, he would not,
8 in his own case, would not like to go to a halfway house,
9 you know, and I can understand. You know, Clyde is one
10 of the very few, you know, that was, you know, as fortunate
11 as he is.

12 But there are some people coming out of there who
13 do not have any place to go to, they absolutely do not
14 have a place to go to. And a halfway house for someone
15 like that, you know, I've seen people come out of there and
16 they didn't know where they were going to sleep that night.

17 And a halfway house for someone like that would be
18 good.

19 Q Okay.

20 Are you able to discuss anything with other parolees
21 like the manner in which you each confront your problems
22 on the outside?

23 A Well, there is a rule that we are not supposed to
24 associate, you know, but since I've been out I've been
25 associating. You know, I feel like if -- if we are just

1 getting together, you know, out of -- you know, just needing
2 someone to talk to, you know, someone to be with, you
3 know, then I feel like it's a good thing and, you know,
4 and I don't feel -- I don't feel scared about it, you
5 know, that I'm going to get violated or anything because
6 as long as I'm not doing anything, you know, to get violated
7 for, I feel okay. And I think it's a good thing.

8 Because some people do come out of there and they
9 know no one except the people there. And you get very
10 lonely, you feel very disoriented when you get out, you
11 know, it's all these loose ends, you know, and you're
12 really -- you just have to get yourself together and, you
13 know --

14 Q. Do you feel it might be helpful even to go to the
15 point of having, for instance, the rule would have to be
16 changed by having group sessions of parolees so they
17 can really sit and rap together and get some kind of
18 support groups together?

19 A. Yes, I think it's good, you know, for a certain --
20 for certain people. You know. The people who are out
21 there messing up, you know, we just want to come and
22 associate and, you know, just to talk over prison or
23 something I don't like that, but, yes, I think it's good
24 for, you know, people who are really trying to make it
25 and who have similar problems.

1 Q How often do you see your parole officer, on the
2 average?

3 A I saw her once a week for the first two or three
4 weeks, and on the third week I called her and she said that
5 I should see her once a month. So, once a month. See,
6 I've only been out about a month.

7 Q Were you given any information by the prison staff
8 or the department of parole and probation, about the kind
9 of assistance your parole officer could give you?

10 A No.

11 You know, they just -- no, not from the prison
12 staff, no. My parole officer said to me that she would
13 like to see me make it, and that she's there if I need her
14 help. But you know, I'm just -- I don't know if I had
15 maybe a certain kind of problem that I would go to her.
16 I think maybe I would be afraid. You know, I'm not --
17 I'm just not really sure, you know, what role, you
18 know, like is she there to help me, or you know, like if
19 I do something, I go to her she's going to bust me, you
20 know, so I can't go to her if I'm doing something wrong.

21 Q So you see a real conflict in her roles?

22 A Yes, yes, I do. You know. And I don't know if all
23 people have this fear, but I mean -- I just, I kind of have
24 a fear, a distrust, I guess you'd call it.

25 Q So, it might make it difficult for you to really go

1 to her for help --

2 A Yes, and it's something she has done, you know, it's
3 not her personally, you know, because the contact I've
4 had with her has been good. But it's, you know, and it
5 just wouldn't matter who it was.

6 You know, it's the authority figure, I think. And
7 I think I've had an authority problem for a whole lot of
8 years, you know.

9 Q Do you think it would be helpful to have counseling
10 services set up for parolees outside the prison?

11 A Yes.

12 Q Aside from what a parole officer is supposed to be?

13 A Yes, like maybe teaching us how to budget our money
14 or something, you know, the cost of living is fantastic.
15 You know. We're just really not prepared for it. You
16 know, unless someone -- unless a parolee has some help
17 out here there's no way he's going to make it, unless he
18 has -- unless he's selfsufficient upon release or has some
19 help out here, you know, I don't know how he could make it.

20 Q One of the standard parole conditions requires that
21 you have to have written permission before you can go into
22 debt or engage in business, is that right?

23 A Yes, but I had no experience on that.

24 Q Were you ever told what was meant by engaging in
25 business?

1 A. No, no, no, when the rules were read they were
2 the -- you know, they were just read. No detail.

3 Q. How do you go about getting your parole officer's
4 permission when you need permission?

5 A. Well, I -- I would just call her and ask her, I
6 guess.

7 Q. Is there a parole policy that requires written per-
8 mission within a specified area?

9 A. I think so, I think you need written permission to
10 go out of state, and things like that. Or -- yes, I
11 think you should have written permission.

12 Q. Or is it for every request or just certain ones?

13 A. I'm sorry, I don't know.

14 Q. Do parolees, I guess parolees have to register as
15 exfelons, right?

16 A. Yes.

17 Q. When did you register?

18 A. The day I got out.

19 Q. Did you get an exfelon card at the time?

20 A. Yes.

21 Q. And do you carry it?

22 A. Yes. I do carry it. Somewhere, somewhere I was
23 told that I must have it in my possession at all times.

24 You know, I --

25 Q. You don't remember who told you, what agency told you

1 that?

2 A No. And it was not -- it was not, since I've been
3 out of prison, no one told me this time, but when I came
4 to Nevada about five or six years ago I registered as an
5 exfelon from California, and at that time someone told me
6 and I do not know who.

7 Q If an emergency came up after business hours, and
8 holidays, would you be able to reach your parole officer?

9 A Well, I could probably -- I could probably get
10 her home phone number from the telephone book and I know
11 a girl who came out the same time I did and I know she
12 called her at her home. So, you know, I don't know why.

13 Q Have you generally been given the impression,
14 though, that you're supposed to call from 8:00 to 5:00?

15 MS. DELUCA: That's all I have.

16 THE CHAIRMAN: Anyone else have any questions?

17 MR. ROMERO: Yes, I do.

18 Q (By Mr. Romero) You know, of course, that there
19 are no other counseling services, at least by the parole
20 board and probation, other than your parole officer.

21 Have you ever seeked counseling from anybody else?

22 A No. No. In the prison or out of the prison, no
23 counseling.

24 Q What are some of the things that perhaps you could
25 recommend to the parole board to improve the parolee's life

1 on the outside?

2 A. Well, I feel like we need a halfway house, I feel
3 like we need more people working to get prisoners jobs upon
4 release. There's only one organization that does it,
5 and I feel like that organization is not staffed, you know,
6 they don't -- there's just so many people and they just
7 don't have the time. There's only so much they can do.

8 Q. Who is that organization?

9 A. Rebound. There is vocational rehab. who will send you
10 to school and they will pay you so much money while you
11 go to school. I think that's what Mary Grant was talking
12 about yesterday and the \$62.00 a week going to beauty
13 school.

14 They will do that. And like in my case, vocational
15 rehab. said that what they could do for me was pay my
16 rent for a month and I said fine, that would really help me,
17 but at the last minute the man quit, did not follow through,
18 and so I came out here and -- so I was getting out with
19 no place to live and Rebound, at the last minute, found me
20 a place to live.

21 Q. So, because of an administrative fault, as far as
22 one of the state agencies is concerned, you would have
23 suffered a personal --

24 A. Sure, yes. Yes.

25 Q. Tell me, have you been in contact or has the parole

1 board, the board itself, been in contact with you?

2 A Oh, no. We have no contact with the board, you know,
3 we see them once a year, or whatever, you know, when we sit
4 in front of them and when we leave the room, no, we have no
5 contact with the parole board at all.

6 Q Right.

7 Do you feel that perhaps it would behoove some of
8 the inmates -- pardon me, the parolees to once in a while
9 get in contact with the parole board to advise them of your
10 personal lives on the outside, how you are adjusting or how
11 you may not be adjusting. What can or can not be done to
12 improve the situation? Do you think they would do or care?

13 A No.

14 You know, that is not the parole board's function, you
15 know, they --

16 Q What is the parole board's function?

17 A They sit in judgment on us, they go through our
18 record, they see all this stuff on black and white and if --
19 you know, and I don't know how they feel like they're
20 qualified to tell us if we're ready to leave the prison or
21 not when they know nothing about it except our rap sheets.

22 You know, they rely heavily on our back records. And
23 I don't think what you do in the prison has anything to do
24 with it, that's the way I feel.

25 I had no writeups, you know, and I went to school and

1 did everything that I could and when I got the year dump
2 I felt like I had not done enough time, that's all.

3 Q Yesterday --

4 A And --

5 Q -- yesterday, Mr. Wright referred to some of the
6 cases that he, himself, said that he made snap decisions,
7 in essence. Saying, or drawing a parallel to the bank
8 for whom he works. Saying that --

9 A Yes.

10 Q -- that he makes, you know, very, you know, snap
11 decisions.

12 Do you feel that this is justice toward the --

13 A Oh, I think it's a lousy thing.

14 Q What do you think the parole board should do when
15 an inmate comes before the board?

16 Do you think they should allow more time, attorney
17 representation, perhaps one of your vocational counselors
18 to be with you?

19 A I think a counselor who's worked with you, yes, I
20 think that's a good idea.

21 Q What about the time?

22 A Time?

23 Q Right. I mean --

24 A I think they give too much time.

25 Q They give too much time?

1 A Yes, you know, the statutes say that we have to do
2 one-fourth of our time, you know, but very few people do
3 one-fourth. You know. And I don't understand, I feel
4 too much time is so detrimental and by the time they let
5 you out you're so bitter, you know, and I just -- I feel
6 like too much time hurts, that's all.

7 Q Well, actually I'm glad you went into that, but by
8 time I meant when you're inside the -- before the parole
9 board, supposedly they give you 15 minutes, is this
10 sufficient? To present your case?

11 A Yes. I think so. In most cases, yes. I think so
12 in most cases.

13 Q That includes the first time you're up for parole?

14 A What is it?

15 Q That would include the first time you are up for
16 parole?

17 A Yes.

18 Q You wouldn't think that --

19 A They've got -- they've got your whole life history
20 in front of them and I feel like they should review those,
21 you know, before they're there.

22 Q In your opinion is the -- this whole life history
23 that you say that they have before them, is it really your
24 total, whole life history or is it just segments, you
25 know, of your life?

1 For example, some of the inmates were complaining,
2 in essence, yesterday, that, okay, they were picked up when
3 they were 17 on possession, yet they were never, you know,
4 found guilty. So I'm asking you, do they really have the
5 whole story before them or do you think that maybe they
6 should really get down to some brass tacks and then really
7 find out from the inmate, hey, you were picked up on this
8 charge, what happened?

9 A Yes, I think that would be a good idea, except, you
10 know, they -- I don't -- and there you would need more
11 time. In that, you know, I feel like that's a good idea
12 but they don't, they read it and they don't really care,
13 they just see all these charges, you know.

14 I -- I feel like we do need a full time board be-
15 cause I -- my own personal feeling is that once every two
16 months they run down here and get it over with as fast as
17 they can, I don't feel like they have any real feeling
18 or -- I don't even understand why they do it, you know,
19 my own personal feeling.

20 Q Yesterday Mr. Phillips of the parole board, made a
21 comment about coming down to the level of the people --

22 A Yes.

23 Q -- and not be able to communicate. Do you feel that
24 perhaps he also attempts to come down to the level of,
25 you know, people who have no language problem but because of

1 the fact that perhaps they're inmates --

2 A Oh, yes.

3 Q -- there may be a feeling, say among members of the
4 parole board of superiority, whatever?

5 A Oh, I'm sure they have that feeling. I am sure
6 they don't feel on the same level with us.

7 Q Have they ever given you absolute reason for this?

8 A No, I'm so scared every time I go in there I just
9 don't --

10 Q How many people do you know of that went before the
11 parole board the first time, got paroled the first time?

12 A Let me see, in the two years I was there, about
13 four, I think.

14 Q Four in two years?

15 A Yes.

16 Q And you said you got paroled the second time you
17 went?

18 A Right.

19 Q What was, if I may ask, the reason for you being
20 incarcerated?

21 A A check and uttering, which is the passing of a
22 check.

23 Q And you were given five years for that?

24 A Yes. It was not the check, it was just, you know,
25 there was like a small check, but it was my back record and

1 I knew I was going to go to prison, because I have, you
2 know, I have a record.

3 MR. ROMERO: I have no further questions.

4 Q. (By Ms. Johnson) Do you think that you could sit
5 down and talk freely with the members of the parole board
6 about your feelings and have them understand and would you
7 feel -- how would you feel about sitting for a half an
8 hour or so, talking to the present members of the parole
9 board?

10 A. Maybe in a social atmosphere. You know, like the
11 way we had to go before them, no, I wouldn't even want to.

12 Q. Do you think most prisoners share that feeling?

13 Yesterday they mentioned that they thought it was
14 enough time because nobody ever said anything to them, do
15 you think one of the reasons is that prisoners are nervous --

16 A. Because they're all-powerful.

17 Q. And they have the feeling that I'm superior and --

18 A. Sure.

19 Q. -- and know what you're talking about?

20 A. That's my reason.

21 Q. Do you remember some of the questions or comments
22 that were asked or made by the parole board members at
23 the time of your appearances?

24 A. One remark made, I was going to take two classes
25 at the university, my first program, and one of the members

1 said, "Don't you think you're a little old to be going to
2 the university?" I thought that was kind of strange.

3 Q How did you feel about that? Did they laugh or did
4 they --

5 A No, he was --

6 Q They were dead serious?

7 A No, he looked like he was dead serious, yes.

8 Q Did you reply to that?

9 A I -- yes, I said, "No, I don't feel like I'm too old".

10 Q Do you think that that feeling of them not caring,
11 being superior, is shared by a lot of --

12 A Oh, yes, yes.

13 Q How do you think most of the women feel about
14 only -- I understand that women are generally -- generally
15 have women parole officers.

16 Do you think that in general, women prisoners feel
17 like that's a good thing to just be assigned to women
18 parole officers?

19 A No. I think that most -- I think most women would
20 like to have a man parole officer.

21 Q Do you know any women that are assigned to male
22 parole officers?

23 A No, I do not.

24 Q Do you know the reason why women are assigned women
25 parole officers?

1 A No, I don't.

2 Q What do you think are the biggest -- what are the
3 biggest problems that you see with being on parole?

4 A Well, first of all, just making the adjustment, you
5 know, like I was talking about being disoriented, but that
6 doesn't usually take too long. I think financial, trans-
7 portation, Reno does not, you know, have a good trans-
8 portation system. There's one girl here in Carson City,
9 who can not afford birth control pills, does not have
10 transportation to get to Reno to get them, you know, she's
11 working daily and it's -- you know, like she's having a
12 hassle over something like that, you know, which is im-
13 portant to a woman.

14 And I think -- I think financial, transportation is --

15 Q How do you get back and -- do you have a car?

16 A No.

17 Q How do you get -- do most prisoners have cars?

18 A No.

19 Q How do you get back and forth to work and other
20 prisoners, generally, how do they get back and forth if
21 they don't have a car?

22 A Well, the person I live with takes me to work and
23 then, usually I can find someone at work to bring me home
24 or someone will come and pick me up, but it's really a
25 hassle. You know, you, a lot of times people will have to try

1 to get within walking distance of their job.

2 You know, and that's hard sometimes. A lot of times.

3 Q Were you made -- have you been made aware of the
4 parolee's loan fund?

5 A No. The first day out, my parole officer did ask
6 me if I had enough money, you know, if I -- there was any-
7 thing I needed, and I said to her, no, because, you know,
8 I did have a few dollars.

9 Q But I mean as a part of your orientation or --

10 A No, no. There is no real orientation, you know,
11 an orientation, there is not.

12 MS. JOHNSON: Thank you.

13 MS. STANOVIK: I have one question.

14 Q (By Ms. Stanovik) What do you feel is -- when you go
15 before the parole board, what do you feel is the general
16 attitude of the members of the parole board towards inmates?

17 A Oh, just -- just -- I feel like Clyde said, just
18 another number, just another case down here, you know.

19 It's just look and see what they've done now, what
20 they've done in the past, and do they have enough time,
21 and I feel like enough time is just really important to
22 them.

23 Q Do you personally think that -- well, we were given
24 figures yesterday on the large number of inmates who are
25 between the ages of 21 and 30, I believe it was, in other

1 words, a lot of the inmates are quite young. And consider-
2 ing the age of most of the members of the parole board,
3 do you think the age makes any difference?

4 I guess my question is do you feel their attitude
5 might be different if there were some younger members on
6 the board?

7 A. Possibly, yes. Because I -- you know, I don't think
8 that the parole board members could -- I don't think they
9 can even begin to relate with the inmates who come before
10 them, you know.

11 Cultural or otherwise, any way, I don't think they
12 can relate to them, not really relate, you know, to one.

13 MS. STANOVIK: That's all.

14 THE CHAIRMAN: Thank you.

15 Q. (By Mr. Scott) I wanted to ask you a question, do
16 you know all the charges that's against you as a matter
17 of record?

18 I'd like to ask either, both this question, or
19 all three.

20 A. No, we really don't know. The last, when my counselor
21 was taking my board report, this last time, I glanced down
22 at my rap sheet and here's a mail theft, six years, NSP.
23 Now, I -- I never received a sentence like that. On this
24 charge they booked me on a mail theft and uttering because
25 the mail theft was stolen from a federal mail truck or some-

1 thing. But 13 days after they booked me they dropped that
2 mail theft. And on my rap sheet, you know, it says mail
3 theft, disposition, Nevada State Prison, six years.

4 See, that is not even correct. I didn't even know
5 that was on there. I don't know where it came from. You
6 know, what it means, and yet it's there. I just happened
7 to glance down at it. And --

8 Q Okay. Then how did you become to know this? I
9 mean how were you made aware of this?

10 A My counselor was taking my board report, doing my
11 board report for my last board and she had my rap sheet
12 there and I just happened to glance down and I saw this on
13 my rap sheet.

14 Q Let me ask you, Robert, are you aware of all the
15 charges that's of record against you?

16 A No, I feel like, as Annette said, that the only
17 way you can find out, you know, is to sneak a glance at
18 your rap sheet, because they don't like to show you your
19 C file, what they call your C file up there, they won't
20 show you anything in there, whether it's good or bad.
21 And you don't know anything that's written about you, or wa
22 whether it was valid or not, you know, you're going to have
23 to, you know, -- while he's writing something, take a look
24 at it, you know, they won't tell you, in my case they never
25 have.

1 Q I'm sorry I mispronounced your name.

2 The reason I raise this question, because we of the
3 agency work with getting job opportunities for persons
4 with records as well as other hard-to-place people. And
5 this is something that I was running into, and of course,
6 we have become aware of the fact that persons have records
7 in order to help the employer to convince him that he should
8 hire people with records, but here's what I ran up against
9 pretty often, and of course, I kind of shy away from this
10 subject.

11 I went to a particular employer for a person for a
12 job, that person told me they had two charges against them.
13 I told the employer what the charges was, he checked out and
14 he come back at me saying, look-a-here, they got a list
15 this long, what do you mean by that?

16 So, I wondered what this means to you when you go
17 out and try to get a job when you apply and say I got two
18 charges or I got three charges against me and that employer
19 calls up and finds out you got seven, eight more charges that
20 you're not aware of.

21 This is why I wanted to ask the question, I didn't
22 want to go into an elaboration, but I just want to know
23 what to --

24 A I have -- personally, we feel that the person, if
25 you've been busted, you know, eight times, you know each bust

1 that you've gotten, and I think you're trying to hide
2 it when you're on your application rather than not remember
3 or not know that you have these charges.

4 As far as righteous bust. If the person, if a pro-
5 spective employer were to write to the prison and ask for
6 attitude, how does this person get along with other people,
7 you have -- you don't know what the prison's going to write
8 back because you're never made aware of what the prison
9 thinks of you.

10 All right? They can say that, well, we gave you a
11 favorable report at the parole board, you don't -- you
12 have to take their word that that is what they gave you,
13 because you have no written proof, you never see their
14 report, you don't know what's said about you at all. You
15 can have a bum beef in the joint, you know, what they call
16 bum beef, you know, a silent beef, you know, they think that
17 you've done something and maybe you're not, but maybe you
18 are, maybe you're not involved in it, but if they feel you
19 are, they can write that up and you have no way of even
20 knowing that's being sent to the parole board, you know.

21 You're not allowed to see any of your file. They
22 just keep that from you. That's their property and that's
23 the way it's going to remain, I guess.

24 Q How do you explain this when you go for a job,
25 looking for jobs?

1 A You can't. You either have to lie or -- or not get
2 the job.

3 Q What about banking and how the account is handled
4 and that kind of thing, like money, you earn money and
5 so forth, how is that handled, out, I mean when you're out?
6 Are you allowed bank accounts or --

7 A Yes. I'll tell you -- when I first opened my account,
8 I had money on the books and I decided that the money was
9 being kept in the bank by the prison, they were getting the
10 interest, I said, well, that's my money, I want the interest,
11 you know, so I wrote to the warden at the time and he gave
12 me permission to open a savings account, which I did, at
13 a local bank. And I started getting six and three-quarters
14 percent or whatever it was, you know, instead of the prison.

15 And it didn't amount to a great deal of money, but
16 it was a little extra.

17 They -- there was no encouragement by the prison to
18 have -- to get you off in savings, I bought a few savings
19 bonds and so forth, but that was only because I wanted to,
20 there's no encouragement, there's no orientation period,
21 where they tell you how to save your money, what to do,
22 you know, where's a good place, where the best interest
23 rates are doing, there's no -- but if you do ask to put
24 your money in the bank, there's no exclusion from it.
25 They'll let you do it.

1 MR. SCOTT: That's all the questions I have.

2 THE CHAIRMAN: At this time I would like to intro-
3 duce another witness, Mr. Robert DeClaybrook, and prior to
4 starting his questioning, we have a question by Ms.
5 Johnson of the Committee, to all of the witnesses.

6 Q (By Ms. Johnson) Yesterday during testimony, Mr.
7 Phillips mentioned one of the reasons that they don't show
8 the prisoners their file, don't let them see any of the
9 recommendations or what's in their files, is that very
10 often their file contains derogatory -- things that are
11 derogatory and he said that he felt, one, that he wouldn't
12 want to make the prisoner ashamed, and two, that they
13 might get really upset and they wouldn't want to do that,
14 either, and I'm wondering if, from each of you I can have
15 a comment on that?

16 A (By Ms. Duframe) I feel like we should, you know,
17 I feel like we should be told what's in there, derogatory
18 or not. That is one of the things that frustrated me more
19 than anything else, was the secrecy in which the whole
20 prison operates. The prison board, the prison staff, you
21 know, everything is top secret and it really frustrated me.

22 Q Do you think that you would have been so upset that
23 you might have done something if you'd have seen some of
24 the records?

25 A No, no.

1 MR. ROBERT DECLAYBROOK

2
3 A (By Mr. DeClaybrook) I would just like to add this
4 to what Annette's saying, that I don't think those reports
5 you're referring to, Donny, are altogether correct. I
6 mean there could be a lot of errors in there, you know,
7 a long stick made of, say, we'll say a sex crime or some-
8 thing like this, that understandably a guy would probably
9 be ashamed of, but there's a lot of reports that have been
10 gathered during the course of his trial or since he's been
11 arrested and reports from this agency and that agency and
12 this person and that, doesn't mean this person is true,
13 they don't show it to you and you never see it, you never
14 have a chance to deny these things and that might follow
15 you for the rest of their life.

16 So, I know there are some things denied in that
17 nature, but they've made mistakes in my records.

18 Q And do you feel that it would make you highly upset?

19 A It could, sure.

20 Q What do you think you would do if you were upset?

21 A It depends on the nature of it, I don't know, it de-
22 pends on where my head was at right then.

23 Q But you think it would bother you?

24 A Sure.

25 Q To be advised?

1 A. I would want to be advised, yes.

2 A. (By Mr. Ibsen) I think that's, for a parole board
3 member to make a statement like that is really a foolish
4 philosophy. I think that regardless of what you've done
5 in your life, if you are made aware of your failings and
6 your good points, you can improve on your failings, to hide
7 it from you and say, well, you're going to be embarrassed,
8 well, I thought that was what prison was for, to be re-
9 habilitated, you know, make you aware of your shortcomings.

10 I think that's a foolish philosophy, and I couldn't
11 see anybody with any responsibility making a statement
12 like that. But if you don't -- if you know what you're
13 doing wrong, if you're -- you have an attitude problem,
14 you're being denied a year or two years, why not make the
15 person aware of it?

16 You're not embarrassing, you're helping him. Make
17 him aware of his problems. And this is what I think
18 prison is for.

19 I don't -- aside from doing time, you know.

20 Q. Do you think it would upset you to the point that
21 you might do something destructive if you found something
22 derogatory in your file?

23 A. If I saw that an officer or guard or one of the staff
24 wrote something derogatory about me?

25 Q. We never really got around what the derogatory things

1 were.

2 A. No, was that the question? Would I do something to
3 a guard who may have written something derogatory?

4 Q. Any kind of destructive behavior?

5 A. It's possible, you know, I don't feel I would have.
6 I try to feel that I'm mature enough to accept, you know,
7 criticism, hopefully I am. I don't think I would have --
8 done anything violent. I may have disliked this person
9 for it, you know, but if -- I don't think I would have
10 done anything in a violent nature in retribution, no.

11 Q. Okay, thank you.

12 Do you think that's a feeling shared by prisoners?

13 A. Would you say that again, please?

14 Q. Do you think that's a feeling that's shared generally
15 by prisoners?

16 A. Of course people want to know what's wrong, why
17 aren't they getting out, you know? Sure they want to know.
18 A 100%, I think.

19 Q. (By Ms. DeLuca) Would you state your name for the
20 record, please?

21 A. Robert DeClaybrook.

22 Q. How long was your sentence?

23 A. Four years.

24 Q. And what was the offense?

25 A. Unlawful use of credit cards.

1 Q When were you granted parole?

2 A February -- oh, I'm sorry, September 12, 1973.

3 Q How many times had you been before the parole board
4 before you were accepted?

5 A Just once prior to my release.

6 Q Did you change your program between the time, the
7 last board denial and the time you were released?

8 A No, I didn't. I continued the same program that I
9 had.

10 Q Exactly the same?

11 A Yes.

12 Q Did you have a job on the outside ready for you when
13 you were paroled?

14 A Yes, I did.

15 Q Are you employed right now?

16 A Yes, I am.

17 Q What job is it?

18 A Barnes' Home Improvement Center.

19 Q Did you find the prison staff helpful at all in
20 finding a job?

21 A None whatsoever.

22 Q What difficulties did you find in finding a job?

23 A Well, I had had outside help, you know, if I hadn't
24 had outside help I wouldn't have been able to secure a job,
25 there's no way possible that you can have it done inside.

1 The counselors in there, I guess, are -- they're
2 supposed to be responsible for trying to help you get a job,
3 you know, it's more or less up to yourself, you know,
4 they tell you, well, write somewhere and get the job
5 yourself, you know.

6 If you write to get the job, I don't think it would
7 be very successful, you know. You'd be laying over a long
8 time, it would take you about three or four months or six
9 months maybe, or something like that; or longer, you might
10 not be satisfied with the job.

11 Q You had been in prison how long, then, before you
12 were paroled?

13 A About 18 months.

14 Q Did the prison give you any counseling on adjusting
15 to life outside?

16 A Not this particular institution, where I was incar-
17 cerated in max. security, they just don't have any facilities
18 or any setup there like that.

19 Q How much money were you given when you were re-
20 leased?

21 A Fifty dollars.

22 Q When did you receive your first paycheck?

23 A About, approximately two weeks after I started working.

24 Q Did they help you, the prison officials help you
25 locate housing or transportation?

1 A No, again this was another outside agency, Rebound.

2 Q Are there any -- okay.

3 Do you have a chance to talk with other parolees
4 about things that are happening to you on the outside,
5 you know --

6 A You mean since I've been released?

7 Q Yes.

8 A Oh, yes.

9 Q Do you find this to be helpful to be able to rap-
10 with them about the same -- problems you're having or any-
11 thing like that?

12 A Extremely helpful, yes.

13 Q Is there a rule against this?

14 A Yes, there is.

15 Q How, on the average, how often have you seen your
16 parole officer?

17 A Well, in my particular case, not very often.

18 Q Can you kind of give us some estimate of --

19 A Oh, it's been a few months.

20 Q Since, like every few months?

21 A Well, I take -- no, excuse me, I did see him about
22 three days ago.

23 Q But generally, it's a few months before you see him
24 again?

25 A Oh, yes.

1 Q Were you informed before you left prison about how,
2 what the duties of the parole officer were, how he could
3 help you and so forth?

4 A Just in a very general form.

5 Q Can you recall what kind -- what they said?

6 A Well, it's not so much the verbal thing, we have
7 what they call a rules and regulations, this is read to
8 us, and if someone in the group, the group I'm speaking
9 of, this is parolees, people who have already been granted
10 parole, and we have what they call a preparole class. I
11 think you might have one or two before you're released.

12 And at this time someone from the probation, parole
13 department in Carson City comes over to the institution,
14 gathers the people up in a place we have called the cave,
15 in a corner in max. and generally runs through the rules
16 and generally asks, you know, who's got a job, are you
17 going out-of-state, they'll tell you it will take a
18 little longer to get out, maybe 90 days, if you don't have
19 a job, so you know, it's indefinite, and some of the fellows
20 might ask questions, you know. Several questions. But
21 it's very, very general.

22 Q Do you think it would be helpful to have counseling
23 services on the outside for parolees other than the parole
24 officers?

25 A Something should be set up, yes.

1 Q Why?

2 A Well, quite frankly, the job is just not being done
3 through the parole department. In my case, in my particular
4 case I'm not having any trouble really, with the parole
5 department, we get along all right, my particular parole
6 officer and the parole department, but there are other
7 cases that I'm aware of, you know, that are pretty tragic.

8 Q One of the conditions of parole or one of the
9 standards appears to be that you have to have written
10 permission before you can engage in debt or get -- or get
11 into debt or get into business, is that right?

12 A This is true

13 Q Did they ever tell you, anyone ever tell you what
14 they meant by engaging in business?

15 A No. No, that's never been qualified.

16 Q How do you go about obtaining your parole officer's
17 permission for things to do, over the phone, visually or
18 do you --

19 A Yes, that's one way, or going to the office and see
20 him personally and ask him, it's just a verbal thing, you
21 know, like well, sir, I'd like to buy a car, I've enough
22 money saved up to buy a car. I don't know exactly what I'm
23 going to get, I'm going to go shopping around. Well, okay,
24 when you get the car, let me know. You know, some of it goes
25 along that vein.

1 Q Is there a parole condition that says you have to
2 have written permission?

3 A Yes, we're advised to have written permission.

4 Q Is it specified that you can get verbal permission?

5 A I can't answer that because I'm not sure of the
6 length of time.

7 Q Do parolees have to register as exfelons?

8 A Yes.

9 Q Are they required to carry a card by law or -- first
10 of all, do you carry a card? An exfelon card?

11 A Well, I don't carry it all the time, I'm not sup-
12 posed to, I don't like to carry it so I don't carry it.

13 Q All right.

14 Do you have the understanding that you're -- I
15 mean actually required to?

16 A Yes, we're supposed to carry it.

17 Q Who told you that?

18 A This comes directly, I think, from the parole
19 officer. I'm not sure, however, if it's at the institution
20 before you're released or -- I was thinking back and I
21 think you're informed of this by the parole officer.

22 Q If an emergency came up, after business hours, do
23 you have any way of contacting your parole officer?

24 A No. Not unless he would give you his home phone
25 number.

1 Q And did your parole officer do this?

2 A No.

3 Q So it's your understanding you're supposed to con-
4 tact him between 8:00 and 5:00, I suppose?

5 A Those are the hours, yes, 8:00 to 5:00.

6 Q Okay, then, could you sort of generally say what
7 suggestions you would have in terms of altering the
8 parole, the whole parole system, like at the time you go
9 before the parole board and then include the time when you're
10 paroled and afterwards? Are there any kinds of things
11 you would change if you had the power to do so, to help
12 the parolee?

13 A Quite extensively. It would take a little thought.
14 We're getting at the parole hearing, I believe that they
15 should be more specific in their parole hearing. I mean
16 depending on, you know, whatever your case is that they're
17 hearing at the time, to let a guy know that at least he is
18 improving.

19 Say, for instance, a guy's got a five-year sentence
20 and he knows he's eligible to get out in, we'll say two
21 years to two and a half years, and he works at it real hard.
22 But he doesn't make it. And he doesn't know why he doesn't
23 make it because he's doing everything he thinks is possible
24 to get out.

25 But yet, when you go in front of the board, you're

1 denied again. And this kind of messes up your head, you
2 know, because you really tried and you can't really under-
3 stand what it is, you know.

4 They won't tell you. You don't know what you're
5 supposed to do. You did everything, you've taken every-
6 thing that's available that you think, you know, for the
7 selfhelp -- selfhelp course, and every other thing that's
8 available there at the institution, and you haven't had any
9 beefs, you haven't had any trouble, you've been what they
10 call a model prisoner and yet you're denied again.

11 But yet, you see other guys that are constantly going
12 to the hole, constantly getting in trouble, and they might
13 make their first board or second board.

14 You know. This is one of the main things, this is
15 really messing people's heads up there, you know, because
16 no one explains this to you.

17 You can't get this information from your counselor,
18 like what is it? What do they want? It's easy to think
19 that, well, Jesus, maybe they want to get the whole five
20 years, I guess it's just time, time, that's all everybody
21 else sees at the institution, that's all they want, is
22 time, just time.

23 So they set the parole more or less, it doesn't do
24 any good, then, you got all the side beefs against you
25 and you got these things that you were talking about earlier,

1 that are in your jacket that you're not aware of, you know.
2 So, it's kind of around and around. It's sort of treads
3 along, most of the guys do, and just wait for the parole
4 board and till your time runs out.

5 Usually, what I've seen in Carson City, the people
6 that do get released are people who are just about finished
7 up with their time, you know. I mean they don't release
8 people, we'll say, on a five-year sentence, in a year or
9 year and a half. They like to -- it's just about up, they'll
10 get out.

11 Q Do you see any conflict between the role your
12 parole officer is supposed to play, of possibly being in-
13 volved in incarcerating you again, if you break any rules
14 and then, on the other hand, he's supposed to be helping
15 you, supposed to get his help and permission to do things,
16 do you have any attitudes about that?

17 A Yes.

18 I was just reflecting a moment because it doesn't
19 really pertain to me, as I say, in this particular case
20 with this particular parole officer. But yes, there --
21 generally the people on parole, men and women, are actually
22 afraid to go to the parole officer. They would rather --
23 I think they would get more benefit out of selfhelp groups
24 with parolees, we'll say, you know, they can probably get
25 more benefit out of it. They'd get more help that way

1 because, like you can discuss with each other some of our
2 problems that we wouldn't want to take to the parole
3 officer for fear something might happen, you know.

4 Like, for instance, the parole officer might lock
5 you up if you're having a little trouble, a little diffi-
6 culty, and he might say, well, I'm going to put you in jail
7 for a few days or a week, till we get this straightened out,
8 but you don't want that, you don't want to go to jail, well,
9 because if you got a job, for instance, you're going to
10 lose your job. If you got an apartment, or where you're
11 staying, there's no one there, you're going to lose that,
12 maybe your car, something like that, and usually that one
13 week will probably extend to two weeks or three weeks and
14 the parole officer doesn't come by and you're just laying
15 up at the jailhouse.

16 You don't get any information from anybody and he
17 might come through and you have to, usually what happens,
18 you have to send for him or you hear through the grapevine
19 well, we'll say, Mr. Jones is downstairs, the parole officer,
20 well, that's my parole officer, tell him to come up and
21 see me.

22 Okay? That kind of thing.

23 Q How many, to your knowledge, how many Black parole
24 officers are there?

25 A I haven't seen any. I don't know. I haven't seen any.

1 Q So, your parole officer is White?

2 A Yes.

3 Q Do you feel -- do you have any fears about parole
4 officers in general, their sensitivity toward other
5 cultural and national groups? Do you feel you can communicate
6 with them at all, or --

7 A Well, yes, I think it does exist in the parole
8 officer in Reno.

9 Q So, you feel it's adequate kind of communication, is
10 that what you're saying?

11 A In some cases, there is one individual, I think,
12 that he might have a tendency to be a, we'll say be a
13 little stricter with Blacks than he would with Whites.

14 MS. DELUCA: Thank you.

15 THE CHAIRMAN: Any questions?

16 MR. ROMERO: Yes, I have a question.

17 Q (By Mr. Romero) Mr. DeClaybrook, for how long has
18 this thing about giving the inmates, or, pardon me, the
19 parolees \$50.00 when they come out, been in existence, as
20 far as you know?

21 A To my knowledge, just a very short while, I'd say --
22 well, I've been out about 11 months, I'd say about a year.

23 Q A year?

24 A Yes.

25 Q And what was given to the parolees before that?

1 A Previous to that it was \$25.00.

2 Q Twenty-five.

3 A While ago you said that you saw your parole
4 officer about three or four days ago, three days ago, I
5 think you said. What do you mean when you say see him?

6 A Well, I was in the office, I had to be in the
7 office. Well, you can mail your monthly report in, it just
8 so happens that I live around the corner from the parole
9 office, so I usually walk in and fill in mine and leave it.
10 If my parole officer's in the office, I ask the receptionist
11 if he's there and she will call to his office and usually
12 he'll say, well, I want to see you or he might not be
13 here. He's usually not there, he's out in the field or
14 something like this, this particular time he happened to
15 be there.

16 Q I know I might be reiterating some of the things that
17 Ms. DeLuca brought up, but I just want to make a few
18 things clear, all right?

19 Your PO, does he give you, in any way, shape or
20 form, counseling?

21 A No.

22 Q So, in essence, his duties, then, in your opinion,
23 would they be just that he has an office and a desk and you
24 go there and fill out a piece of paper, tell him you're
25 still alive, and working and that --

1 A. This is the way I observe it, yes.

2 Q. So then, my 15-year-old nephew could do that type
3 of -- that's prejudicial, pardon me.

4 Then anybody's 15-year-old nephew could do that?

5 A. Yes, right.

6 Q. In your, to your knowledge, is the parole board aware
7 of any program that is outside that helps parolees?

8 A. Well, let me put it this way, they never discussed
9 it with me, I never heard them discuss it with any parolee.
10 I'm sure that they're aware of it, yes.

11 Q. When you went before the parole board, how long
12 were you in there?

13 A. Well, the first time I went in front of the parole
14 board, I had been in a year. I got a six-month denial.

15 Q. And when you went before the board itself, how many
16 minutes were you --

17 A. Oh, oh, I see your question.

18 Well, it seems like about three or four seconds,
19 really, it's very short, it's about -- I'd say anywhere
20 from five to ten minutes.

21 Q. As far as your parole officer is concerned, you
22 said that you did not have his home phone, am I correct?

23 A. Yes, sir, I don't.

24 Q. So, if anything were to happen where you would need him,
25 say anytime after 5:00, you would find it a little difficult,

1 right?

2 A Very difficult, yes.

3 MR. ROMERO: Thank you, I have no further questions.

4 A I'd like to elaborate on that, just a moment, sir?

5 That is a very bad situation too, I was thinking
6 about that because there are occasions when things happen
7 to a parolee, for instance you might get stopped or picked
8 up, say for instance, like me, I didn't have my card in my
9 pocket and I might get stopped, and they run around on me
10 or call in and they find out I'm a parolee, I don't have
11 my card with me. So they may take me to jail.

12 Now, if I had my parole officer's phone number,
13 we'll say this is at night or in the evening, I could call
14 my parole officer and probably get out and get that
15 straightened up in time to go to work in the morning.

16 But the way it is now, I'd have to stay in jail
17 till they contact my parole officer. The following day
18 my parole officer could get me out of jail, he may not
19 even come into the office that day, so it might be two or
20 three days or longer that I couldn't even contact my parole
21 officer and see him.

22 Q (By Mr. Scott) If you can't contact your parole
23 officer, there's an alternate officer to contact?

24 A I'm not aware of it, sir, if there is.

25 Q Any of the others, would you respond to the question?

1 There's no alternate person that you contact?

2 A. (By Mr. Ibsen) Not that I know of.

3 Q. Would you mention about perhaps two or three things
4 that you feel critical that causes parolees to return,
5 the problems they have that you can see would cause a
6 parolee, especially, to return?

7 A. (By Mr. DeClaybrook) Well, one would be a lack of
8 guidance, lack of counseling, very little trust, we'll
9 say, in a parole officer and their responding, the parole
10 officer, whoever it might be.

11 Main thing that I've noticed is just that general
12 fear, you know, of going to the parole officer, with
13 everybody. You don't want your parole officer in the first
14 place, I think, the main thing is that everyone that's on
15 parole would like to give the impression to the parole
16 officer that you're making it.

17 You know, that you're doing all right. Just to keep
18 him off your back, if nothing else, you know. So, if you
19 are having some difficulties, you'd probably like to go to
20 a friend or someone you can trust, you see, there's where
21 trust comes in, if we had the confidence in the parole
22 department or our parole officers, there's a lot of things
23 that we -- we wouldn't need any of the outside agencies.

24 If we could get this kind of relationship with the
25 parole department, we could exclude all the other agencies

1 where, you know, if all the parolees had that kind of
2 faith and trust in their parole department, as it stands
3 now it's kind of divided, you know, kind of wonder if,
4 is he my parole officer, my counselor, is he really trying
5 to help her or -- and then you start thinking about, well,
6 he wears a gun and he's got the handcuffs and he works hand
7 in glove with the police department, you know, if they
8 stake your house out.

9 They don't come to you and say, well, is this true,
10 are you messing around with narcotics or whatever it might
11 be? They'll take a squad of police officers and they'll
12 come and stake the house, scare everybody to death, you
13 know, it's really ridiculous.

14 Q Would anyone else have anything important to add
15 to that, either one of you? or any one of you?

16 A I think about the only place that I know of, if I
17 had a problem and I didn't want it, you know, with that
18 figure, that authority figure that the parole officer
19 could send me back, about the only place I could go to rap
20 would be an organization, of Rebound, that I know of.

21 There is no other place that I know of that I could
22 go back. If I had a serious enough problem, you know, and
23 I was worried about, you know, was it legal or not legal
24 or -- one of those situations.

25 THE CHAIRMAN: Okay, thank you.

1 I would like to say to the witnesses that we cer-
2 tainly appreciate your participation and cooperation in
3 coming before the Committee, and we are sure that with
4 the information that you've given, it certainly will help
5 us to do and complete the type of report that is necessary
6 to bring about some improvements in the problem.

7 I want to thank you on behalf of the Committee as
8 well.

9 You can now leave.

10 We'll take a five-minute break.

11
12 (Short recess)

13
14 THE CHAIRMAN: Ladies and Gentlemen, we will now
15 call the meeting back in session.

16 We have on the panel at this time, Mr. A.A. Campos,
17 Chief of the Nevada State Department of Parole and Pro-
18 bation. We have also, Mr. Earl Des Armier, Supervisor,
19 Region Four, and Karren L. Smith, Parole/Probation Officer,
20 Reno Office, is that right?

21 Okay.

22 Do any of you have a written statement that you would
23 like to give to us?

24 MR. CAMPOS: I didn't prepare a written statement,
25 but I did want to make an opening statement.

1 THE CHAIRMAN: Okay, Mr. Campos.

2

3

4

MR. A.A. CAMPOS

5

6 A. (By Mr. Campos) I hadn't, as a matter of fact,
7 planned on making an opening statement before I started
8 attending this session, but I, after hearing some of the
9 things that have gone on, I felt that I did need to and
10 want to.

11 I empathize with this Commission very much in what
12 it's trying to do within the time span that it has. So far
13 as I've sat here listening to people, I felt that, well, the
14 only story I could think of is an analogy where the blind
15 man trying to find out what an elephant looked like by
16 feeling various parts of its body.

17 Parole is an extremely complex system within an
18 even more complex system, that being the criminal justice.
19 It's one small part of it. It's very, very difficult to
20 dissect parole as an entity, all in itself.

21 In our department, for example, our parolees com-
22 prise 8% of our total caseload. And about 13% of our
23 total work load. The people normally that you deal with on
24 parole are not people who are having their first experience
25 with the system.

1 In the last six months, for example, of the persons
2 admitted to the Nevada State Prison who will, of course,
3 be our eventual parolees, their backgrounds in terms of con-
4 tacts of a conviction nature with the system, included.
5 This is 146 people, included 81 prior juvenile probations,
6 63 prior juvenile incarcerations, 259 prior jail sentences,
7 128 prior probations, 219 prior felony convictions, 145
8 prior prison sentences, and 84 prior paroles for a total
9 contact of 974, again of the ~~conviction~~ nature, for an
10 average contact per person of 6.5.

11 So, you can see that where we talk about what is
12 our parole system all about, or how successful are we on
13 working with people, I think you have to have a good
14 picture or a good idea of the general problem that we're
15 working with, and that is normally persons who have been
16 tried at various -- by various other means and in various
17 other levels and haven't made it, through community pro-
18 grams and this type of thing.

19 If there's any wonder at all, and there is, that is
20 the fact that so many people are able to get out of the
21 delinquent or criminal element and make something out of
22 their lives.

23 This is, I think, probably in a lot of instances, in
24 spite of us, not because of us, but nonetheless, I think,
25 very rewarding. Parole work in itself is so much more re-

1 warding than prison work, because you're dealing with
2 people that are making it, in the prison setting what
3 you see are the ones that keep coming back and you get
4 very, very cynical and you think they're all a bunch of
5 bums.

6 The statistics that are available throughout the
7 country are very, very unreliable, unless we have absolute
8 knowledge of the criterias used for each set of statistics.
9 I'm not indicating that people utilize statistics for their
10 own selfinterest, what I'm saying is that there are no
11 national standards for the gathering of statistics, so one
12 state might include in its success rate everyone who hasn't
13 had their parole revoked.

14 Whereas, for example, we only include in our success
15 rate, those that have received honorable discharges and
16 there can be a great variance.

17 For example, one state chooses in its statistics
18 to ignore the people they have on fugitive status and they
19 do have 4,000 people on fugitive status that they don't
20 count in their statistics. So, statistics are very un-
21 reliable and it is one of my goals in working with the
22 national standards and goals to implement a nationwide
23 set of statistics so that we know what we're talking about.

24 So that if Iowa says they've a good community pro-
25 gram, it's working because it has this success rate, you'll

1 know what they're talking about and you can read their
2 figures and know whether their program works or doesn't
3 work.

4 The impact, too, that parole boards can have on
5 laws is somewhat significant. Again, reflecting the fact
6 that parole boards or parole agencies do not operate in
7 a vacuum. I have seen, myself, in this state, two very
8 specific areas of crime in which actions of parole boards
9 have led directly to legislation which has been of a more
10 punitive nature.

11 For example, several years ago, before my coming to
12 Nevada, it was not uncommon for persons on first degree
13 murder to be released at the minimum time, in seven years,
14 at that time it was seven years.

15 As a direct result of that, the sentence of life
16 without possibility of parole was passed in this state,
17 and we now have probably approximately 40 people serving
18 that sentence as a direct result of what the state legis-
19 lature felt was leniency on the part of parole boards.

20 So that the few people that were helped by getting
21 out early had a direct bearing, direct result of now many,
22 many people serving life without.

23 The area of sale of narcotics has been kicked
24 around back and forth, but when I first came here the
25 sentence for sale of narcotics that was nonprobable and

1 carried a sentence of 20 to 40 years. We got that changed
2 to one to 20 years and it was still nonprobable.

3 We finally got it probable and in the first year
4 it was probable 78% of all people convicted of sales
5 were granted probation, and the legislature wasn't too
6 pleased with that statistic, so they made some effort to
7 again make it nonprobable and we were able to keep
8 that particular bill from passing last time.

9 The laws as they stand in any state also have an
10 effect on statistics. And policies have an effect on
11 statistics. An example of each of those, there is no
12 criteria in the State of Nevada other than time for parole
13 eligibility.

14 In other words, in some states prior records aggra-
15 vate eligibility. A first termmer might hit the board in
16 a year, if he has a prior it will be 18 months, if he has
17 two priors it will be two years, this type of thing.

18 That isn't true here. It's a question of one-fourth
19 of your sentence or one year, whichever is longer, so that
20 one person can hit the board in a year that has eight prior
21 felony convictions and another person, for the same crime
22 in the same sentence, will also hit the board in the same
23 amount of time.

24 So that as a result of that and as a result of the
25 kind of data which I gave you initially, on the kinds of

1 people that normally are being sentenced to prison, there
2 are not many people that make their first boards. One of
3 the policies which have had a further impact on that, has
4 been the extended and increased use of probation.

5 When I first took my job in 1971, our average pro-
6 bation grant was -- annually, was about 53% of all con-
7 victed felons. It's now up over 70%. This has come about
8 for a lot of reasons, the courts have changed, the depart-
9 ments changed, and so on.

10 But all of these things have impact. Yes, there
11 are fewer people now that make it but -- that make their
12 first boards because the type of person now going to
13 prison is normally one -- not in every case, certainly,
14 but normally one who has been tried in a community,
15 quite often is on probation or parole when a new crime was
16 committed, these types of things.

17 I bring these things out to you not in terms of
18 defense of anything that's been said here, but just in
19 an effort to demonstrate that what we're into in talking
20 about parole boards and/or parole, is only a very small
21 part of the total things that are happening or -- in the
22 system itself, that it does involve courts, it involves
23 legislatures, it involves thinking of the people of the
24 State of Nevada, it involves many, many, many different
25 things. Thank you.

1 Q (By Ms. Lynch) Mr. Campos, would you please tell
2 us what your background in corrections is?

3 A That's me.

4 Q Is that you? I'm sorry.

5 A Excuse me.

6 Q Okay.

7 A I started San Jose State Police School in 1951, 1953
8 I went in the service and spent four years in -- in various
9 phases of the criminal justice system within the service,
10 including stockade work, black market activities, and
11 recovery of stolen government property.

12 Went back to school and got a degree in social
13 science, went to work in 1961 as probation officer in
14 Santa Clara County, California, then went to work at -- in
15 the California Department of Corrections at Soledad,
16 from there transferred to Susanville, and in 1965 I came
17 to the State of Nevada to help implement new programs at the
18 prison, I left the prison in 1970? No, '69, to work as a
19 planner for the crime commission.

20 In March of 1970 I was appointed deputy chief of
21 the department of parole and probation, and chief in
22 January of '71.

23 Q So then, you've been in your present position about
24 three years?

25 A Yes, or three and a half years.

1 Q What are the functions and responsibilities of
2 your office?

3 A Can I read them?

4 Q Sure.

5 Actually, you can just limit that to the parole
6 responsibilities and functions.

7 A Well, I don't know -- basically, the law says that
8 I am to set up districts throughout the state, to hire
9 staff, to review and develop programs. I think -- what I
10 think I do, really, is work very closely with the district
11 supervisors throughout the state in terms of what they're
12 doing, policy decisions regarding what types of activities
13 we ought and ought not to be involved in, and the develop-
14 ment of community resources, is, I think probably one of
15 the areas where I spend most of my time.

16 And budget and legislation and these types of things.

17 Q What legislative reforms would you like to see to
18 help you in your office?

19 A Well, I, at this point I think I intend on asking --
20 I do intend on asking for a full time parole board for
21 one thing. Mr. Pogue also indicated that we need some
22 legislation too, to allow for parole eligibility other
23 than it now stands for youthful offenders.

24 We need a lot more flexibility in our work furlough
25 laws, and I am very seriously studying a program for pretrial

1 release, which would allow persons to be released from
2 jail while they're awaiting trial.

3 Right now, for example, we have approximately 480
4 people in Clark County Jail of which about 40 are under
5 sentence and the other 440 are there awaiting trial and
6 I think we can develop a program to allow those persons
7 to be released or not all of them, but some, but a good
8 majority of them.

9 Q Could you elaborate a little more in what you
10 would like to see in a full time parole board?

11 A Well, first of all, I don't know that any changes
12 we would make in the board would have any significant impact
13 on end results of anything. Those areas which have the
14 type of board which I'd like to see in existence, would
15 not, in my estimation, demonstrate any different degree of
16 success than we do. I don't think their institution morale
17 is particularly higher, but I do think that what they're
18 doing sounds reasonable and it sounds logical, and it
19 sounds a little more humane and certainly would convey to
20 the people that we're dealing with a better understanding
21 of the total system.

22 You know, this is another thing that I've heard
23 throughout here, is that even the people that we work with
24 very intensively don't really know what we do. You know.
25 It's amazing. To a large extent. So I think that boys

1 should start working with people very early in their
2 incarceration, even way before they're even eligible for
3 parole, I mean review the whole cases with them and give
4 them some expectation of what they should do while they
5 are in there and this type of thing. And all of these
6 things that should be done are not done now simply because
7 of time.

8 You know, this board meets 12 days a year. It's --

9 Q Do you have any input into the policy of the parole
10 board or is that strictly up to the parole board?

11 A I'm sorry, do I have an input?

12 Q Yes, any input into their policies?

13 A Yes, I have input. We, at our business session
14 each meeting we will bring policies, suggested policies
15 changes to the board, some of them they adopt and some
16 they don't adopt.

17 What I'm trying to say is, I don't dictate to the
18 board, they don't necessarily adopt all of my suggestions,
19 but yes, we do make policy suggestions to them and try to
20 back it with data and logical arguments, if we can.

21 Q There's been -- there was a lot of discussion
22 yesterday about whether inmates should be made aware of
23 their referral report and what actually the board is looking
24 at. How do you feel, what do you feel about this?

25 A It would be experimental, I think to say it would be

1 good or bad is unknown, you know. I know when I worked
2 at Soledad I was a counselor and I used to dictate the
3 referral report with the man in the room, we'd go through
4 each section of the report and then I'd dictate it, and
5 on and on and I found that, I didn't do that with every-
6 body, but I did it with at least 95% of the persons, once
7 in a while I was afraid someone might pick up a chair and
8 hit me over the head, but it was very, very good, I thought,
9 you know, people would say, do I really affect people
10 that way? Is that how, you know, other persons see me?

11 ~~And we'd have some good discussions.~~ So I thought
12 it was good.

13 Then, working out at Susanville in the camps, I
14 started doing that, and people would start escaping, so
15 I just stopped doing it. But, you know, we -- we had a
16 lot of fears when we started doing that, in our agencies,
17 by having the defendant read the presentence report,
18 there's -- it's been good.

19 You know, it's been a good thing. We had that fear
20 when the supreme court last year said that we had to
21 supply copies of our violation reports and that kind of
22 thing. It hasn't caused any problems, you know.

23 I think you hang onto these things out of tradition
24 more than anything else.

25 Q. We've heard testimony today and yesterday that the

1 parolees don't really receive any kind of help from either
2 your department or the prison staff. Do you -- what are
3 your thoughts about this_ and would you like to see any
4 changes made, either?

5 A. Oh, I think that it's -- I think it is probably,
6 you know, opinions of a few people because of their
7 experiences and I'm sure that they were being truthful.

8 We are very much a user of other resources. And for
9 example, someone said that the parole department never
10 helps anybody get a job, I got my job through Rebound, but
11 you know, we work very, very closely with Rebound and em-
12 ployment security and rehabilitation and these kinds of
13 agencies and community resources, to assist us.

14 And we are not experts in anything, we're not expert
15 job finders, we're not all psychologists, we're not all
16 marriage counselors or ministers or these types of things,
17 and we are primarily a user, rather than a supplier of
18 the resources. But we are not simply a referral agency,
19 we follow up, work with the other agencies as we make
20 the referrals.

21 We have, for example, rehab. counselors in our Reno
22 and Las Vegas offices, we have, for the first time in the
23 last session of the legislature, our own psychologist, one
24 of the reasons we felt that we needed our own psychologist
25 was that a lot of the resources in the community did not

1 want to work with our people, they felt that people that
2 are receiving psychological help because of board or
3 parole board pressures were not properly motivated and
4 etcetera, etcetera, so for that reason we got our own.

5 But primarily we do utilize other resources.

6 The extent to which we help people, on a one to one
7 basis, I don't know, you know, we have an average of about
8 80-man caseloads, we continually try things with people,
9 you know, for example, one gentleman indicated that he
10 saw his parole officer about every three months, that
11 would be right. But there are people that we see every
12 day, you know, really it depends on how much we feel the
13 client needs at any given time and for that very reason
14 we're not going to spend a lot of time on people that don't
15 need us that much.

16 Sometimes you overlook things that way, a guy gets
17 in trouble without our knowing it but still you do spend
18 the time.

19 You probably spend 80% of your time with 20% of
20 your caseload, that's about what it amounts to.

21 Q I think one of the parolees testified that they
22 had a preparole session. Is this conducted by your depart-
23 ment, people from your staff?

24 A Yes.

25 Q Who conducts this, parole officers?

1 A. I have two people assigned full time to the pre-
2 parole, preparole and work furlough session in the
3 central office at Carson City.

4 Q. And what it sounded like there were a lot of things
5 that they were not prepared for or they didn't feel
6 sufficiently prepared for in the preparole session.

7 Do you feel that there could be some improvement
8 in this area that perhaps you need more people or it just
9 needs to go into greater depth?

10 A. Oh, I don't know if we need more people. We're
11 continually trying to improve it, for example, recently
12 we tried and have to some small degree of success, tried
13 to implement a program so that we can have people have
14 their driver's licenses before they get out and this
15 type of thing, we have DMV come down and test them and so
16 on, that's a recent thing.

17 We do many more things than that, all I'm saying
18 is yes, we're continually trying to beef it up.

19 Basically, what it amounts to right now is that it's
20 a classroom-type of situation, and the officer will go
21 through each condition of parole and try to interpret it,
22 you know, this is what it says and this is what it means.
23 And then will answer questions on each individually.

24 And then, after the class, we'll talk to each --
25 review the program as indicated in the referral report, with

1 each individual to see what's -- where he is and so on.

2 In terms of the job development, if the man has no
3 resources at all, then the -- that referral report is sent
4 to the field, let's say Las Vegas, for example, at which
5 time the field staff will find a man a job, and again it
6 isn't necessarily the parole officer beating the bushes
7 but he's got the rehab. counselor there and he has the
8 other resources that he utilizes to help develop the jobs
9 and by and large, I think we're very, very successful.

10 There are almost no occasions in which a man is
11 still in prison at the -- by the time the next parole
12 board comes around. Even in the dead of winter, when jobs
13 are tough to get. They're not always jobs that guys like,
14 but they can find their own after they're out. They
15 have to have the job before they're actually released.

16 Or some program, substitute program.

17 Q. Most of the conditions require that the parolee get
18 written permission from the parole officer, you know, to
19 engage in business or anything like this. Would anything
20 happen to a parolee if they just had verbal permission?
21 Has anybody ever been violated for not having written
22 permission? Would that be considered a major infraction?

23 A. That particular rule is never -- hasn't really been
24 a problem. We have it there for the protection of the indi-
25 vidual, you know a guy, especially if he's got a lot of time,

1 he gets out and doesn't know the value of used cars and
2 this type of thing and he's really, you know, a walking
3 target for some of these salesmen so we like to talk
4 to him if he wants to buy a car and make sure he under-
5 stands his insurance obligation, make sure he's a license
6 and these kinds of things.

7 If he wants to go into debt for business purposes
8 or this type of thing, we want to make sure he isn't getting
9 over his head, but the purpose of that particular rule is
10 not to restrict people from getting ahead, it's just to
11 try to keep them out of trouble a little bit.

12 Q Do you know if parolees are required to carry an
13 exfelon card on their person?

14 A They're not according to state law, there's no
15 state law that requires them to carry it and I know of
16 no local law that requires it. Now, there may be some, I
17 don't know. These people that I have talked to have
18 said no, that it's not required.

19 I think it might be to the advantage of an indi-
20 vidual in the event he is stopped by, let's say a policeman
21 who knows him and knows of his background and says, have
22 you registered and the guy can then show him his card. If
23 he doesn't have the card he may be detained for 15 minutes
24 while it's being checked out. So there could be some
25 advantage in carrying a card. Some of the cards that I've

1 seen are very obviously exfelon registration cards, that's
2 what they say. And then other cards from other juris-
3 dictions, you wouldn't know what they were, if you, you
4 know, just a lay person looking at them you wouldn't know
5 what they were.

6 Q To your knowledge, have any parolees ever been
7 violated for not carrying a card?

8 A No.

9 Q And how do you feel about the creation of an overall
10 department of corrections?

11 A Like Mr. Pogue, I have mixed feelings. I've worked
12 under a system like that before and it can be extremely
13 frustrating to people on the working level to ever try
14 to get their ideas through into implementation and this
15 type of thing. I think there's a need for some joint
16 planning, very definitely for joint planning. Institution,

17 Ed and I and -- we do try to work together but it
18 doesn't always come out that way. I think if we had
19 either a planning agency and/or a planner, that worked for
20 both the institution and the department, jointly, that
21 this would be beneficial to the state and the system.

22 But to just have somebody that's, you know, some
23 other hierarchy to spread out into another bureaucracy,
24 I don't -- I don't know. You know most states have it.
25 I think we're probably one of the last states that do not

1 have a department of corrections but again, in talking
2 about any situation or any structure or any program, I want
3 to know what impact it's having on success, you know, I
4 want these other states to be able to prove that they're
5 doing a better job than us with their big structure and
6 so far they haven't convinced me, so --

7 MS. LYNCH: I have no further questions.

8 MS. DELUCA: I have some.

9 Q (By Ms. DeLuca) Mr. Campos, what percentage of
10 parolees are convicted of new crimes? Do you have those
11 figures?

12 A About 2%.

13 Q Two percent?

14 A About 2%.

15 Q How do you feel about a parole officer -- first let
16 me ask you this, what are the qualifications for becoming
17 a parole officer?

18 A Basically five years. The five years can be all
19 education or all experience or any combination thereof.
20 The experience we accept primarily does necessitate a
21 degree so --

22 Q It does not necessitate a degree?

23 A No, most of it does, in other words, we'll say
24 five years of education or -- and/or experience or any com-
25 bination thereof, but the experience primarily that we accept

1 now is experience as let's say a counselor somewhere or a
2 social worker or this type of thing, so that really you're
3 looking back academically.

4 Now, we modified our minimum qualifications two
5 years ago in order to try to attract minority groups,
6 this kinds of thing. It hasn't been really too successful.
7 We have improved our minority ratios a lot but as it
8 turned out, all or just about all of them that got into
9 the department would have qualified under the old, anyway.

10 Q. Would have what?

11 A. Would have qualified under the old minimum quali-
12 fications anyway.

13 Q. How many minority members do you have as parole
14 officers?

15 A. Oh, well, let me give you a little history on that.
16 I'd feel better. Because I'm not particularly proud of
17 our minority representation, but I am proud of the
18 progress that we're making or halfway proud of it anyway.

19 When I took over the agency we had zero, and that,
20 of course, was just a little over three years ago. We have
21 had, during that time, during the three and a half years
22 we have had 13 new positions in the agency, and we now
23 have five Black officers. Oh, and one and a half Indian, I
24 guess, and one Black secretary, and that's about it.

25 I've got three positions right now under LEAA and

1 so, hopefully, by the end of the month we'll have increased
2 by three again.

3 Q And you have no Chicanos?

4 A We have no Chicanos.

5 Q Are there any Spanish-speaking parole officers?

6 A Not that are Spanish or Mexican, no. We have some
7 that speak Spanish.

8 Q How many, do you know?

9 A Let's see, how many you got in Vegas?

10 MR. DES ARMIER: Two.

11 A (By Mr. Campos) Two in Vegas?

12 MS. SMITH: Charley.

13 A (By Mr. Campos) And Charley does up here, yes, one
14 in Reno?

15 MS. SMITH: That I know of, I may be wrong.

16 A (By Mr. Campos) And two in Las Vegas.

17 Q How about the male-female ratio?

18 A A, we did good there, too, we've increased that.

19 We had, again we had three, now we have nine and one --
20 and two in positions higher than parole officer. Our last
21 two promotions above parole officer level were females.

22 Q Do your parole officers receive any in-service
23 training, like are they sent to conferences, are they
24 encouraged to take courses and keep up in counseling
25 techniques and are they encouraged to take or given any

1 human relations or cultural training or so forth?

2 A. Well, probably anyone that's been on the job for
3 very long could do a better job teaching those courses than
4 taking them, but -- because we are, we do spend most of
5 our time in the community field, in people's homes and so
6 on, and if you don't learn it there you're not going to
7 learn it in school, certainly. But we have right now,
8 for a new officer, we have 40 hours of training, this
9 training is not of an academic nature, it's more of making
10 sure that they know what the community resources are, what
11 the policies of the agency are and the state employment
12 and these types of things. Report writing, those areas.

13 We have, for all staff, about 20 hours of training
14 a year at an annual training session that we have, this
15 year that was entirely devoted to treatment techniques
16 and new approaches, this type of thing.

17 And we take -- we try to take advantage of anything
18 that looks like good training to us that's being provided
19 by other agencies, by rehabilitation or by any of the
20 other agencies at all, federal, federal agencies, federal
21 narcotics, we've had -- well, it was mentioned yesterday
22 that one-third of the staff had had specialized training
23 in narcotics, I think that was misinterpreted to --
24 directed towards the prison but it was not the prison, it's
25 our staff, that at least one-third have had a minimum of 80

1 hours of special training in drugs and quite a few have
2 got a lot more than the minimum 80 hours.

3 And by the end of this year I hope to have that up
4 to at least 50% of the staff. Drugs is a very serious
5 problem but training is one of our big weaknesses.

6 We do not have one penny in our budget for training
7 so all the training we do is as we can do it and as we see
8 it being developed by the various places and this type of
9 thing.

10 Q Generally, what is the job of a parole officer, what
11 does it involve, what are his responsibilities according
12 to the law?

13 A Well, it's the responsibility of the officer to both
14 enforce the conditions of parole and probation and to make
15 it as easy as possible, I don't like the word -- use the
16 word easy, but for the client to be able to accomplish
17 these kinds of things.

18 In other words, they are required, for instance, to
19 see to it that the man is employed, but what that entails
20 from the officer's point of view is to give him every
21 assistance he can to see to it that he has employment
22 opportunities and knows the right resources and these types
23 of things.

24 It's an enforcement of the rules but it's also, he's
25 responsible really for seeing to it that that individual has

1 every opportunity to succeed. When we do our staff kinds
2 of things in terms of success, we're looking at highest
3 number of honorable discharges, fewest number of new crimes
4 committed by our clients, average income, unemployment
5 rate, these types of things are how we measure or how I
6 measure how effective I think an individual parole officer
7 is by those methods.

8 Q Do you see a conflict in those job responsibilities
9 in terms of how it might affect the parolee?

10 A Well, we are kind of the bastards of the whole
11 system, really, the police never quite trust us because
12 we help people and the helping agencies don't quite trust
13 us because we arrest people, but -- so it gets kind of
14 lonesome out there sometimes.

15 I think so, but I think it's really, really one of
16 those things that I just don't know the answer to, you
17 know. I -- some states have stopped calling the people
18 officers, they now call them counselors or they'll call them
19 this or that, but as long as you can put a guy in jail by
20 a stroke of the pen you're the man and that's the way it is.

21 I think that the -- that our ratio of, let's say
22 revocations or violations versus problems that people have
23 certainly indicate that we are not trying to put people in
24 jail and I do have some of that data with me, if you're at
25 all interested.

1 For example, our intensive supervision unit in Las
2 Vegas we find about 20 -- well, what we call dirty tests,
3 that is 20 people using drugs a month and probably 15
4 other kinds of violations, or more, and our revocation rate
5 or warrant rate from the unit is about two per month.

6 So that we are as we find people who are having
7 problems, we try to get them into something which will
8 help them or give them more direct assistance hours, but
9 we'll let's say utilize the narcotics programs within
10 the community and this type of thing.

11 It's unbelievable what some of these guys do, you
12 know. We had a guy recently released from the prison, Donny
13 knows this guy, who had just been out on parole previously
14 and, you know, was probably good for a felony a day while
15 he was out, finally put him back in, a couple months later
16 we tried him again, supposed to go to Vegas, he got off
17 the bus in Gardenville and came back to Carson and threatened
18 some people and I think Donny finally dug him out of the
19 woodwork and got him down to Vegas and he got kicked out
20 of the narcotics program he was in three times down there.

21 And the last time I think he -- I don't know that
22 he did, but they thought that he took their TV set and
23 typewriter with him when he left.

24 And then we picked him up in Fort Smith, Arkansas,
25 and brought him back and talked to him some more and he's --

1 had him in Carson for about a week and then he stayed a
2 few days with some people in -- some of his people in Vegas
3 and now he's back in Fort Smith, Arkansas, again.

4 We are not in the business of trying to put people
5 in jail, we're in the business of trying to keep them out.
6 We are also in the business of trying to remove them from
7 the community if they appear to be too much of a threat.

8 Q Thank you.

9 How do you feel about, well, the number of parolees
10 that you have now, it's difficult to contact their PO, if
11 it's beyond working hours. Do you have any particular
12 feelings about that?

13 A I don't know. You know, I do, I have mixed feelings.
14 We have six people in the department that have unlisted
15 numbers, statewide, how carry -- who have caseloads, who
16 supervise people. I've asked around and I have been in-
17 formed that these individual officers do advise their
18 clients that they can be reached in an emergency through
19 the police department, that all the police dispatchers have
20 our numbers and they do, they have my number, for example.

21 As to what extent this is actually done, in other
22 words, I could not guarantee you that every one of my
23 officers tells every one of his clients that he can be
24 reached through the police department. I'm also not too
25 sure that's the best way of doing it.

1 I know that in terms of success, I mentioned before
2 the measures that we use, that last year the two officers
3 that had the greatest number of honorable discharges are
4 both -- are two of the six people that have unlisted
5 numbers, so you know, I don't know what some of these
6 things mean in terms of overall results.

7 I know of two that people in the business have dif-
8 ferent feelings about how much of their time they should
9 devote to it. The last call I received last night was at
10 5:30 this morning. You know, I -- some people wouldn't
11 want to live that way. It's hard for me to tell them that
12 they have to list their numbers.

13 I may do it one of these days, I may decide that it's
14 more important, if they don't like it maybe they can go to
15 work somewhere else.

16 Q Okay, I just have one last question. If -- do I
17 understand it, then, if you had more money to spend in your
18 department, do you see, do you feel that you would spend it
19 on things like providing more intensive counseling before
20 they are let out of prison and more help in finding jobs
21 and more extensive counseling program and other kinds of
22 programs when they are on parole, and of course, more parole
23 officers and things like that?

24 Is that the type of thing, or are there any of those
25 things you would do different?

1 A. The job development, yes. We have a job developer
2 in the Carson office, I really would like to have one in
3 Las Vegas, at least one, maybe even two. It's a tremendously
4 important type of thing because getting a job is one
5 thing and having a decent job that people look forward to
6 going to is much more important.

7 And we become complacent, you know, and say, well,
8 all our people are working. Well, they might be working
9 but they might be working at some pretty lousy jobs too,
10 that they aren't happy with, and aren't making an adequate
11 income from.

12 I think that would be, again, and I'm going to ask
13 for that in this session, in our next budget, that's one
14 of the positions I'd like to fill.

15 As far as a more intensive counseling, I don't know,
16 we do have our psychologists, they haven't become swamped
17 yet, most of the -- most of the counseling that we do is
18 of not that -- not that heavy a nature. It's pretty practical-
19 type of counseling, in other words.

20 We have, in the areas that we have a lot of problems,
21 in other words, people that need a lot, for example, in
22 the Las Vegas office we have what we call the intensive super-
23 vision unit and in that particular unit an officer carries
24 no more than 25 clients so he's able to spend quite a bit
25 of time with his clients. But those clients are selected

1 because they need a lot of help and hopefully they are
2 released from that unit and put into, under a regular case-
3 load prior to getting off the probation, kind of weaned
4 away from that much help.

5 MS. DELUCA: Thank you.

6 A. Could I mention just one other thing?

7 Because it has, I think, been mentioned several
8 times here, as far as policy is concerned, and that is the
9 rules of association.

10 That is a rule and we do try to keep people from
11 associating if we know one of them to be active in
12 criminal activities and this type of thing. But it isn't
13 something that you throw people in jail for or violate them
14 for.

15 We had, for example, out of -- in a one-year period
16 in Las Vegas, this is 1972, July of '72 to June of '73,
17 we had no one -- no one -- no warrant was issued because
18 of association. We issued one warrant for abscond, two
19 warrants for violation of special conditions, one warrant
20 for out-of-state travel, two for intoxicants, one for
21 weapons, two for conviction of a misdemeanor, two for
22 assaults, four for narcotics and one for conviction of a
23 new crime.

24 Q (By Mr. Romero) Mr. Campos, if I may, Mr. Chairman,
25 Mr. Campos, on the same rule of association, I kind of

1 assumed that nobody would, you know, be thrown back, you
2 know, in prison for associating, talking to, communicating
3 with another parolee. Or exfelon. But is this documented
4 by the parole officer or by anybody in your department? Is
5 it put in that individual's packet?

6 A. Probably not unless there was a warrant being re-
7 quested.

8 Now, there are people that may, we may bring that
9 charge against, association, but this would normally be
10 in conjunction with other charges, you know, we walk into
11 a house and there's ten guys in there with dope. Well, we
12 might charge him with the use of narcotics and association
13 or something like that.

14 Q. Yesterday somebody referred or suggested that perhaps
15 something that would be good would be basically, as far as
16 parolees are concerned, something like the AA, where they
17 would meet and rap about each other's problems and could
18 perhaps give each other a little, if anything, moral
19 support. How do you feel about such an idea?

20 A. Well, I don't have any particular objection to it.
21 Now, if you say how beneficial would it be, I don't -- I
22 don't know how beneficial it would be. I would have no
23 objection to trying those kinds of things. They're done
24 a little bit now, you know, and there was some talk of
25 developing something like this in Reno, but I don't know

1 whatever happened to it.

2 Q And your personal feeling as far as this association
3 is concerned, what are they?

4 A Primarily a judgmental thing regarding individuals.
5 We have a pretty good knowledge of who the active criminals
6 in the community are. And we do not want anybody just
7 getting out of prison to associate with any of these people.

8 And if they do they're usually in trouble pretty
9 quick too. So this is the area where we enforce the rule,
10 as far as other kinds of association, we have allowed
11 parolees, we just gave permission for one of our probationers
12 to marry ~~one of the parolees~~ a week or so ago. As long as we
13 feel it's constructive, we have a lot of people that work
14 together on jobs and some who live together.

15 But that's, you know, it's all part of what we feel,
16 and the client feels might be good for him. So some of
17 these people are really good at helping each other.

18 Q Mr. Campos, a while ago, in fact, in your opening
19 statements, you stated something to the effect that many
20 people have been granted parole by the parole board, have
21 caused such a problem, you know, when on parole that in
22 instances the state legislature has had to pass harsher
23 laws such as lack of possibility of parole.

24 Now, if a better counseling service or -- and/or if
25 other, you know, facilities and resources were made available

1 to parolees, do you feel that these harsh parole violations
2 would be kept at a minimum?

3 A The problems that develop from time to time regarding
4 the whole area of punishment have not been due to the actions
5 that people have taken. In other words, in both those
6 areas the drug laws and the life without, we had no bad
7 experiences there. In fact, I think all of the people that
8 were paroled on that old murder thing, seven years, I don't
9 think any of them ever came back to prison, at least they
10 didn't in Nevada.

11 It wasn't a result, direct result of more problems.
12 As far as saying services, I don't know, you know, again,
13 in a lot of instances with parolee, it's damned hard to
14 motivate someone who really isn't interested and of course,
15 it's impossible to motivate some people at all.

16 We have, hell, we have people who are criminals and
17 that's all they want to be, is criminals. They are
18 western states burglars, they travel all over the, you
19 know, throughout several states stealing \$20,000.00 coin
20 collections and these kinds of things and that's how they
21 live and they have no intention of going to work as a
22 computer programmer somewhere for a \$1,000.00 a month or
23 something like that.

24 Q But it can be assumed that a very minimal percentage
25 of the --

1 A We are unfortunately -- we have a few of those in
2 the northern Nevada area. A few of that element.

3 Now, they're not always paroled, lot of them will do
4 all their time. But these are the kinds of people I say
5 when we talk about association, but what I was getting --
6 what I was trying to get at is, if the individual is going
7 to make it, we do find most of the basic inroads or, you
8 know, avenues for them to do it.

9 Now, how much more counseling you can lay on top of
10 this guy and have it be effective, you know, at what point
11 it stops being effective, I don't know. You could have
12 one parole officer to one parolee in some instances and make
13 no headway whatsoever.

14 Q Do parolees have access to a psychiatrist?

15 A Yes. We go through the state or local mental health
16 and set them up.

17 Q Now, these are psychiatrists and not psychologists?

18 A No, psychiatrists, that's right, we have one that
19 we're working on right now, that we -- as a matter of fact
20 I don't know if he's been -- if they've accepted him or
21 not, but what we've asked for is psychiatric service, a
22 minimum of two consultations a week.

23 Q And the state pays for it?

24 A Yes.

25 MR. ROMERO: I have no further questions.

1 Q (By Mr. Scott) Mr. Campos, I'd like to ask you
2 about, if the parolee is required to register, then why
3 should he have to carry a card, even if he's stopped by
4 the policeman?

5 A As far as I know he doesn't have to carry a card.
6 As far as I know. Now, Las Vegas, for instance, may have
7 an ordinance that they have to carry one, I don't know.
8 We have no rule regarding that. We have no rule regarding
9 a guy carrying a card.

10 Q But if they can be violated for not having a card,
11 who furnished those cards?

12 A Well, I don't think they can be violated for not
13 carrying a card. In fact, we've never violated anyone
14 for failure to register or anything along that line.

15 Q Maybe this question is out, but I got this
16 rumbling somewhere yesterday that this is a real fact that
17 affects parolees.

18 A Well, if they haven't registered they'll get arrested
19 and --

20 Q Beg your pardon?

21 A If they haven't registered they will be arrested.

22 Q No, I don't mean registered, I mean the cards, they
23 had reference to their card.

24 Okay, you say they will not be -- then is this part
25 of the rule, then, that you should have a card, this isn't

1 a written rule?

2 A. No.

3 Q. Okay.

4 Maybe I should ask how much time we have. I got
5 about four questions here I wanted to go through, if I
6 could.

7 THE CHAIRMAN: If they haven't been answered.

8 Q. (By Mr. Scott) Yes, if they've been asked already,
9 please just pass them up.

10 Why not parolees who have been rehabilitated is not
11 used as counselors or aides?

12 A. Here again, I have to rely on one of my -- one of
13 my pet topoffs, I guess, and that is that it has not been
14 demonstrated anywhere that this is particularly beneficial.
15 Ohio, I think, has been using it longer than any other
16 state to any extent, and they are just now releasing
17 their figures, and -- well, not figures, just a report,
18 and from what I've seen in the preliminary section of that
19 report, they still are not talking to success or failure.

20 I received a letter from a national organization
21 about a month ago in which they were asking, in which they
22 had a questionnaire about the use of exoffenders and
23 the reason they, this national organization was doing a
24 study, is because there hasn't been any studies done on it
25 so it certainly hasn't been deomonstrated as particularly

1 beneficial. We had one exfelon in our Carson office as
2 a rehab. counselor, who had successfully completed five
3 years of parole, and he didn't do too well.

4 And we had -- and we have utilized or asked for
5 assistance of exfelons in some of our training session, we
6 had, there were three exfelons who were kind enough to
7 come to our staff meeting this year and work with us for
8 those three days.

9 Q. May I ask you, have you considered revising or
10 changing or taking a look at some of the rules that might
11 even be a problem for the parolee with all the problems
12 he has, perhaps like permission to change jobs, permission
13 to move?

14 I can see why they should report that, but do you
15 feel like those rules should be --

16 A. They should, perhaps, be changed. And if for no
17 other reason than the fact that that's the way it happens
18 anyway, you know, very seldom does a guy ask us for per-
19 mission to change a job, he usually will tell us the next
20 time he sees us.

21 And so if we aren't enforcing something, then probably
22 it should be changed, yes, because it has a tendency, I
23 think, then, if the guy thinks well, if this rule doesn't
24 really mean very much, then maybe the other one doesn't, I
25 don't know.

1 Q Then who -- can a parolee complain to someone if
2 he's been mistreated by his parole officer?

3 A Yes, I think probably Earl could answer that
4 question a little better than I, in terms of complaints
5 he might receive.

6 It's very seldom that they get up to, you know to
7 Carson, although I have had guys call me. From time to
8 time. But not very often.

9 Q But is there an avenue available for that purpose?
10 Where they don't feel deprived, I mean, of doing this?

11 A Yes. Mostly, though, you know, if I don't know a
12 guy personally, they wouldn't be too inclined to call me,
13 they never see me, you know, it's just a name on a piece
14 of paper, or something, whereas in the -- through the
15 structure of the districts, as for example in Las Vegas
16 they have their officer then they have the supervisor of
17 that particular unit and then they have Mr. Des Armier,
18 and I'm sure that Earl has spent some time listening to
19 complaints and maybe like I say, I'll let him answer that
20 better than me.

21
22
23 MR. DES ARMIER

24
25 A (By Mr. Des Armier) This is a normal policy, that

1 usually each client is advised of. We don't like them to
2 frivolously, because he gets mad at the officer to run up
3 to the district supervisor or someone above him, but I
4 have always told the people, their families, -- I've an
5 advantage, I've been there 12 years, I know quite a few,
6 and I do have them come in or I'll have the family call
7 in and make a specific complaint against an officer, it
8 will be looked into. If it has merit, it will be resolved
9 either by transferring that client or in some other way.

10 Q Have you ever received a complaint of racial, where
11 there's racial mixing or parolees, male-female? The parole
12 officer really got down on him because of this?

13 A I won't use names, but I had a complaint last week
14 from a Black lady who I have known for 12 years, regarding
15 her brother's parole officer, who is also Black. And it
16 was, she felt that he looked down upon her and her home
17 because of the home situation.

18 For instance, he commented she had \$1,100.00 TV set
19 in the living room and the couch was setting on the floor,
20 there's no legs on it. So he asked her what type of set
21 it was, and made some comment, which she believed was cutting
22 her down, really. That he couldn't afford a TV set like
23 that.

24 Q But racially-wise?

25 A No, sir.

1 Q You have not received any racial complaints,
2 racially-wise?

3 A No, sir.

4 A (By Mr. Campos) I think, I think we have some
5 staff that, not many, one guy in Reno and one guy in Vegas
6 that we try to avoid giving Blacks to, especially young,
7 aggressive Blacks type, you know, he can't handle them too
8 well, but we do this with a lot of things, you know, we
9 know what the strengths and what weaknesses individual
10 officers have and we try to utilize the strengths rather
11 than try to necessarily magically correct all their
12 weaknesses or this type of thing.

13 As far as complaints are concerned, I don't know,
14 we have one class action suit going that's been filed
15 against us but that, too, was a -- was a Black filing
16 against a Black officer as a class action, so I don't --

17 MR. SCOTT: That's all I have.

18 Q (By Ms. Johnson) In the figures that you read, we
19 were talking about initial hearing when you gave your
20 opening statement, are all figures for those people re-
21 ceived in Nevada State Prison from January until now, is
22 that right?

23 A From December through June.

24 Q From December through June. Those people wouldn't
25 be eligible for board appearances by this time, right?

1 A Oh, no, no, right.

2 Q Are there any statistics on the people who, say last
3 year came to the board, what their offenses were and their
4 background and record?

5 A I don't -- no, not to my knowledge unless the prison
6 has one. The last time that I had a look at that type of
7 thing from the prison, the only thing I was looking at
8 was prior felon convictions or term and status. How many
9 times people have been in prison. ~~At that time, in~~

10 ~~At that time, the average term status out there was~~
11 ~~2.5.~~

12 Q So those figures wouldn't necessarily give the
13 reason for the decrease in initial hearing appearances?

14 A No, no. Those figures not in themselves. You
15 know, one of the things that Nevada is cursed with, you
16 might say, is the fact that we have --we are a tourist
17 state and a great majority of the people that come to the
18 state are good people but it also attracts a lot of other
19 people too, so that we do get a lot of persons here who
20 are not from Nevada, and they are really not from anywhere
21 anymore, because they've been doing time all over the
22 country for the last 15 or 20 years.

23 They're very difficult to work with. They don't have
24 any resources, don't have any family, don't have any any-
25 thing. Except a lot of convictions.

1 Q Also in initial hearings, in the 1971 report from Board
2 to people paroled at their initial hearings, were thirty-
3 three and a third percent more successful and while it
4 said that, you know, that figure in and of itself didn't
5 say a great deal. It did say that the additional time
6 spent in prison didn't seem to reduce the violation rate.
7 It said that it could be stated that releasing persons at
8 their initial board hearing presented no measurable
9 threat to the community and that the success rate of those
10 people paroled at their initial hearing was higher than
11 the normal.

12 Do you have any comments on that?

13 We've done a lot of talking yesterday about people
14 being released.

15 A No, I don't think that that -- that there'd be
16 very many people in the correctional field that would
17 disagree with that. In other words, there's no proof or
18 indication anywhere that serving more time or additional
19 time in a prison is going to substantially change what a
20 person may or may not do when he gets out.

21 Q What about prisoners that are violated for excessive
22 drinking, this sort of thing, do you have any comments on,
23 one, how incarceration can be beneficial to them and two,
24 maybe, is there some kind of -- like you're doing the in-
25 tensive unit with mostly narcotics offenders, what about

1 maybe something else for the people that are alcoholics,
2 say, or have a heavy drinking problem, I know they're
3 real difficult to deal with.

4 A. Yes, the unit in Vegas has been in existence now
5 just a little over a year and so it's pretty much experi-
6 mental, and depending on how successful we feel we're
7 being we may branch into other areas.

8 Of course, there are a lot of alcohol problems or
9 programs that are more successful ~~than the drug programs~~
10 are and we felt we needed to work more directly with
11 drugs because of the -- just the fact that nobody seems to
12 know how to cure a drug addict.

13 Q. So you think that the reason people are -- one of
14 them is basically, one of the more important reasons that
15 people are violated for instances of drinking, is because
16 there aren't the programs available?

17 A. No, no. I, in comparing the two, in talking about
18 the drug addict there are a lot of drug addicts who stop
19 using drugs. But they don't seem to stop necessarily
20 because of any particular program, so just because there's
21 so little known about why people stop or why some people
22 can't stop, we wanted to work more closely with addicts.

23 The -- as far as alcohol is concerned, normally the
24 only time a person is returned to prison for using alcohol
25 is if it -- is if his use or continued use represents a

1 threat to himself or others, becomes violent when he's
2 drinking or keeps running over people, this kind of thing,
3 won't stop driving, but as far as just for drinking itself,
4 unless there's the violence involved, we won't return him.
5 But we do utilize the -- they are, for instance, in
6 Reno, the ARA House and Alcoholics Anonymous program.

7 Q Could you tell me --

8 A State hospital too.

9 Q Could you tell me what the reality of time served
10 on parole is in Nevada?

11 A Well, average, average is 22 months. I would say
12 that for most people it's a lot less than that. Probably
13 more like 15 months.

14 MS. JOHNSON: Thank you, that's all I have.

15 THE CHAIRMAN: Okay.

16 Q (By Ms. Johnson) Would you state your name and
17 position, please?

18 A (By Mr. Des Armier) Earl Des Armier, District
19 Supervisor of Las Vegas District.

20 Q How long have you been in the field of corrections,
21 Mr. Des Armier?

22 A I've been with the agency, I will complete 11 years
23 in September. I was with the Clark County Sheriff's
24 Department prior to that; 20 years in the military before
25 that.

1 Q What are the qualifications for an entry level
2 parole officer?

3 A Mr. Campos has already given them.

4 Q Did he?

5 A Yes. If you want it I can --

6 THE CHAIRMAN: Yes, he gave that.

7 Q (By Ms. Johnson) And we talked about training, too.
8 What percentage of your region is parolees?

9 A In Las Vegas we only have 40 Nevada parolees. We
10 have a total caseload, if you want a breakdown, of --
11 this is as of June 30th, we had 597 people under supervision,
12 with a total Nevada parolee caseload of 40.

13 Q What happens when a parolee package comes into your
14 office, who assigns the case and --

15 A Up until a month ago, I did not -- we did not have
16 our district supervisors implemented. When the package
17 would come in, the mail would be placed on my desk, I would
18 go through it, read it, be familiar with it, see what that
19 particular individual's needs may have been. Then, knowing
20 the officers that are assigned to the district, if they
21 had a certain strength and in the needs of that individual
22 it would be assigned to them.

23 Q Are they assigned by race?

24 A No, Ma'am.

25 Q Are they assigned by sex?

1 A. No.

2 Q. Are they assigned by sex in the Reno office?

3 A. MS. SMITH: No.

4 Q. So that a woman can have a man, male parole officer?

5 A. I have five female agents in Vegas and only a case-
6 load of, a total of 80 females under supervision so most of
7 the female agents are carrying basically a case load of
8 males.

9 Q. How many women in parolees would you say have a
10 male parole officer?

11 A. I only have one woman parolee.

12 Q. And she has --

13 A. She has a female officer.

14 Q. What, in Reno?

15 MS. SMITH: I don't know, Donny. There are male
16 officers who have female parolees, but I don't know how
17 many.

18 Q. Can you describe the supervision process from
19 assignment of a case to a staff member in your office?

20 A. (By Mr. Des Armier) You mean from the time the
21 individual physically arrives or package arrives?

22 Q. Yes, I think -- well, we've pretty much covered the
23 package. Well, no, about the investigation process, too,
24 I guess.

25 A. Well, investigation process should include checks on

1 local law enforcement agencies to see if there were any
2 old, outstanding warrants of any sort, usually of a mis-
3 demeanor nature, because if they were anything greater
4 than that they would have been detainers. Because there's
5 nothing more frustrating than an individual to come out of
6 the Nevada State Prison after eight years, come to Las
7 Vegas and go to jail for a parking ticket he didn't pay
8 and that has happened.

9 And things of that nature. Verifying the program,
10 going to the family, visiting the home, or whatever the
11 residence is going to be, talking to everyone concerned
12 with that individual and his future or their future.

13 Then it is returned to Carson City with the approval
14 for the individual to come to the district, there's one
15 other thing, too, in that package, if the program should
16 need modification or have to be redone, it is then up to
17 that officer to formulate a program. New employment or
18 so forth.

19 And we notify the institution as to the day we
20 would like the person to arrive and this, of course,
21 depends on their mode of travel. If they're flying or if
22 their family's going to pick them up, taking a bus. An
23 officer meets him. He immediately sees that they get
24 registered. We have ordinances in Clark County that they
25 must register and it's also a state law.

1 Then it's usually the evening because they all
2 seem to come by bus and they get in at 5:25. He's taken
3 home or to the residence, advised to be in the following
4 morning for an indoctrination of his rules and regulations.
5 We do not get that, that's the last document they sign at
6 the institution when they leave. And then that's gone
7 over. Certain points are emphasized or so forth, explanations
8 if he doesn't quite understand them. And the program
9 commences.

10 From that point, the officer then submits to a
11 screening committee, the program for this individual. What
12 he wants to do, what we would like to see him do, where he
13 would be at the end of, say two years, three years, whatever
14 we're going to have him under our supervision.

15 The committee may -- and this committee consists
16 now of our psychologist, the unit supervisor and the dis-
17 trict supervisor and the supervision officer. The committee
18 approves, suggests modifications, and then a letter is
19 given to that individual advising him that the committee
20 has been apprised of his overall program, and that they
21 feel that it is an acceptable one and wish him luck or
22 they make the suggestions to him that perhaps with some
23 education benefits he could go from here to there and we
24 could get him into maybe a union apprentice program where
25 he's not capable or qualified at that point.

1 And then monitoring this whole thing through the,
2 period reports back to central office.

3 Q Is the prisoner included in the screening process?

4 A Not at the physical screening, but he does, he's
5 made aware that it will be done and he receives a written
6 letter back from the board itself.

7 Q Do you see any reason why including the prisoner
8 in that process, in that screening committee hearing might
9 be detrimental?

10 A No, I do not.

11 A (By Mr. Campos) I think we might, we do that some-
12 times, we did it in Reno for a while. I think we found
13 that it was just a, you know, the guy couldn't be there
14 and when we'd have to have them, and usually those screening
15 committees are about once a week and it's during the day
16 when a guy's working or something. But he has input
17 through his officer.

18 A (By Mr. Des Armier) The time element would be the
19 only thing because they're set and then a crisis arises
20 and they are not really, they're flexible, we set screening
21 for Thursday and something happens we'll do it Friday.

22 But we try to do it within a week or ten days after
23 the subject is placed into our care.

24 Q As to out-of-state travel, if a state is going -- I
25 should have asked, but I just thought of it, if a prisoner's

1 going, say to Minnesota, is that travel paid, his plane
2 fare paid?

3 A No, Ma'am.

4 THE CHAIRMAN: By anybody?

5 A Well, usually the family or he himself, you're
6 talking about coming out on parole now?

7 Q (By Ms. Johnson) Yes.

8 A No, he gets nothing more than guilt money, to my
9 knowledge.

10 Q That would require legislation, right?

11 A (By Mr. Campos) It would require it but again it's
12 not one of those things that's been a particular problem
13 for us.

14 We've gone, in the past for example, Catholic Welfare
15 in Reno has been very helpful in those kinds of instances
16 but I can't recall the last time I had to go to them, it's
17 been a couple years ago.

18 Q I was thinking more, I think, of people who come out
19 on expiration who may only have 50 bucks, and come to the
20 parole office to help them --

21 A We have that, too, occasionally, people will walk in
22 there destitute and they'll ask for assistance, they're
23 accustomed to going to a parole office.

24 Usually, I have never turned them down, I've made
25 every attempt to help him myself or through local agencies.

1 Q Parole officer rules are needed for out-of-state
2 trips, visits and that sort of thing, can you explain
3 how that's done?

4 A (By Mr. Des Armier) In the past, particularly
5 Las Vegas, we have had a terrific rash of requests at
6 4:00 o'clock Friday afternoon to go to Tiajuana, so because
7 of this and the fact that we recently have had, oh,
8 probably a half a dozen or more people picked up at the
9 border on various narcotic charges, we've implemented
10 a policy where now a person must submit to his super-
11 vision officer a request for out-of-state travel five
12 days in advance. Emergencies withstanding.

13 Q Emergencies can be done --

14 A Immediately, by telephone, he can be allowed to go,
15 and certainly if a person's mother was very ill and he
16 couldn't get me and he went, I doubt very much that there
17 would be any violation.

18 Q He wouldn't be violated for that sort of thing?

19 A No.

20 Q Is there any rule about that, say that somebody had
21 to leave on Friday because their mother died or was sick
22 or something --

23 A (By Mr. Campos) Can I say something regarding that?

24 The rules regarding interstate travel of probationers
25 and parolees is outlined by federal legislation and any

1 state that's a member of the interstate compact, of which
2 all 50 are, are supposed to abide by those rules.

3 Very few states do as a matter of fact, just about
4 every state has different rules as to how they want a guy
5 coming into their state, and a good majority of them, for
6 example, will require 15 days notice, 30 days notice, 60
7 days notice, all kinds of things like that. I couldn't
8 tell you what any -- what kind of requirement any state
9 has so that we're probably violating federal law every
10 time we allow one of these guys to go without this, you
11 know, 15-day notice, this type of thing.

12 But they are required to have a travel permit, and
13 that is federal law and if they are in another state without
14 a travel permit they are subject to be arrested as a fugitive.

15 So this again is for their protection, probably the
16 only reason it doesn't happen a heck of a lot more than it
17 does, is there's probably not one in a 100 peace officers
18 who are aware of that, if they were, everybody would be
19 getting thrown in jail.

20 Q Would you foresee, then, the need to have someone,
21 maybe not the parole, maybe somebody that could be called
22 in the department should that kind of emergency arise, so
23 the guy wouldn't get, you know, maybe picked up in Las
24 Vegas and put in jail? Me?

25 A. (By Mr. Des Armier) Back to that, if that entails

1 the giving of their numbers and all, that is part of the
2 indoctrination in Las Vegas, they're made aware that
3 through the highway patrol department dispatcher, any
4 officer or officer with any agency can be reached in an
5 emergency. There's also a sign on the wall, but that
6 doesn't mean too much.

7 Q Would it assist your role if an overall department
8 of corrections were in effect?

9 A Possibly, if this entailed, say a facility in the
10 southern part of the state where we could utilize this in
11 various needs or emergency detox., short term incarceration
12 where you may have a violation but it's pending through
13 the courts, you don't want the man to go back to the
14 institution, I think yes, it could be used, but I'm not
15 sure of all the red tape of it.

16 Q But you think that -- is it the institution or the
17 department that you think would be most needed or both?

18 A I really couldn't answer that. I have never
19 worked in a department of corrections. I've talked to
20 people who've come out of them and I honestly ~~could not.~~

21 I know I have some ideas of how we could utilize
22 facilities if they were available.

23 Q What do you think is the major problem for parolees,
24 that's probably hard to say, problems?

25 A No, I've heard, I've sat through the hearings and

1 employment is the big thing. The home situation, these
2 are two prime things that really, if a person has a job and
3 he can hold his head up and go out and do things and
4 this, I think he, you know, he's pretty well satisfied.

5 He may have some other problems but they can probably
6 be resolved.

7 Q Do you receive a lot of complaints about where
8 your -- or your officers about trying to get a work card,
9 sheriff's card to --

10 A In the past, in Clark County, this was a tremendous
11 problem. Since the forming of the municipal police
12 department, it has become no problem.

13 Q Why is that?

14 A Different personnel handling it is all I can answer.

15 Q They're still required to but they don't go through
16 this like they do up here?

17 A Yes, yes. We have, when John Moran took over as
18 undersheriff, I called him and asked him if he had any
19 particular feelings on this. He was the man at the police
20 department because he was chief of police and we had no
21 problem then. So, I anticipated that if he could implement
22 this in a new combined agency we'd have an ace in the hole.

23 He said no, and he requested that if we have a
24 client that has a job and we feel that he may have a problem
25 we can either personally come over there and ask to see him

1 or write a letter and they will issue a card. It may be of
2 temporary nature, 30, 60 or 90 days, and at the conclusion
3 if the person has had no problems, they get their regular
4 card.

5 Q So they don't go through a board of inquiry or
6 anything like that?

7 A No, we do not have the boards in Las Vegas that
8 you have here.

9 Q Before this new process, the police had really a
10 problem, though. Do parolees complain a lot about the
11 registration process, registering as an exfelon and all
12 that?

13 A No, I think they complain more about the work card
14 than they do the registration.

15 Q Would an expanded work release program assist the
16 department to help parolees?

17 A Yes, but we're having one heck of a time selling it
18 within the community, in the southern part of the state.

19 We had meetings again two weeks ago with Titanium,
20 State Stove, Pacific Engineering, and these are four of our
21 prime manufacturers in the Henderson area, and three of
22 them did show, the chief of police showed, he agreed that
23 he would house these applicants in their facility if we
24 could secure employment with them. We got two commitments
25 from this group of people.

1 And the parole board will be considering at this
2 meeting, in -- well, the end of the month, selecting two
3 for those particular jobs.

4 Q Would you say that it's more a problem of employers
5 reluctant to hire people on work release or the community
6 reluctant to accept it?

7 A It's both, really, in Las Vegas, it's not either
8 one --

9 Q Can you repeat that?

10 A It's both, I feel, in Las Vegas, that there are
11 problems on both sides, not one or the other more than --

12 Q What is your opinion, Frenchy, about the creation
13 of a full time parole board?

14 A I think that it would be more beneficial. It may
15 increase our caseload and require more staff, but cer-
16 tainly, if more of the people out there at NSP could be
17 released, and be productive in the community, it would
18 relieve the taxpayers tremendously for housing them.

19 Q Yes, would you think while that would require a
20 great amount of more money from the legislature to hire
21 more parole officers and that sort of thing, would it at
22 the same time reduce the money that would be needed to
23 keep someone in prison and I understand the costs of keeping
24 somebody in prison are overwhelming, compared to having the
25 people on parole. Is that --

1 A. I was to a meeting out at the university here a
2 while, oh, a couple of Sundays back, where, I can't re-
3 member the speaker's name, but he was stating that they
4 recently completed an institution in San Francisco, I
5 find this hard to believe, but they figured on \$15,000.00
6 per cell. That was to build. And of course, your main-
7 tenance and everything else.

8 Q. And what does it cost to keep a prisoner on parole?

9 A. On parole he's self-- well, if you want to go, you'd
10 have to consider the overall agency operation. I don't
11 know. Maybe Mr. Campos knows.

12 Q. Do you know?

13 A. (By Mr. Campos) I couldn't give you a realistic
14 figure.

15 Q. But I would imagine it's a lot less than \$10,000.00
16 a year, \$15,000.00 a year.

17 A. Per man? Oh, yes, it's less than that.

18 Q. Several thousand dollars less --

19 A. Oh, I'd really -- you know, a lot of our work isn't
20 directly related to supervising people, it's court work
21 and this type of thing, so it wouldn't be right to break
22 our overall budget down and divide it into the number of
23 clients or this type of thing. But it's not, it's not
24 tremendously expensive.

25 If I got half of it back again in taxes, this type of

Parole Revocation

1 thing.

2 Q What role do the parole officers play in revocation
3 hearings?

4 A (By Mr. Des Armier) Well, at the parole board they
5 are not there, their report may be there, however, --

6 Q What about the report, how is that handled?

7 A Well, if a parolee in your care is arrested and the
8 violation is sufficient to perhaps cause his return to prison,
9 he is placed in custody and given a Morrissey decision,
10 which is a recent supreme court decision, this decision
11 is given to ascertain whether or not he committed a crime
12 or violated a condition of his parole. And whether or
13 not this is sufficient to go back before the parole board.

14 Now, the parole officer that supervises this man
15 does not make that decision, he presents it to a disinter-
16 ested parole officer, the client, at that time, has a right
17 to counsel, he may cross examine witnesses, he may or may
18 not be present, we have no subpoena powers, we don't swear
19 witnesses or things of that nature.

20 And if the parole officer that hears the hearing
21 rules that there is not cause, this man does not go back,
22 even if a retake warrant had been issued. His decision
23 can not be overridden, not by Mr. Campos or the board.

24 Q When you were a parole officer, I know, through my
25 work, that you were a tremendously popular parole officer

1 and retain that reputation at the prison. I wonder if
2 you'd care to comment on that, on what, you know, I don't
3 think I've ever heard any -- much comment, favorable comment
4 about anybody as I have about you, and I'm wondering if
5 you'd give some observations.

6 A. My boss might say I was easier but I don't think
7 I was. There are people that I have supervised that I
8 have had to send to prison or recommend their being sent
9 to prison. I always tried to treat someone as an equal,
10 help them if I was able, refer them in some way, and to
11 treat someone the way I would have hoped to have been
12 treated, I guess.

13 And I have had a good degree of luck or success,
14 I don't know which.

15 MS. JOHNSON: Thank you, that's all.

16 THE CHAIRMAN: Anyone else have a question?

17 MR. SCOTT: I've a question for Karren.

18 THE CHAIRMAN: Okay.

19

20

21 MS. KARREN L. SMITH

22

23 Q. (By Mr. Scott) Just one question I think right now.

24 I wanted to ask you about the problem of letting parolees

25 visit the family and your reaction to their stability by

1 letting them do that.

2 A (By Ms. Smith) What do you mean by family, Eddie?

3 Q All right, the families in Las Vegas and Utah or
4 some other place out-of-state or in-state.

5 A Okay, and so they want to go for the week-end, for
6 instance, to visit?

7 Q Yes.

8 A No problem ordinarily. I do object, and I think
9 this came up with the last parolees who came out, two of
10 them had families in Las Vegas and the day after they
11 came out of prison wanted to go to Las Vegas. They had
12 paroled to Reno primarily, because they had gotten in
13 trouble so many times in Las Vegas and so I said, let's
14 wait a week or two, get your job routine down and you can
15 go home and visit.

16 But ordinarily there's no problem at all.

17 Q What about out-of-state?

18 A There's usually no problem there, either. I think
19 you're probably thinking of a specific one where she wanted
20 to go to Florida the day after she got out.

21 Here again, I felt the same way, she had a program
22 set up at school, she had residence and everything else
23 and we felt that she should start the program, see how she
24 was getting along for a couple of months and her employer
25 said at any time she wanted to go, then she'd be free to go

1 Q (By Mr. Romero) Mr. Des Armier, let me ask you
2 generally, you stated that, to a question, that the parole
3 officer's report meant a lot as far as a revocation hearing,
4 right?

5 A (By Mr. Des Armier) At our district level and it is
6 submitted to the board.

7 Q Right. And at the same time, earlier today, it
8 was stated that there are one or two parole officers that
9 may tend to be maybe a little harsher or unable to handle
10 Blacks.

11 A Yes.

12 Q Has this or can this play an important part in
13 that? I mean has this ever affected a Black parolee who's,
14 you know, at a revocation hearing?

15 A In other words, the individual that has these
16 feelings would he be allowed to participate in a hearing
17 such as that?

18 Q Yes.

19 A No, sir.

20 A (By Mr. Campos) I might add something to that, you
21 know, that's really just my observation, I could be wrong,
22 I think I've got a couple officers who can handle young
23 aggressive Blacks too well, so I don't ever given them any,
24 so maybe I'm wrong, this is fine with me.

25 Q I'm sure you would notice if they told you in every

1 report they didn't like Blacks, but many times, actions
2 speak very loudly. So, you may be hearing them pretty
3 well.

4 And one more question, as far as Mr. Campos, what
5 is the principal relationship, the principal relationship
6 between the parole board and your agency?

7 A Well, first of all, the parole board sets the con-
8 ditions of parole. And by law they appoint the chief.
9 And they can set some broad administrative policies for
10 the agency which they traditionally have not done other
11 than essentially the conditions of parole and of course,
12 the fact that they have the final decision in parole
13 violations.

14 Q Now, this is the parole board setting policy?

15 A Yes, sir.

16 Q Now, the parole board in essence, can be determined
17 to be non-professionals, right?

18 A Yes.

19 Q And yet, you know, your people are professionals.

20 A Well --

21 Q When you're talking about parole officers having
22 to have five years of education and/or experience, etcetera,
23 etcetera, that would be professionalism, right?

24 A Yes.

25 MR. ROMERO: That's all the questions I have.

1 A In essence, they do not. The board, in the close
2 to ten years that I've been here and have known all of the
3 chiefs and all the boards I've ever seen, a parole board
4 at any time really try to administer to attempt but they
5 do set the conditions of parole and, you know, I suggested
6 earlier if we want them to change one we go hassle it
7 out. Discuss it with them, so on.

8 Q (By Mr. Scott) I might raise one other question,
9 Mr. Campos. Back to contacting the parole officer after
10 5:00 o'clock. and on weekends and you said that there
11 may be an instance where they go through the police depart-
12 ment to contact their parole officers.

13 Is anything going to be done to alleviate this
14 situation, having alternate people to contact? If a
15 problem arises on the week end?

16 A I would want to study first of all, how much of a
17 problem it was. In other words, I'm not at all sure that
18 a problem exists here. I heard people say that they don't
19 know how to contact their officer but our officers are
20 called probably almost every night by somebody, so I -- I'm
21 not really sure there are problems.

22 Q That's those who are listed, those who are listed
23 in the book may be called occasionally?

24 A I'm not listed and they find me. We've had some
25 other -- you know, again particularly talking about maybe

1 civil rights, you know, it's hard to know, really, how
2 much you can make a person do in his employment.

3 We have one gal that works for us that sends her
4 kids out-of-state because of the threats that have been
5 made to her and her family, and so on, by some pretty heavy
6 people, and you know, these -- people, sometimes they don't
7 want to bring the job home to the family, you know, this
8 type of thing.

9 So our staff, are people, by and large, who are
10 highly motivated, in this work, they work tons of hours
11 for which they get no remuneration for at all.

12 Recently, in a promotional exam for supervisors
13 one of the questions being asked was, you know, what would
14 you do to motivate people in the agency and this question
15 was being asked by nonagency personnel and we get the
16 same response from everybody, people just cracked up, you
17 know, because I wouldn't want them to be much more motivated
18 than they are now.

19 And another thing, too, we aren't all that difficult
20 to get ahold of, our unit in Vegas is open till midnight,
21 we have two people in Reno that work swing shifts, what
22 time do they get off, Karren, 10:00 or 11:00 or 12:00?

23 A. (By Ms. Smith) Well, it's supposed to be 10:00, but
24 it's usually 12:00 or 1:00.

25 A. (By Mr. Campos) Twelve or one, so -- and we work about

1 every other week end in Vegas, in the unit. Or every week
2 end, what is it?

3 A. (By Mr. Des Armier) No, it's two week ends a month
4 we cover, two are not covered.

5 A. (By Mr. Campos) So there's a lot more coverage
6 than just the 8:00 to 5:00 office coverage.

7 A. (By Ms. Smith) May I respond to that question?
8 Now, in Reno every police agency has a list of not
9 only the officers but the supervisors, and I don't know if
10 the other officers do, I personally do. My people have
11 the number of the Washoe County dispatcher and she calls
12 me at home if they call in.

13 Now, I'm not home a lot, and she should, I'm not
14 saying she does, but she should say, I can't reach Mrs.
15 Smith but Alice Snyder is her supervisor.

16 In other words, she's a list of alternative there in
17 those police agencies.

18 Q. And the parolees have this information?

19 A. They have the name of, for instance, the sheriff's
20 office or the police department and then the dispatcher in
21 those offices have our complete list and should be able to
22 find at least some alternative.

23 I have received calls from parolees or probationers
24 belonging to other officers when they could not find their
25 officer, so I really don't think it is that big of a problem.

1 I do think we're hearing a lot about it but I --
2 haven't run into it that much myself.

3 Q. (By Ms. Stanovik) I have some questions for Ms.
4 Smith.

5 What do you see as the main responsibilities in
6 parole supervision?

7 A. (By Ms. Smith) I still feel that the main responsi-
8 bility is protection of society, to supervise the people
9 under your -- you know, on your caseload and know where
10 they are as much as you can, know that they're working
11 and doing.

12 Secondly, of course, is to see that a person makes
13 it. And I don't think that there's anybody in our depart-
14 ment who does not, above all, want to make sure that that
15 person, you know, makes it on parole and does not go back
16 to prison.

17 So I would have to say first is supervision and
18 secondly would be counseling and referral to other agencies.

19 Q. What do you see as being problems that might keep
20 you from carrying out these responsibilities?

21 A. Well, time. Time is always a problem because when
22 you're working with a, you know, 80 person-caseload, if
23 you want to do any counseling at all, I mean you break it
24 down into hours, there's no way you can do justice to your
25 people. Another one is simply money, particularly for

1 parolees coming out with \$50.00, you know, that's a big
2 problem, and I would say the largest problem that my
3 parolees face is we have to spend time going to other
4 agencies to try to get them money for housing, money for
5 groceries until they get the first paycheck.

6 One problem we are running into and I hope I'm not
7 knocking the administration, is mileage, you know.

8 We only have so many miles that we can put on our
9 automobiles, and if I have parolees at Stead (Phonetic), which I do,
10 to try to see them three or four times a month, is
11 ridiculous, I can't do it and they're the ones who need
12 the most help at this time.

13 Q Do you feel that you spend, I think Mr. Campos men-
14 tioned that probably most parole officer spend 80% of
15 their time with 20% of their people?

16 A Definitely. Definitely.

17 Q Is that about --

18 A Right. Fortunately or maybe unfortunately, we have
19 many probationers for possession of marijuana and things
20 like this. These are college kids who don't really need
21 to be supervised, so you see them once a month and kind
22 of let them live their own lives. But then you have,
23 particularly parolees and some probationers with problems
24 and you'll see them three and four times a week.

25 Q What do you see, how do you see your relationship

1 with a parolee? Do you see any problems in your role as
2 a counselor and also as an officer?

3 A Since that was my particular comment to Roberta when
4 she came around, definitely I do. I may not feel it
5 personally, that there's a conflict between being a police-
6 man and being a counselor, but I know that my caseload
7 does. And I know that they are afraid to come in and say,
8 you know, I am -- I'm in trouble, I've done this, because
9 they don't know whether I'm going to arrest them or not.

10 Q Are there any changes that you can think of either
11 in the law or in your department, department policy, that
12 might make your job a little easier?

13 A I can't think of any specifically, because I think
14 as already been brought out, here, we can be fairly flexible,
15 you know, as far as associates and thing like this, it's
16 more or less left up to me to make decisions on those
17 things.

18 And I think as long as you do have that flexibility
19 and as long as you can go to your supervisor, which we can,
20 and have some input into the program, we've pretty well
21 taken care of things on a department level.

22 I can't think of any laws that I would put in.

23 Q Are parolees required to have written permission
24 for, whatever out-of- state travel or buying a car or what-
25 ever?

1 A That's the way the rule reads, you shall receive
2 written permission, but I think it's already been pointed
3 out here that we are flexible there, too. If I get a call
4 on a Sunday morning for someone who wants to drive to Lake
5 Tahoe, and you know they're in Carson City which they,
6 of course, can be, I'm not going to make them come to Reno
7 and give them a written pass to go to Lake Tahoe, but
8 Monday morning I will put in the file, you know, that they
9 called and they were given verbal permission, and that way
10 should anything come up, they're covered because, you know,
11 I have it down there, I gave them permission.

12 MS. STANOVIK: I think that's all.

13 THE CHAIRMAN: I have just one question on the same
14 line.

15 Q (By the Chairman) I understand that if a parolee is
16 in Carson City, they would have to get permission to go
17 to Lake Tahoe?

18 A No. What -- if a person on my case load from Reno
19 happened to be in Carson City, see, they don't need per-
20 mission to come to Carson City.

21 Q I see.

22 A And you know, and I can think of one instance where
23 this happened, they were in Carson City for the day, some
24 friends said can't we go to Lake Tahoe? They called. Now,
25 Tahoe, of course, they're going to go around to the California

1 side and it's going to be out-of-state.

2 Q What is the extent of the territorial situation,
3 I mean the geographic situation, let me say, as far as if
4 I reside in Reno, and -- and my parole area is Reno, now what
5 geographic area would that cover, just Reno or Reno-Carson
6 or Reno to Lake Tahoe or the county or --

7 A I think the rule says, you know, without leaving the
8 community. But we usually say without leaving the state.
9 Any time a person goes across a state line into California,
10 Utah, but if my people are going to Las Vegas, I don't
11 usually give them written permission, I'll just say go,
12 but I would like to know if you're going to be gone a few
13 days.

14 Q (By Ms. Johnson) When you go to visit a prisoner,
15 say when you're working in the field and you go to a
16 prisoner's home or whatever, do you go by yourself?

17 A It depends. Most of the time we work in pairs
18 a great deal at night, so in those cases, I have somebody
19 with me.

20 Q The requirements under certain circumstances that
21 you go with another parole officer rather than by yourself?
22 Or why is it done ever?

23 A I don't -- I won't say there are specific require-
24 ments. I would say common sense. There are some instances
25 when we have a male officer supervising a female and he

1 really doesn't want to go alone to her home at night, and
2 I will go with him.

3 Q But say other things, like a male officer with a male
4 client, you know, in what instance would, like two officers
5 go to see that male client?

6 A Generally just because you happen to be working
7 that night together. I would say.

8 Q Have you ever encountered any resentment about that
9 rather than the guy's own parole officer coming to see him,
10 or her, that two people would show up in his door or her
11 door, one being somebody that maybe he or she doesn't like,
12 and certainly doesn't want to talk to, when it's just --
13 I'm talking about not when there's an investigation or
14 something, just when it's a natural, a normal routine
15 visit?

16 A The only one I can think of is one woman on my
17 case load who every time I show up with a man officer, she
18 knows she's in trouble again and she said that, you know,
19 does she have a man with her? Then I'm in trouble. But
20 not --

21 Q You're thinking more about male --

22 A But no, I haven't run into that, nobody has verbalized
23 to me that it bothers them, that I bring someone.

24 Q Could you explain the process for prisoners visiting,
25 prisoners who are out now visiting prisoner who may be

1 relatives or somebody gets out, a wife or a sister or
2 somebody back in prison, could you explain that process?

3 A. Okay, I have been asked by the prison to give per-
4 mission to my people to go over and as far as I know, it
5 is a prison policy just a courtesy-type thing, so if one
6 of my people wants to visit, I simply call Mary Coffee, and
7 give her the, you know, that they would like to come and
8 it's cleared.

9 Q. Can you do that by phone? Do you have to do it by
10 phone?

11 A. By phone.

12 Q. You can do that by phone and nothing else is re-
13 quired?

14 A. Well, the prison requires them to fill out the
15 usual visitation forms.

16 Q. But from you?

17 A. On occasion I write and say they have my permission
18 to visit at any time.

19 Q. When you do that, Karren, do you -- who sets the
20 times, you know, like a prisoner can visit once a month or
21 twice a week or five times, who does that, you or the
22 prison?

23 A. Generally the prison does.

24 Q. The prison does?

25 Do you ever have occasion to set up --

1 A. I have, I can think on a couple of occasions when
2 the person wanted to or asked to visit, because they
3 felt an obligation to, because they were pressured to and
4 they really didn't feel ready to go visit and so I've
5 more or less used my authority to say, all right, don't
6 go for 30 days and gave them an out. But other than that,
7 no, I have not.

8 Q. What reasons would you, or if you ever do, I
9 don't know if you ever do, deny a person to see one of
10 their relatives or somebody in prison?

11 A. I haven't, that I can recall. I haven't.

12 Q. Is that the same procedure in Las Vegas?

13 A. (By Mr. Des Armier) We call usually, but then they
14 almost always will ask us to forward a letter.

15 Q. Down there do they decide how often they're going to
16 be seen, the prison decides to, not your office?

17 A. No, I've always been advised that if anyone travels,
18 and I may be wrong on this mileage, but over 250 miles or
19 something to visit someone at the institution that they're
20 allowed normal visitations during regular working hours.

21 Now, maybe this is not totally right. But the county
22 jail, for instance, that we had people in down there,
23 we can call, the mother comes into town and she wants to
24 see her son or daughter, make arrangements and either take
25 them over or see that they get there and visits are set up

1 through the parole officer.

2 MS. JOHNSON: Okay, thank you, that's all I have.

3 THE CHAIRMAN: Any more questions?

4 Q (By Mr. Scott) I think just one question, I think
5 for clarification, it's been mentioned already and that
6 was about the association and Karren, ladies, would you
7 see that of association could be of some strength?

8 A (By Ms. Smith) I certainly can.

9 Q You can't?

10 A I can, absolutely, and you know, if I were really
11 going to enforce the association thing, I would be living
12 at Donny Johnson's 24 hours a day and making sure nobody
13 talked to each other over there.

14 But for this reason, Donny and I have been trying
15 to get together for the past month or so, because I do
16 feel there is a need for a place for some of my people
17 to feel like they can speak honestly and openly, which
18 they do feel with Donny and to talk about the problems
19 they're facing together. Absolutely.

20 Q Is that a rule you think should be changed, or
21 flexibilities then?

22 A Well, I agree with Mr. Campos, there, we are not
23 enforcing the rule and it's pretty much left up to the
24 individual officer, you know, on associations. I do think
25 you need some measure of control over associations but I

1 think it needs to be flexible and it is.

2 Q But do you think on an individual basis more or less
3 than being a group thing?

4 A I didn't read that, Eddie.

5 Q What I mean is you think it should be more an indi-
6 vidual requirement rather than a blanket requirement?

7 A Right, absolutely. It moves with the person.

8 Q Can you see why it's a problem with the parolees
9 then, you got this result here that can be used --

10 A Yes, but I think we've also brought out that we
11 haven't violated anybody on that rule and there again,
12 I document, you know, if I know my people are associating
13 it's in my files, so if they ever get called down by
14 another officer it's there to show that I knew about it.

15 MR. SCOTT: That's all I have.

16 A (By Mr. Campos) If you're talking about like total
17 numbers I would say that the majority of association that
18 goes on is very negative, there's very much of a need for
19 the rule. It's again, you know, these guys, a guy's
20 doing all right on his own, either gets together in a bar
21 with three other buys, they talk about a warehouse over
22 here that nobody's watching and before they know what
23 the hell they've done they're out in the place, you know,
24 so the associations can be extremely negative. And --

25 Q (By Mr. Scott) For some.

1 A. And we do need some good substantial controls on
2 them, it's left up to the judgment of the officer as to
3 when an association will be constructive.

4 Now, as far as a change in the rule, yes, it could
5 be maybe, say, association -- not to associate without
6 permission of the parole officer or something like that.

7 But certainly the condition itself needs to be
8 there.

9 Q. (By Ms. Johnson) The restrictions would be mostly
10 that they shouldn't, no narcotics where they're associating
11 and those kinds of things, right?

12 A. (By Ms. Smith) Right.

13 Q. (By Ms. Godoy) I just have one question.

14 Most of your answers have, or your responses have
15 been, "In my opinion, or I won't".

16 A. Right.

17 Q. Is much discretion left to each parole officer
18 as to how they will enforce these particular rules and
19 standards or the methods by which they will supervise
20 a particular parolee?

21 A. I would say we have a great deal of discretion. Yes.
22 Because that -- all I can speak for is, you know, myself,
23 and I know that other officers operate in different ways
24 and I'm not, you know, qualified to say why or how they do.

25 Q. So then, there aren't many regulations limiting your

1 particular discretion as a parole officer?

2 A. Oh, no, I wouldn't say that, there are a great
3 many. The ones that I've pointed out, associates and
4 verbal permission I would say are the ones we have
5 discretion on. But the others, we're pretty well limited
6 by.

7 A. (By Mr. Campos) These things are and are being
8 pretty well spelled out in our policy manuals and that
9 type of thing.

10 Q. Are you revising your policy manual?

11 A. Yes, we're in the process right now of revising
12 our manual.

13 THE CHAIRMAN: Okay, we want to thank you for your
14 participation here today, and information that you've
15 brought us and I'm sure that it certainly will be helpful
16 in compiling the report to be issued by the Commission at
17 a later date.

18 In my closing statement, I don't think that we have
19 any other questions or any other witnesses here this
20 afternoon. I think I can speak for the Committee in
21 saying that we have been impressed with the testimony offered
22 on Friday and today, and the goals of the Committee is to
23 work with the -- our staff, the Commission staff, to analyze
24 the information and data obtained by staff in the field
25 investigations. And the information supplied these two days

1 here during the hearing.

2 The Committee will release a report the latter
3 part of the year.

4 As you know, government regulations, restrictions
5 sometimes takes a little bit longer to get what we like to
6 get completed and accomplished, but this report of the
7 Nevada State Parole System will be completed.

8 The report will contain findings and recommendations.
9 It is the Committee's sincere desire that it will help the
10 Nevada State Prison, the Nevada Board of Commissions and
11 the department of paroles to improve their processes and
12 operation here to improve the total system. Prison system
13 for the state.

14 I would like to take just a moment as Chairman of
15 this State Advisory Committee to commend and thank the staff
16 of the regional region here, for the tremendous job that
17 they have done, and also the State Advisory Committee
18 members for the work that they've done here in this two-
19 day hearing. And for their tremendous support and help in
20 helping me to conduct this hearing.

21 And without any further statements, I'm calling this
22 session to a close.

23 And thank you very much.

24

25 (Hearing adjourned)

1 STATE OF ARIZONA)
 2 COUNTY OF PIMA) SS

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I, James E. Bouley, do hereby certify that I am an Official Shorthand Reporter; that I was present at the hearing of the foregoing matter; that I took down in shorthand all proceedings had and testimony adduced at said hearing; that the same was thereafter transcribed under my supervision; and the foregoing 422 pages represent a complete and accurate transcription of my shorthand notes so taken.

WITNESS my hand this 3rd day of July, 1974.

James E. Bouley
 Official Shorthand Reporter