

**MINUTES OF THE MEETING  
OF THE  
ASSEMBLY COMMITTEE ON JUDICIARY**

**Eighty-Second Session  
February 23, 2023**

The Committee on Judiciary was called to order by Chair Brittney Miller at 8 a.m. on Thursday, February 23, 2023, in Room 3138 of the Legislative Building, 401 South Carson Street, Carson City, Nevada. The meeting was videoconferenced to Room 4406 of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada. Copies of the minutes, including the Agenda [[Exhibit A](#)], the Attendance Roster [[Exhibit B](#)], and other substantive exhibits, are available and on file in the Research Library of the Legislative Counsel Bureau and on the Nevada Legislature's website at [www.leg.state.nv.us/App/NELIS/REL/82nd2023](http://www.leg.state.nv.us/App/NELIS/REL/82nd2023).

**COMMITTEE MEMBERS PRESENT:**

Assemblywoman Brittney Miller, Chair  
Assemblywoman Elaine Marzola, Vice Chair  
Assemblywoman Shannon Bilbray-Axelrod  
Assemblywoman Lesley E. Cohen  
Assemblywoman Venicia Considine  
Assemblywoman Danielle Gallant  
Assemblyman Ken Gray  
Assemblywoman Alexis Hansen  
Assemblywoman Melissa Hardy  
Assemblywoman Selena La Rue Hatch  
Assemblywoman Erica Mosca  
Assemblywoman Sabra Newby  
Assemblyman David Orentlicher  
Assemblywoman Shondra Summers-Armstrong  
Assemblyman Toby Yurek

**COMMITTEE MEMBERS ABSENT:**

None

**GUEST LEGISLATORS PRESENT:**

None



**STAFF MEMBERS PRESENT:**

Diane C. Thornton, Committee Policy Analyst  
Bradley A. Wilkinson, Committee Counsel  
Devon Kajatt, Committee Manager  
Garrett Tamagni, Committee Secretary  
Ashley Torres, Committee Assistant

**OTHERS PRESENT:**

James E. Dzurenda, Director, Nevada Department of Corrections  
John J. Piro, Chief Deputy Public Defender, Legislative Liaison, Clark County Public Defender's Office  
Erica Roth, Government Affairs Liaison, Deputy Public Defender, Washoe County Public Defender's Office  
Alejandro Rodriguez, Director, Government Relations, Nevada System of Higher Education  
Michael Flores, representing Great Basin College  
John Sande IV, representing Pearson Education  
John (Rob) Phoenix, Private Citizen, Las Vegas, Nevada  
Tonja Brown, Private Citizen, Carson City, Nevada  
Chad Venters, Educational Partnership Programs Coordinator, Truckee Meadows Community College  
Douglas Unger, Chapter President, Nevada Faculty Alliance, University of Nevada, Las Vegas; and representing Nevada Prison Education Project  
JoAnn Prevetti, Director of Development, Las Vegas-Clark County Library District  
Leo Segura, Library Operations Director, Las Vegas-Clark County Library District  
Dan J. Corsi, Associate Vice President, Academic Affairs, College of Southern Nevada  
Leilani Shive, Principal, Clark County School District  
Jesse J. Watts, Sheriff, Eureka County  
Melissa Duna, Private Citizen, Las Vegas, Nevada  
Deb Conrad, Director, Higher Education in Prison Program, Western Nevada College  
Annemarie Grant, Private Citizen, Quincy, Massachusetts  
Barry Cole, Private Citizen, Reno, Nevada  
Nick Shepack, Nevada State Deputy Director, Fines and Fees Justice Center  
James Palombo, representing Nevada Prison Education Project  
Jodi Hocking, Founder/Executive Director, Return Strong!, Carson City, Nevada  
Sonya Williams, Private Citizen, Las Vegas, Nevada  
Jaselyn Newman, Private Citizen, Las Vegas, Nevada  
Chris Kovello, Private Citizen, Las Vegas, Nevada  
Pamela Browning, Private Citizen, Las Vegas, Nevada  
Vivian Jones, Private Citizen, Las Vegas, Nevada  
Ashley Gaddis, Private Citizen, Henderson, Nevada  
Ryan Wohlgmuth, Private Citizen, Las Vegas, Nevada

Sheryl Samson, Private Citizen, Fallon, Nevada  
Denise Bolanos, Vice Chair, Return Strong!, Carson City, Nevada  
Nicole Williams, Private Citizen, Carson City, Nevada  
Christine Saunders, Policy Director, Progressive Leadership Alliance of Nevada  
Betty Guess, Private Citizen, Indiana  
Mariana Espinoza, Private Citizen, North Las Vegas  
Lilith Baran, Policy Manager, American Civil Liberties Union of Nevada  
Desiree Miller, Private Citizen  
Cyrus Hojjaty, Private Citizen, Las Vegas, Nevada  
Jason Walker, Sergeant, Administrative Division, Legislative Liaison, Washoe County Sheriff's Office  
Adrian Hunt, Police Detective, Office of Intergovernmental Services, Las Vegas Metropolitan Police Department  
Zach Bucher, Government Affairs Officer, Government and Community Affairs, City of Las Vegas  
Pamela Del Porto, Executive Director, Nevada Sheriffs' and Chiefs' Association

**Chair Miller:**

[Roll was called. Committee protocol was explained.] We have two bill hearings. The first will be Assembly Bill 35. Director James Dzurenda of the Department of Corrections will present it. I will open the hearing for Assembly Bill 35.

**Assembly Bill 35: Revises provisions governing the access of offenders to telecommunications devices. (BDR 16-261)**

**James E. Dzurenda, Director, Department of Corrections:**

Assembly Bill 35 gives authorization to allow the Department of Corrections to offer and provide wireless devices to the offender population. I submitted documentation that I wanted to go over to help explain this.

My understanding is that there are only two states in the country that do not provide wireless devices and they are either North Dakota or South Dakota and Nevada. I gave a brief of two different providers [Exhibit C]. There are multiple providers out there, but the two largest ones—Securus and ViaPath—I have provided a list of all the state prison systems, not the jail systems, in the country that have either of those two providers.

The wireless devices could do a whole range of things. The other document I provided [page 2, Exhibit D] has 28 items of things that you could do on them. This does not mean that we would provide all these; it just means that they are available. The way it works is every offender is provided a wireless device at no charge to the offender, but there are items on the devices that are charged. If you want a Netflix-type subscription to get movies, there will be a charge for a subscription, and if you want to get some type of communications like email, there is a fee for that. That does not mean you have to pay to receive the electronic device.

The free services that are provided on it are covered by those fees that were paid into it. You will have law library access—you will see a whole range of these. Every offender will have law library access at no charge. There will be books that they can get through the library system. I met with the Las Vegas-Clark County Library District to talk about free services that they can provide for a virtual library on the wireless devices.

There are emergency notifications that can be done on these devices. An application that is no service charge, no fee, can be used to do emergency notifications to our medical departments and mental health department, not only for themselves but other individuals in the units with them. If they have a cellmate who is talking about suicide or contemplating suicide, they could anonymously send a notification from their wireless device to the mental health department that their cell partner is talking about suicide. When those things happen, it is documented in the medical department that this came in, and now the medical and mental health staff have to do something about it. They cannot say they did not receive any notification, and they will have to be able to do something appropriate in response.

There are other things that could be done on there that I think are going to be extremely important, even for post-release. We could do the Medicaid applications on these devices. I already spoke to Director Richard Whitley of the Department of Health and Human Services who believes they could even provide staff to help offenders navigate these applications, and when they finish the application, it stays with them while they are here and can be released before it goes to Health and Human Services. When they are discharged, that will actually be saved for their access.

I will refer to these devices as tablets, but understand, it is not the same type of tablets we get or that our kids get. They do not provide direct Internet access. You cannot be watching movies on these devices that are bootlegged or be tapping into systems. The way it works is through long-term evolution (LTE), which goes into what we call our private branch exchange (PBX) room, and there is a device there that allows us to control what is allowed in or out.

What I think is going to be big and will help with returning citizens will be religious services. We can actually allow live video feeds to come in to anyone in the facility. If there is a church group or organization, like God Behind Bars, they can provide live video feeds right into the facility that can go to each tablet. They can have live services from their church groups or faith-based community that they belong to. It also could provide recorded services, so I can provide services from all over the world that are recorded religious services that can be put out to all the population if they want to watch or be provided those services.

Another big thing that is going to help with tension is something as simple as maintenance requests. Something happens like the water is not working, the heat is not working, or the lights go out; those offenders can actually do their own maintenance requests that go into a system. They could do it through an application on the tablet. I think that is a big deal. You probably will not realize how big it is in the prison system, but it is a big source of tension with the offenders, and this could relieve some of the tension.

Grievances can all be done through the tablet. They can do this, and it will be documented and logged. We pay 75 cents apiece for each grievance form because it comes in five different pages of the form that they have to reach and be spread out. This could be done wirelessly. This will save money as well with not having to be paying for each form, and it is documented.

There are other things that we can do on it, like providing education on psychotropic medications. Most of the offenders who regress, who refuse to take their psychotropic medications—it usually happens because it makes them sick, or they think it is making them sicker, or they think they are better and do not need it. We could have applications to explain why that happens, what to do if that happens, and the necessity of the medications and their side effects. Everything can be done through recorded app devices that explain the medications they are on and provide education on psychotropic medications, which is necessary in the prison setting.

Additionally, we could have the hotlines to the Office of the Inspector General. If offenders see something that is inappropriate with a staff member or see something bad happening in the housing unit with gangs, they can anonymously file a report through an application that will go directly to our Inspector General. What they do now when things happen—if they really want to report something—is what is called a "kite." They write a letter and give it to the officer; sometimes it makes it to where it is supposed to go, sometimes it does not. This application would prevent that from happening; we know it will be logged, and I can prove where it went and where it came from, so it is not a "got lost in the mail" type of thing.

Another thing I think is extremely important that is done on these devices is regular education, General Educational Development (GED), and high school diplomas. I already met with Las Vegas-Clark County Library District; they have studies and applications they could do for GEDs and high school diplomas that are at no cost. These will be services that can be offered to everybody, not just those who put themselves on a waiting list who may or may not get into the high school services or GED services. There is also something that the federal government has, which is the U.S. Department of Education Federal Pell Grant program that allows any offender who wants to do further education than high school or GED to be able to obtain college credits and go through long-distance learning to get a college degree. To me, that is a huge deal. It has been proven the higher education you have will lead to a more sustainable way of living because it usually means you can be receiving more money when you have jobs that focus on your education or background in education. I think that is important for the success of the offenders when they go back out into the community, which means more success for us because it will reduce the possibility of more people in the community being victimized by those who do not have those tools.

Another big thing I think is going to be important for our system is the translation services. It will allow both translations of speaking and writing in English to other languages and the opposite. For those who do not speak or write the English language, it does have translation services that could be provided. Another thing I think is going to help resolve some of the court issues is we can—through wireless devices—move and send documents from their

attorneys that are needed for representation in their cases. I think this is important because for the rural area facilities, if there are cases they are doing, whether it is civil cases, even if their criminal cases are over or they are doing appeals for the criminal cases, they can receive and send documents through that.

These wireless devices can actually be used as a phone service. It is done no differently than a phone on a wall. The wall phones that are hardwired still go to our PBX room; it allows the phone call to go out. This is no different with the tablets; you could use it as a phone, it still goes to the PBX room, we allow it out, it is not connected to the Internet, and it is not a direct call from, say, a cell phone to a cell phone; it is not operated like that.

There are a couple of reasons why I think this is important in a prison setting. First of all, if you know anything about or have spoken to offenders who are in the system, the gangs control most of the phones—if not all the phone systems—and in the housing units, it is hard to stop, control, or detect. When I was running Rikers Island in New York, I could actually go into the housing units and tell you exactly which gang controlled each phone. They actually hold the receivers—they have it on the hook, or upside down, or on top of the phone—it will tell you in the housing units exactly which gang controls that phone. When a new offender comes into the unit and uses the phone, the gangs will charge them, and they have to pay. It is very hard to detect. It is very hard for the corrections officers to pick up or stop. These tablets will stop that from happening because they can use it in their personal cell and nobody has control over it.

What also happens with the gangs is they have members who will stand by the phone to get information about you. They stand by the phones purposely to listen to calls when you are talking to your daughter, your son, your mother, your grandmother, and they record this information and document it. When they want to do some type of extortion, they know exactly what to use to extort and how to do it because of the information they received. That is very dangerous, and it does happen. This will prevent that because it will all be in the privacy of their own cell.

What this also means is if they are utilizing phones more, it will still cost to use the phones as it does now, but we do not have to have the cost as high; the Federal Communications Commission (FCC) currently recommends 14 cents per minute on the phone. I can lower that below 10 cents because we can be utilizing the phones more. Additionally, if they are utilizing the phones more in the cells, I can provide one free phone call for every single offender on the dayroom phone, which means those who cannot afford phone calls will now be able to make a phone call every single day and be able to keep the communication going with their families because it is not going to cost them anything. If the families cannot afford it, they cannot get a phone call. This is a big deal to me to be able to keep the communication with the support and the families. I think it is going to be a big game changer for the agency, the offenders, and our staff.

As people have known me from the past, I helped with certain representatives in the Senate to come up with bills to try to reduce segregation times in the agency. This was because I do know how dangerous segregation can be in the long run—long terms, isolation, and segregation can actually have negative effects. I know that to prevent that, you need alternative sanctions. This could be the best alternative sanction. You can imagine losing your phone for a day and how devastating it would be. If we could use it for alternative sanctions for behavior, it is going to be more of a deterrent to behavior issues and I think it will be able to curb a lot of the sanctions of segregation that are necessary when trying to prevent somebody from harming somebody else or themselves. I think this is going to be a bigger tool because it is going to mean something more to the offender.

I also put on the document here [\[Exhibit C\]](#)—which was documented from the North Carolina Department of Corrections—they were tracking the violent incident rates. Right after they issued wireless devices, they had a 35 percent reduction in violence in all their facilities directly related to the wireless devices. I truly believe that you will see that happening in the Department of Corrections, which means it will be safer for the offenders and for the staff, and I believe this is a big deal for all of us.

Another thing that it will help with is doing other types of services for veterans. I have already met with Veteran Services in Las Vegas; they can connect services and even education on what services can be provided to those who have been arrested. They do not lose all their services; there still is availability of services once they get discharged from a prison system after a felony. Most veterans do not know about the services available for them after conviction; this will allow them to connect to those services and education. I think that is a big deal with preventing the homelessness out in the cities and in our communities, and it will provide better welfare and health and mental health to those veterans who are discharged into the community. That is another big deal I think is going to be important for public safety.

There are other things that can be done with the tablets that can be creative, and this [\[Exhibit D\]](#) is only 28 things I could think of that I have seen these systems do in the past in other agencies. Outside of having them in their own cells, there are docking stations inside the housing units for video visiting. They could video visit with anyone around the world. If a parent is in England and their child got arrested in Las Vegas or somewhere in Nevada, they still could keep communication by video. It does not replace regular visits. However, it substitutes for those who cannot make it to certain areas. When your loved one is incarcerated in Ely and you are from Las Vegas, it is probably very difficult or impossible for someone to take the days off, travel, and find a place to stay overnight to be able to get to the visits at those locations. Tablets will allow video visits at any time, as long as you set up an appointment for a certain time period from 8 a.m. to 11 p.m.

I think that is going to be a big deal with keeping the contact with family and the support they need to be able to succeed. I truly believe it is going to help with some of our suicide rates in the facilities. Having family to help them and keep them guided in the right direction and giving them hope and not losing complete contact is a big deal with helping with some of

the suicides we have seen in the past. It is not a perfect system that is going to correct everything, but I know this is something we truly need to be able to help our system be more beneficial, be more proficient, and also teach those who have been incarcerated for 20, 30, or 40 years. If they are getting out, it will help them navigate how to use technology before they get out of the corrections system, which is helpful in finding employment.

Lastly, in the visiting areas there will be a location that is private and confidential that will also have these docking stations to be able to do live video visits with their attorneys and also with the courts. For example, you have someone doing a name change through a court, you do not have to send that individual from Lovelock and transport them through the community down to Las Vegas to attend a court hearing just to change their name. We can do that at the facilities with a whole array of other things. We can get creative with the courts and with reducing the risk of having someone out in the community for transportation or even having the attorneys go to different areas, costing more money and more time away from their jurisdictions because they have to go to the offender at those locations. They can do it confidentially up in our visiting areas.

As I said, this is a game changer. This is just a bill to allow me to provide wireless devices. What we do on them can be covered on a different day. I hope we can do the bells and whistles on them because I think this is important not only to me, but to the community and for public safety upon return. I hope you believe the same. That is all I have. I am here for any questions you may have, and hopefully this is something that interests everybody.

**Chair Miller:**

Thank you; we have a number of questions.

**Assemblyman Gray:**

You touted a lot of the benefits, but as we are sitting here, I am touting a lot of my concerns, and I am wondering what are you seeing as concerns as well?

**James Dzurenda:**

When you look at concerns, it depends on what personnel you are thinking of. My concern as a law enforcement officer is the security of the tablets. Can they be hacked? When these devices first came out, these wireless devices started in the Federal Bureau of Prisons (BOP) right after 9/11 because they used them as counterterrorism information right after the towers went down in New York City. Even when California first went to the tablets, they were using Internet Wi-Fi, not through LTE, and offenders were able to get other cell phones dropped off onto rooftops to get hotspots off of them. That cannot happen anymore, and that was why they switched to LTE. Every single state in the country would not be utilizing these if there was that security piece that we do not know anything about. These systems are not going directly out; whatever we allow out is our system, how it connects with firewalls and all that. That is one piece of the security issue.



The other thing I know that people brought up to me—even activist groups around the country bring this up—is charging the offender; is it putting more money on the backs of the offenders for services? As I tried to mention when I first opened, they do not have to have all the services on there—if you are at home and you want Netflix, you pay for it. It is the same thing here. The services and the fees will go back to the company that provides it and toward our ability to provide these other services that I can get for free, such as having that one phone call out in the dayrooms for every single offender—you cannot do that unless somebody pays for it. It does not mean they have to pay the services that are charged here. They can get games, they can get applications, they can purchase subscriptions for games which are applications that you can play multiple types of games on. They do not have to get them, but those services will have to be paid for and the offender who does want them would have to pay for those services. One piece of the money goes to the company that provides it, and the other piece goes into services I want for them, not only for free like the phone calls, but it also goes into the inmate's welfare account so they can pay for services in the future as well. Those are the only two negatives I know of that people may have questions on: what is charged, where does it go; also, the law enforcement piece with security.

**Assemblyman Gray:**

I was thinking more in regard to email and stuff like that. What about their contacting their victims or threatening victims and witnesses; things along those lines usually caught through mail?

**James Dzurenda:**

First of all, you hardly ever catch any of that through the mail because we do not read the mail unless you are targeted. With email, it is the opposite. Email is actually more secure than regular mail. What the BOP did for counterterrorism information, they could actually use hit words. You can put your name up there, and I can tell you out of a million emails within two minutes what emails that name is on. Emails are saved forever—mail is not—so it is actually more secure than mail. Can you do threats? Yes, you can do that through regular mail, but it is easier to detect and to find through the email system rather than mail.

**Assemblywoman Summers-Armstrong:**

I have done a little checking on this, and I have concerns about the cost. All of these things sound great, and I think this would be a wonderful addition to landline phones, the law library, and access to paralegals, books, and letters, but not as a replacement. My concern is that you are considering replacing other services like GED training in-person, higher education training in-person, and church services in-person. Are you looking to replace those activities with the tablet?

**James Dzurenda:**

No, they are not a replacement of those services; they are a subsidizing of those services. For religious services, we will still be providing congregate services, which will not stop. We do cancel a lot of services all the time because if we do not have the staff to operate the facilities safely and they go below minimum staffing, there have been many times when it was stopped, and this will help with that. If there is a really bad incident in the facility, it is

stopped. This will help it to keep going. It is not going to replace visits. It is not going to replace mail. You still have all that coming in. It helps it so that if you are in lockdown or in COVID-19 situations ever again, it will still allow visits to happen when regular visits cannot. It will still allow communication whether you want to do it through email or video; it will still happen.

**Assemblywoman Summers-Armstrong:**

My next concern is what you mentioned before, which is cost. The cost for these services will set up a tier where you have those who have and those who have not. Those who do not have will not be able to access this. If your pricing is too out of bounds, you will now begin to create animosity within the facility because of those who may not have family members who can dump lots of money on their books for them to have movies and all this. How do you intend to deal with that? Do you have any ideas about subsidizing for those folks who may not be able to work for them to be able to take advantage of some of these services so that there is parity and equity?

**James Dzurenda:**

First of all, animosity is not something I will be able to prevent. There is always someone who is going to be jealous or upset that somebody has something they do not. However, what is going to happen is those offenders who cannot afford videos or cannot afford gaming applications or cannot afford email, they still have free services that are offered that they know they would never have if they did not have the wireless tablets. They have a lot to lose if they create any violence, destruction, or go after those offenders who do have it because they all lose it. I think that is our key to trying to control it.

Another way to control this through security is they have to have two types of identification to get onto the tablets. One is by personal identification number (PIN), the other is going to be identification by eye biometrics or through voice biometrics, which is important as well for safety and security. They cannot steal someone's tablet. It does not matter what happens on the tablets—they do not keep the same tablet every single day, and there is a purpose for that. They have to recharge them; they put them into these ports that recharge them overnight, and it takes everything back to factory setting. What brings all the stuff back that they purchased and have in their account is their biometrics. It is going to be their PIN, or their voice, or however we want to set it up; that is going to be what brings back all of it. Why that is important is because you have counties like Clark County that are going to use the same company that we selected. You have that in a jail setting and you purchase access when you go to the prison; you can pull it all back and have it again in jail. When you go back out in the community, your PIN and your biometrics bring it to wherever you need it. They will have a website to access anything you purchased; you keep it forever. Once you are out in the community you cannot bring it back, but if you go from jail to prison, you keep it as long as it is the same system.

Yes, you are going to have some offenders who will probably be upset that someone has it, and they can share. They can use it if they are friends with the individual, but they cannot steal it because it automatically gets wiped out at the end of the day. I do not know if that

helps, but I know the big deterrent for anyone who is going to do anything to someone else who has something they want is they also will lose it, and they lose the free services they also get—not permanently, but as a sanction.

**Assemblywoman Gallant:**

I love the concept of the online accountability with maintenance. A lot of this sounds amazing and I think it is great that at the end of the day it gets wiped. However, what happens during the day? How do you ensure inmates are not stealing from other inmates? You discussed how the gangs control the phones, but could an inmate who already has unlocked their device with their biometrics have somebody else take the tablet from them?

**James Dzurenda:**

They would have to take the tablet and keep it on because just like your phone, it will shut down after a few minutes if you are not using it. If it is stationary, it shuts down and then you have to reenter your biometrics back into it. If they take it while someone is using it and keep using it and never stop, then yes, they can, but it is all free stuff they are going to get. They cannot purchase on it because they still have to go through another system to be able to get access to their purchases.

**Assemblywoman Mosca:**

Could you provide for your exhibit [\[Exhibit D\]](#) how much the fees are, or if there is a fee compared to how much the current fee is, or if there is not a fee? When it comes to emails, will it include sent emails in the fees as well?

**James Dzurenda:**

The fee system has not come up yet because we just awarded the request for proposal (RFP) to the company. Fees come up when you do the contract. To me, we are overcharging even with the FCC recommended rate; it is too much money to be charging the offenders to make phone calls. I can guarantee it is going to be less than we charge the offenders now. I guarantee it is going to be less than the FCC is recommending, but I do not know what those fees are. When you start talking about fees, what they do is they will tell me if the fee is going to be this, this is what you can get, or if the fee is going to be this, we can raise it or lower it to get more services. Depending on what services we actually want will impact what the fees are going to be. The email is back and forth; they can send emails out and they can send emails in. There is a fee, but I am not one hundred percent sure what that fee is going to be until we do the contract, and they do charge coming in per page. The FCC does not have any regulated rates on email; they only have regulated rates on regular phone calls.

**Assemblywoman Hansen:**

On its face, I am encouraged by the idea that there is access to mental health care, medical, the ability to reach out on maintenance issues, all of that. However, you mentioned that you need this bill to authorize the use and then in regulation, the bells and whistles of what the specifics are will be determined. You mentioned Netflix and you mentioned games. I guess

I am on board for the GED and religious stuff, but I know for me it is a wonderful treat to lock myself in my room and binge on Netflix. If this is something that is going to be left to regulations, who is going to make that decision if that is allowed? You mentioned it is by fee.

**James Dzurenda:**

First of all, I just want to make it clear that "Netflix" does not mean the same Netflix you have. It is a Netflix-like service with videos and movies that we allow in. They are not going to have access to R-rated material. It is going to be something that is going to be more appropriate for them, so it does not encourage violence, or it does not encourage sexual orientation fights, or assaults. When those fees are determined, that is what is going to allow me to be able to find out what other services I can get that will be of no cost. Where it gets regulated, you are correct, there will be a policy that has to be set forth in an administrative regulation with the corrections. That will go through the regular process and I have to go through the Board of State Prison Commissioners to get their vote on yes or no for it. Even passing Assembly Bill 35 does not mean it is going to happen. It just means that it is allowing me to be able to have authorization and access to a wireless device, and then what we do want will be determined at a later time when I start negotiating the contract.

**Assemblywoman Marzola:**

My question has to do with the welfare account that you mentioned earlier. Can you tell me how much money is in that welfare account and how that money gets in that account?

**James Dzurenda:**

I cannot give the exact number at this time, but I will make sure we provide it. Right now the inmate welfare account is only for phone services. When an offender uses the phone system, I believe we are at 14 or 17 cents a minute, and a portion of that goes right to a special account called the Inmate Welfare Account. I have to get the money released from the Legislature to pay for items and services that are directly related to inmates where every inmate has access to a program, and for that program, I could request the money out of there to purchase the program and use it for that purpose. A percentage of the money that comes in goes to the Inmate Welfare Account for using the telephones that are hardwired on the wall. A portion of that goes to the company providing the services.

**Assemblywoman Marzola:**

If you can, please provide us with that information so we know exactly how much money is in that account and exactly what it is used for.

**James Dzurenda:**

I will do that.

**Assemblywoman Hardy:**

My question is along the lines of the regulations you mentioned and particularly in section 1, subsection 5, paragraph (a) where it says, "Prescribe the criteria for eligibility for an offender to use a telecommunications device." Are you seeing this in the context of an individual who

comes into a facility being given a device, or do they have to meet certain requirements to obtain one and then they could lose it subsequently based on your mention of behavior? Would losing tablet access be the sanction—everyone would get one and then lose it as a punishment? Is that how you would see this working?

**James Dzurenda:**

Every single offender will have access; even if you are a behavior problem, you are still going to have access to it. What you do with sanctions is it does not have to be all or nothing—you can lose pieces of it. Every single offender will be given access to a wireless device even if they go to isolation or segregation. They will still get their tablets because we still do not want them to lose the education pieces. They still should have services even with segregation or restrictive housing, and this will allow continuous services. You will lose services if you behave a certain way, and the sanctions could be you are losing your games, you are losing your Netflix, or losing things on there that are not going to be provided that are important to the offender that are not important to reentry or programming. This is going to be another avenue where we do utilize segregation for bad behavior issues. We could still provide the tablets and they still can provide services to them through the tablets, which is probably what we should be doing anyway.

There are programs for behavior problems like moral recognition therapy that we can do through tablets for behavior problems, but right now there are no programs that we are doing for those who are behavior problems. It is going to be a better way to be able to prevent behavior issues in the future by still allowing it.

**Chair Miller:**

I would like to follow up on that. For many sessions we have discussed the concerns over solitary confinement, and I know nationally this is something that is being studied. We have found that it is more detrimental psychologically to individuals when used as punishment. We all understand there are instances where people need to have consequences and sanctions for their actions to keep everyone safe—we are not questioning that. However, like anything else when we are trying to rehabilitate, correct, and discipline, the goal is to improve behavior. It sounds like you are saying these tablets could be used as an alternative to solitary confinement in some instances, but could this also be used as an incentive for behavior as well?

**James Dzurenda:**

I should have said that before as well; yes, it works as a benefit, a disincentive, and an incentive. If you have a behavior problem, what a lot of the states have done is to use it as a sanction to lose certain things. You give me behavior of three good days, two good days, whatever it is, we will start increasing the services on these tablets until you get full access again rather than utilizing segregation. Prolonged segregation I truly do believe does not provide the benefit that we want; it actually could be more detrimental. In certain situations, segregation is completely necessary until you find out what is going on, until you provide treatment, or we get to the root of the issues of the behavior. I do think it is necessary, but prolonged is not necessary. If you do not have prolonged segregation; you also need other

sanctions to use as alternatives; I do believe this is going to be our biggest alternative because it is going to mean a huge value to the offender. When you use it as sanctions, sanctions could be incremental. If you misbehave again, you lose more; you misbehave again, you lose more, rather than going right to segregation, or if you are in segregation, you want to come out of it, give us good days and we will start increasing the benefits of the tablets to be able to do things. Either way, I think it is going to be a big deal with decreasing segregation time and eliminating it for a lot of them.

**Chair Miller:**

We often try to create situations of correction and incentive, but we really have to know what value it is to the individual, whether it is a child, patient, or someone who is incarcerated. I appreciate that.

**Assemblywoman La Rue Hatch:**

You mentioned an RFP was sent to a company. Can you share with us what company that was? Also, do you know for sure that is who you are contracting with, or are you looking at other companies?

**James Dzurenda:**

The RFP went out before I started here. It goes out through the National Association of State Procurement Officials. There were three companies when I first got here, and there are still three companies on the RFP that we are looking at. The award literally just went out yesterday. I do not know if it went out formally yesterday. I know who it is, but I really do not want to say until the company knows, but it is one of the three companies that was left on the RFP that has been awarded as of late yesterday and can be formally notified this week or next week.

**Assemblywoman La Rue Hatch:**

I think this is really critical—opening up access and being able to have alternative rewards—everything you described sounds amazing. However, I know that with tech companies, when the product is free, you are the product. I would like to know how much data is being harvested on these individuals; is it being sold? Also, what is being done to protect their online data privacy?

**James Dzurenda:**

That is going to be in the contract. What is important to me is what you just addressed, that the information does not get sold to other companies. I will ensure that is in; you will see in the contract that the company cannot utilize the information to sell to other companies and utilize it for that purpose.

**Assemblywoman Newby:**

I am more curious about the education portion of the possibilities of this tablet. I wanted to know for the education portion, do you contract with a particular provider for that education? Have you been working with Nevada institutions? Also, will the education or degrees or training certificates be free to the inmates as well?

**James Dzurenda:**

Yes and yes. I have been working and we already met with the Nevada System of Higher Education and Las Vegas-Clark County Library District. You will also hear some testimony today from other education systems. We have already been in consultation with services that will be free for GED and high school education. Yes and no, regarding college education; we will go through Pell Grants. Pell Grants have specific guidelines of institutions and services that actually could go through with college education. It will all be under the control of the Pell Grants—it is not going to cost anything to the offender—but it has to go under the strict regulation of the Pell Grants of where the college education is going to come from and how it is going to work.

**Assemblywoman Cohen:**

I want to make sure we have on record that we talked about mental health care with this, but that addiction treatment is considered part of that list. Therefore, we will be able to access addiction treatment through this program.

**James Dzurenda:**

My intent is that it is, but that does not mean it is going to happen. I have to still get approval through the regulatory process. We can get extremely creative on how we provide the programming and substance use treatment. There is going to be a lot of education in it. A lot of the substance use treatment is going to be more treatment oriented on the individual. It is going to be complicated because when you do specific treatment for the offender, it has to be geared towards that offender, and that is going to be difficult on this. The treatment that is going to be done for substance use is going to be a general treatment for everybody, but it is not going to replace the individualized treatment plan with the offender because it has to be specific to that offender. It cannot be generalized that anyone could have access to that type of program.

**Assemblywoman Cohen:**

With calls to the families, will those be video calls or just audio?

**James Dzurenda:**

It is going to be three different ways. The calls on the tablets can be done through voice, so it is going to be like a cell phone. It is not a cell phone, but it is going to look and feel like a big cell phone you are going to use. From their cell, they can only make outgoing calls to their families. The video calls have to be made from either the dayroom or from the visiting rooms. If it is video, that has to be set up by an appointment of 20-minute intervals. You set up the appointment with the family. They can make it from their cell phone as long as your cell phone has video capability from anywhere around the world. They can do the video with their tablets inside the dayroom, but it is not confidential—it is in front of staff and other offenders who are there. The video calls in the visiting room are more confidential and those we are going to do for attorneys and video calls that way.

**Chair Miller:**

This is a new and intriguing concept, and I know you are open to more questions offline for members. I would like to open it up for testimony in support.

**John J. Piro, Chief Deputy Public Defender, Legislative Liaison, Clark County Public Defender's Office:**

We support this measure. We thank Director Dzurenda for bringing this forward. For us, it would be helpful to meet with clients sooner, especially clients who only have a status check. It would not be necessary to transport them all the way down to Las Vegas from the prison for a simple hearing that would only last a few minutes. That would save a lot of upsetting and staffing for Department of Corrections (NDOC), and also for us to be able to communicate pretrial. We have had some problems in Clark County with the jail housing inmates from High Desert State Prison pretrial in the jail, so there is this battle between the jail and NDOC of who is going to pay to house them. What it really affects is our trial preparation, and it delays trial preparation because if we cannot communicate with our client pretrial, it becomes difficult to put forward a good defense. We are thankful for this measure and urge its passage.

**Erica Roth, Government Affairs Liaison, Deputy Public Defender, Washoe County Public Defender's Office:**

I am here to testify in support of A.B. 35. Again, I echo the sentiments of my counterparts in Clark County. I will note just for information, how communication works with the jails, for instance, is there already video communication set up. We can set up a meeting, and the client is transported to a private room where they are able to communicate openly and freely with their attorney when in the county jail, but we do not have that in the prisons. Communication has been especially difficult over the last few years and through COVID-19. We do not have the ability to simply call our client. I have to get in my car, schedule an in-person visit, and drive to Carson City when I already have an incredibly busy schedule. We fully support this.

**Alejandro Rodriguez, Director, Government Relations, Nevada System of Higher Education:**

Nevada System of Higher Education (NSHE) supports A.B. 35 as it is instrumental for our campuses to expand access and accommodate a larger number of students at correctional institutions, particularly with the expansion and availability of Pell Grants next year for incarcerated individuals.

**Michael Flores, representing Great Basin College:**

Great Basin College asked me to speak on their behalf. They do a lot of work at Lovelock Correctional Center and also in the state prison. They started offering courses there this past fall. I also want to thank Director Dzurenda for bringing this back. I know we had this conversation in 2017, and this is really important for our state and Great Basin is in full support.



**John Sande IV, representing Pearson Education:**

While we do support the bill in its entirety, I just wanted to really emphasize the importance of the education component of this. Pearson Education believes that education is of critical importance for the rehabilitation process; that allowing for online access to educational materials will allow for a broader offering of educational opportunities as well as more tailored educational services for the offenders. We are very thankful the bill was brought forward, and I urge your support.

**John (Rob) Phoenix, Private Citizen, Las Vegas, Nevada:**

I am here to support A.B. 35. As a nurse practitioner in Nevada who works within the corrections system from time to time and having worked at both the local and the Department of Corrections from the prison perspective, I think this will make incredible improvements in the services we are able to offer to those people who are in custody. A huge challenge that I see as a nurse practitioner within the corrections system is there is so much misinformation among inmates about what they can and cannot do. There are a lot of patients who make bad choices for health outcomes because of bad information. Specifically, inmates will often make choices around taking medications or adhering to medications or treatment plans because they think that by adhering to those medications, they can or cannot do certain things within the system, and that is technically incorrect. I think this would be a huge way for individuals to get better information around health issues, which would ultimately improve health outcomes, which would positively impact costs of providing health services across the system.

Secondly, regarding kites, which is the process by which inmates submit requests for medical care, there is a huge disconnect in that kite process. Those in custody will often submit them, but they do not get to the intended place for a variety of reasons, and this will allow that to have a better tracking mechanism. My concern is that like anything, you have the opportunity to abuse the system, so there would need to be some checks and balances that would prevent those abuses from happening because the health care system across the globe is stressed. COVID-19 really stressed our systems, but within the corrections system that is not unique. That is a very important part that I think needs to be taken into consideration as well.

The third area would be about gender affirming care. We are working very hard to improve gender equality and gender affirming care within the corrections system across the globe. I think this would also enable some of our patients who do identify as gender-diverse to be able to participate in alternatives for access to care.

**Tonja Brown, Private Citizen, Carson City, Nevada:**

I would like to thank Director Dzurenda for bringing this forward. We strongly suggest that you pass this bill. I am going to touch on something else, and I also echo the sentiments of the previous commenters. Emails will be instrumental to the advocates for the inmates and the innocent. For example, right now it makes it difficult for us when we are trying to work with those who have maintained their innocence to find evidence. These emails will make it much faster. Right now, it is time because fortunately for us, in a couple of cases we have

actually been finding exculpatory evidence, but trying to get it to them, and then they need more additional information; this will definitely speed up the process. We would like to get them exonerated before they die because right now, as we know, if they die there is no exoneration.

I am not going to name names or how we got the evidence or anything else, but I will tell you there is an inmate in prison who has maintained his innocence. We have been fortunate enough to find some exculpatory evidence in that case. If we get this bill, we are able to access the emails a lot quicker instead of taking weeks or months to find this information, get emails to them and from them, and get more additional information, because the more evidence you have, the stronger the case is to get your factual innocence petition heard, filed, and exonerated.

**Chad Venters, Educational Partnership Programs Coordinator, Truckee Meadows Community College:**

I am also part of the Nevada Correctional Education Consortium. Last fall, Truckee Meadows Community College (TMCC) had the opportunity to install a computer lab with Internet access at Northern Nevada Transitional Housing. We have seen a phenomenal amount of progress with our ability to bring education to offenders through that program. We currently have a half-dozen offenders who are taking online education exclusively through TMCC who probably would not be able to because of their work schedules and various other opportunities. We have directly seen the impact that online education is having for them.

In addition, I also come at this from the fact that I work for NDOC as an institutional chaplain at the Northern Nevada Correctional Center—so I have worked inside the prison yard as well—and I cannot begin to express what a positive impact this will have for NDOC and for its staff members. Just the mental health resources alone will be game changing. During my time at NDOC, I cannot tell you how many horrifying, traumatic events, and how much mental health resources were desperately needed in there, that we simply do not have the staff members to facilitate. The efficiencies this can bring, in addition to the educational opportunities which do reduce recidivism, that do make a positive impact, all of this will have an enormous effect on what we see in corrections for a very positive direction, and I highly encourage you to pass this.

**Douglas Unger, Chapter President, Nevada Faculty Alliance, University of Nevada, Las Vegas; and representing Nevada Prison Education Project:**

The Nevada Prison Education Project (NPEP) is an independent organization that includes representatives from the faculty at colleges and universities in NSHE, several nonprofits, community organizations, justice-impacted students, NSHE, and the Department of Corrections [[Exhibit E](#)]. We all work together to improve and expand prison education in our state. The Nevada Prison Education Project so far has provided more than \$60,000 in donor-funded tuition scholarships to incarcerated students, books, and resources from national organizations such as PEN America [Poets, Essayist, Novelists] which has worked with NSHE and the Department of Corrections to achieve a new memo of understanding

between the state agencies to improve coordination and access and is currently shaping a new statewide transferable general education curriculum that should serve as a foundation for adding more degree and program pathway choices to the incarcerated.

Passage of A.B. 35 will allow access to digital communications devices such as iPads or other digital tools in a supervised way for the incarcerated and will also prove a huge help to our educators who teach classes and workshops in our state's prisons by expanding the possibilities for digital content delivery and communications that are so relied upon for effective teaching in the 21st century. The NPEP and Nevada Faculty Alliance strongly support passage of this bill that will also help our teachers provide useful skills, improved opportunities, and life-transforming hope that education brings to incarcerated students.

**JoAnn Prevetti, Director of Development, Las Vegas-Clark County Library District:**

I am here on behalf of the Las Vegas-Clark County Library District in support of A.B. 35. Currently, the Las Vegas-Clark County Library District has contracts with the Clark County Detention Center (CCDC) and the City of Las Vegas Jail, and we have contracted services with them to provide legal research for offenders, copies for case files, leisure reading—which are paper copies of fiction and nonfiction titles, and we have a small collection that is also in braille. As part of the legal research that the offenders have access to, we have a law depot, which is where they can print or download customized legal documents; a legal information reference center that features hundreds of publications and thousands of legal forms broken down by category and popular forms; and we also have legal track, which provides indexing and selective full text for all major law reviews and journals. The library district fully supports this bill [[Exhibit F](#)].

**Leo Segura, Library Operations Director, Las Vegas-Clark County Library District:**

I oversee the detention services for the district and the contracts with the city and the county for CCDC, the misdemeanor library, and the CCDC North Valley Complex. The kite system that CCDC provides currently is night and day compared to the paper kite system that we use in the jail; I know this will speed up service. It makes the library more responsive; we have 48 hours to respond to any incarcerated person's kite just to make sure they are receiving the legal information they need regarding their case files. We also make sure we provide the First Amendment right to receive information with the leisure reading. And we do allow for requests on types of books they want to read.

Director Dzurenda asked us what options the wireless device with the incarcerated would allow. We do offer lots of different services at the library district, which include music downloads, as Ms. Prevetti mentioned, in addition to LexisNexis. We do have other legal resources that are open to our community. One of the options our executive director implemented in Brooklyn when he was the director over there was reading to children. It is not just the incarcerated, but their families who are affected by the incarceration. This would allow an incarcerated person to read on video to their children who are at home if they do not want them visiting at the jail or prison. It allows access and further involvement with family and improves the literacy and numeracy of the child.

**Dan J. Corsi, Associate Vice President, Academic Affairs, College of Southern Nevada:**

The College of Southern Nevada is in support of A.B. 35. In my role at the college, I am directly responsible for the prison education program that we currently have. At this time, we have roughly 70 students participating in face-to-face instruction at three facilities: High Desert State Prison, Southern Desert Correctional Center, and Florence McClure Women's Correctional Center—those students are taking three-credit classes currently. The opportunity to insert these educational devices into the hands of incarcerated students at these facilities and other facilities, as others have mentioned, is a game changer. The timing of this is perfect because it lines up with the introduction of Title IV or Pell Grant funding, which is federal funding based on need that the college students have taken advantage of for years. This will allow students who are incarcerated to also take advantage of it. Without the addition of these educational devices, taking advantage of Pell will be extremely difficult and costly to the institutions.

To fully access Pell, you have to be in at least 12 credit hours for the full award or 6 hours to be in half of the award. The annual award for this coming year, 2022 to 2023, where we are at now is \$6,895 annually, and you would cut that in half at six credit hours. That money first goes to the institution to pay for the tuition fees, books, lab fees, or anything associated with the course, and then the remainder of the balance goes back to the student account. Having in-person instruction is costly; the distance of travel alone from Las Vegas Metropolitan Police Department to High Desert State Prison is a little over 40 miles. It is too costly to put instructors into the facility safely as well as keeping class sizes small to expand in a major way. It is a game changer. We are in support of Assembly Bill 35.

**Leilani Shive, Principal, Clark County School District:**

I am here as both the principal of the Clark County School District's Education Program within Florence McClure Women's Correctional Center and Jean Conservation Camp, as well as a member of the Nevada Correctional Education Consortium. As was presented, almost all correctional facilities in the United States already have Internet for their offenders in some capacity with locked-down iPads, Chromebooks, or whatnot. I want to speak to the benefits of having this for Nevada's offenders in terms of education.

Along with the two schools housed within the women's correctional centers, I am also a night administrator for the Department of Adult Education. Within adult education, we use an online program called Imagine Edgenuity for the majority of our curriculum. This program is available on locked iPads; they are already in many of the correctional facilities in other states. It allows for a much more rigorous curriculum with many additional forces instead of a single teacher just offering bookwork to students in each classroom. This variety of curricular options is both motivating and beneficial to students. I am a huge supporter of having access for our offenders. They need to have similar educational opportunities as other adults in our education system throughout the state.

Additionally, we would be able to offer OSHA [Occupational Safety and Health Administration] 10 programs in construction technologies, which would enable students to take the ten-hour curriculum at their own pace and take the test on the computer when they

have completed the ten hours. This would mean more offenders who are job-ready at exit, and as you know, having both a diploma and being job ready is giving them the highest chance of success when they are released. Also, we in education—and this is all free, of course—offer High School Equivalency testing, but it is only the paper-based version and takes many weeks, sometimes months, to get the results. This is another service we can transition to and offer on the computer, which would allow offenders to get preliminary scores almost instantly with final results in days.

In summary, I highly recommend passing A.B. 35 to allow the usage of the Internet within the prisons and correctional centers as it will benefit our offenders in numerous ways, which in turn can help us to reduce recidivism and benefit society as a whole. Please vote yes to pass A.B. 35.

**Jesse J. Watts, Sheriff, Eureka County:**

I am in support of A.B. 35 as it will allow NDOC to gain technology that is currently consistent with jails and prisons around the state and the nation. Currently, inmates going from a county level to NDOC lose services as almost every jail in the state of Nevada has this technology, but NDOC does not. Inmates should not lose services at such a vital point in their lives, and it is my stance that NDOC needs to be giving access to these services to our inmates at such a vital point. I urge you to support A.B. 35.

**Melissa Duna, Private Citizen, Las Vegas, Nevada:**

I support A.B. 35 for educational purposes. I think it is good for offenders for segregation so they can get their credits and not lose their sentencing and not be pushed back and be in prison longer. However, I do not want to see in-person visitation or regular mail be affected, for it is a key essential for the offenders to have that contact also. With the bill, I do support it in the ways of educational terms for not having this reentry and getting out of prison and getting the credits and the help they need mentally and educationally.

**Deb Conrad, Director, Higher Education in Prison Program, Western Nevada College:**

I am calling today to support A.B. 35. Western Nevada College (WNC) remains committed to providing face-to-face instruction, but at the same time we wholeheartedly embrace the opportunities that could become available with the passage of A.B. 35. I will try not to repeat what others have said already, but we see many opportunities here. For example, it can allow for Internet-only exams to be offered, such as the automotive service excellence exams, and that would enable students to leave prison with certifications in hand. It can help expand the educational opportunities across the state for incarcerated individuals and allow for more equitable student support services to be provided because those services will not be limited by distance or availability of staff to go to the prisons to provide that support.

We also see how it could improve our ability to provide disability support services. This will also relieve some of the burden on understaffed prisons. There could also be the ability to take prerelease courses to help prepare students for reentry. I would also like to add that

WNC will evaluate the ways in which we can ensure the cost of service—if there is any—will not impede students' ability to utilize tablets and the Internet specifically related to participating in our programs. We hope that you will pass A.B. 35.

**Annemarie Grant, Private Citizen, Quincy, Massachusetts:**

I fully support A.B. 35. Access to email will allow our organization to communicate timely and effectively with those who have maintained their innocence as well as other incarcerated individuals we are assisting. We need to equip incarcerated individuals with the skills needed to face life outside of prison. The fact is, at some point these individuals will reenter our communities and the question is what kind of person we want living in our neighborhood; someone who can contribute to our society. By promoting technology skills, we are helping inmates learn how to navigate the contemporary world which involves constant connectivity.

**Barry Cole, Private Citizen, Reno, Nevada:**

I am calling in support of A.B. 35 as presented by Director Dzurenda. As we previously heard him testify two weeks ago, our correctional system needs greater access to mental health services. As someone who has provided telehealth services in three out of the past five years and helped to stand up the curbside Nevada support line for our frontline practitioners during the COVID-19 pandemic, I think this technology would bring telepsychiatry to wherever the inmate might be and provide services during so-called "off hours" when clinics would be closed or an offender would be in administrative segregation. I am not clear about the differences in the technology between LTE and cellular, but we would need to have enough safeguards for privacy to comply with Health Insurance Portability and Accountability Act (HIPAA) requirements and know that substance use disorder and mental disorder information is particularly protected. I am in support of Assembly Bill 35.

**Chair Miller:**

I will close support testimony and open it up for anyone who would like to testify in opposition to Assembly Bill 35. [There was no one.] I will open it up for testimony in neutral on Assembly Bill 35.

**Nick Shepack, Nevada State Deputy Director, Fines and Fees Justice Center:**

We are here in neutral on A.B. 35 today. The reason we are neutral and not in support or opposition is due to concerns we have with possible implementation and not in the bill itself. Nothing in the bill guarantees our concerns become a reality; however, there are no protections against them. As an organization that works to eliminate fees in the criminal-legal system and one that partners with organizations that support families of the incarcerated, we support the idea of implementing a tablet program in NDOC facilities, particularly since such a program will enhance communications and connection between incarcerated individuals and their families, and provide educational opportunities and access to technology of other appropriate entertainment items for incarcerated individuals.

Our concerns stem from the fact that other states have implemented such policies only to enter into contracts with private, for-profit companies that implement predatory consumer fees on incarcerated individuals and their families. We have submitted a letter [\[Exhibit G\]](#) to the Committee that details our concerns and provides detailed resources. We also sent a copy of this letter to Director Dzurenda. In this letter, you will see that states such as New York charge as much as 35 cents per email, and they charge extremely high mark-ups above consumer rates for books, education, and all of these types of things. If consumer protections were placed into the bill, or if one of these nonprofit companies that works to keep these rates down was selected as the provider, we would be in full support. However, if the bill passes as it is, we look forward to working with Director Dzurenda to ensure that the contract is created in such a way that these predatory rates do not end up affecting our incarcerated individuals and their families.

**James Palombo, representing Nevada Prison Education Project:**

I think Professor Unger spoke about what NPEP does in terms of advocating, networking, and trying to do fundraising to advance postsecondary prison opportunities in the state. This bill obviously speaks to that, and I am in full favor except I had to say I was neutral because there are two words that I suggested [\[Exhibit H\]](#) be added to this bill, in the Legislative Counsel's Digest, number (6), line 19 on page 1, where it states, "obtaining a GED, credential, certificate or certification"—or degree. The "or degree" pushed me into the neutral zone. I wanted to say that this fits the entire bill into the issue of digital equality, and this is a significant topic across the country. It sort of encourages Nevada to modernize a bit, particularly in the prison system, and I give Director Dzurenda and his colleagues a lot of credit because it is not easy to find directors who are willing to take the positives and negatives and say to the public, I will deal with these.

I had a prison education program back in the seventies when I was locked up and it allowed me to do so many different things in the world that without which I would not be here today. The director of prisons in that day, Charles Wolff, was dead set against modernization of his own system. So, hats off to the Director, hats off to the Governor, hats off to you to pass the bill.

**Chair Miller:**

I would like to say the request to add "or degree" was brought to me yesterday because we do not want to stop people at just getting credits or certificates but whatever educational attainments are possible. As I shared that, I am certain that is something Director Dzurenda would be happy to accommodate. You did write that is neutral because you were not one hundred percent in support because they were missing a few words. If you see the director right now, he is nodding, so I am sure we can do a quick amendment.

**Jodi Hocking, Founder/Executive Director, Return Strong!, Carson City, Nevada:**

We are an organization that focuses on the rights of people who are incarcerated. We are made up of about 900—I think yesterday our number got up to 977—families whom we represent. We are pushing somewhere between 3,000 and 4,000 people who are inside Nevada prisons who communicate with us. This is a tricky question because we are fully in

support of all the things this could bring. We have families who have not been able to see their loved ones for 14, 15, 20 years while they were in prison, and this would solve a lot of the problems, especially the things that are more complicated right now because of staffing that there is no quick fix to.

On that side, our concern is the financial aspect, what exactly the fees are going to look like and how that breaks down, so we do not really know what that impact is going to be. That is the reason our opinion is in neutral and that is really the only reason. We have met with the director and deputy director and are fully in support of everything this does. Our fear for families is any possible unintended consequences that could come out of implementation and some of it is even just having that access—at the end of the day, for most people that is going to fall back on families—and so how do we get that balance right?

Before we started controlling full minutes and things like that—even still now with a package, and store every other week, and phone minutes—I spend \$800 to \$1,100 a month, and there was a time where I was returning bottles to make phone calls, doing those types of things. I just worry about families because it is just like the Aramark contract with food, and now people are not getting enough food, and they were struggling with it. There are nonprofit organizations that do this type of work. I have concerns about who the RFP is going to. I am not one hundred percent positive. But if it is who I think it is—I know it is down to three—there is a company that has had the same problems—yes, and your concerns are consistent with other concerns that have been brought forward that we will address and work through. I appreciate that. And that is very clear.

**Chair Miller:**

Thank you for your testimony. Is there anyone else who would like to testify in the neutral position? [There was no one.] I would invite the presenter back to the table for any concluding remarks.

**James Dzurenda:**

I understand the concerns some of the constituents bring up and they are concerns of mine as well. As I was mentioning earlier, the FCC rates to me are still too high, which the offenders are paying now on the phone calls. This is why I think this is going to be important to lower those rates and make sure they are more affordable and to be able to have a free phone call, which they have never, ever had in the system. This will allow that. We will be in discussions for the contract. I will make sure it is transparent, and I will make sure it is understandable so that everybody understands where the charges are coming from, where it is going, who is charged, and who is not. I do agree with adding "or degree" into the language.

**Chair Miller:**

I will close the hearing on Assembly Bill 35. I will now open the hearing on Assembly Bill 121 presented by Assemblywoman Considine.



**Assembly Bill 121: Revises provisions relating to incarcerated persons. (BDR 16-138)**

**Assemblywoman Venicia Considine, Assembly District No. 18:**

The focus of Assembly Bill 121 is supporting the mental and physical health of people incarcerated in prisons and jails by strengthening connections and bonds with families. Study after study has shown that having a support system during incarceration has a positive effect on both the incarcerated person and their family. I have met with stakeholders on many sides of these issues and researched practices across the country in preparation for this bill. This has resulted in some good conversations and the conceptual amendment [[Exhibit I](#)] that you should have received already, which is also uploaded in the Nevada Electronic Legislative Information System.

I will incorporate the conceptual amendments to the bill as I go through it. Sections 2, 3, and 4 are essentially the same as sections 6, 7, and 8. The information is repeated and listed separately because they are under two different *Nevada Revised Statutes* chapters. In sections 2 and 6, the purpose is receiving mail. The conceptual amendment in section 6 is listed on the conceptual amendment at the bottom of page 1 [[Exhibit I](#)]. The amendment makes clear that the provisions under sections 2 and 6 requiring the receipt of tangible mail are for prison facilities, not jails. The reason we have made this change is that jail terms are shorter sentences and are designed to be short term, whereas prison institutions and facilities are long term and often far from family. Nevada prison institutions and facilities are currently providing tangible mail, and my goal in these sections is to continue that practice. I spoke with stakeholders and this amendment ensuring tangible mail at the prison level has alleviated a lot of the opposition at the jail level and removed their needs for fiscal notes as far as I know as of today.

The reason for including this in the bill is that mail is a tangible connection to family. It is physical; it is something to hold; it has sentimental value; it builds a link to the world and hopes for the future. A drawing from their child, a picture of their wife, a letter to hold while reading is a link to family. Taking tangible mail away has real consequences for mental health behavior and recidivism after release. On Friday, we had the pleasure of hearing from the director of the Department of Corrections (NDOC) on his belief that families have to be connected to the offenders before they go home. He also talked about the importance of utilizing families and support when you are looking at reentry, how important that is, and stated that those families have to be connected to the offenders before they go home. These connections are the basis for all of this.

Additionally, mail is the least expensive and most used form of communication and connection between incarcerated people and their loved ones. Scanned mail is not the same. On Friday, the director of the Department of Corrections also said video visiting is good but does not replace in-person visiting. I agree with that statement and expand it to mail. Email is great, but it does not replace receiving mail. Not to talk about the previous presentation, but just a couple of statements on scanned mail, which is done in many states: scanned mail lacks the same meaning. Scans are often low quality, especially those of photos, and I have seen instances where scanned mail has been received months after it was sent. Additionally,

the original mail is destroyed and therefore lost forever. As we heard today, tablets can be taken away, they can malfunction, the cloud can crash, and things can be lost. Tangible mail can be touched and reviewed over and over again without incurring any additional costs. Lastly, there is a higher percentage of incarcerated people who have vision issues, and that might be something that causes additional problems using the tablets if they do not have any access to tangible mail.

Moving on to sections 3 and 7, subsection 1 deals with medical releases and family notification. There are conceptual amendments on both these sections and those conceptual amendments are the same because section 3 and section 7 are the same. Sections 3 and 7 ensure that each incarcerated person completes a Health Insurance Portability and Accountability Act (HIPAA) form that is kept on file and has the ability to be updated as necessary. This way if there are connections, those connections are consistent, and if they need to be updated, they can be updated, but when a medical issue or significant diagnosis occurs, there will be a form there with updated contacts because part of what this section does is allow communication when an incarcerated person is taken to a hospital for serious injury, for terminal diagnosis, or for anything along those lines. These sections provide connections with the family for notification. One more thing about the HIPAA document or the medical release document: In a conversation I had on this issue I was informed that if the person writes "indefinite" on that form, those contacts and that information will be valid and will not expire every six months, which is an issue that I have heard. I wanted to put that on the record and be corrected if I am wrong.

Sections 2 and 3 outline requirements for notification when a person is hospitalized or diagnosed with a serious or critical medical condition. The amendment divides the notice requirements based on the time the person is in the hospital or medical center and who is required to notify the family. If you look at the amendment section 3, subsection 2, it states if the person is "hospitalized for or diagnosed with a serious or critical medical condition, and is staying in a hospital or medical center overnight, the Department shall within 4 hours of such hospitalization or diagnosis, attempt to inform all persons authorized by the current medical release of information form about the health status of the offender." The difference in section 3, subsection 3, is "If an offender in the custody of the Department is hospitalized for or diagnosed with a serious or critical medical condition, and released the same day, the Department shall within 4 hours of returning to the facility, provide the offender a phone call to notify family of the medical condition."

The difference would be if there are less than 24 hours, they get the opportunity as soon as they return to contact the family to update them. If it is more, then there is the opportunity to let family know they are in the hospital or they have a serious diagnosis. I have been in communication with the director of the Department of Corrections this morning, and we have agreed to change the 4 hours in section 3, subsection 2 to 24 hours. That did not give me enough time to provide an amendment, but I will provide an amendment. That does leave potentially one other entity that I am working on specifically on this section, and I will keep you updated on that section.

Sections 4 and 8 of the bill deal with prescriptions. There are issues with obtaining and refilling prescriptions. We heard today that you set up a "kite." Sometimes it gets where it is going, sometimes it does not. These are people with medical issues who are taking life-sustaining drugs, or they need to take things daily and not go a month while waiting for diabetes medication or whatever medication they need. Right now, the lag time between running out of medication and receiving refills can be extremely long, which causes mental health issues, physical health issues, and results in worse health and higher costs to everyone. There are no amendments on these sections.

In closing, balancing the mental and physical health of incarcerated people with the needs of the community and the administration of the detention facilities is necessary to meet the goals we all want: reductions in recidivism, supported and successful futures for the formerly incarcerated, and healthy families. All of these contribute to reduced violence, stabilized communities, brighter futures for children and families, and less financial burdens for taxpayers. I want to thank all the folks who are working with me on this bill, and thank you for your time. I am happy to answer any questions.

**Chair Miller:**

Are there any questions from Committee members?

**Assemblywoman Cohen:**

I see you have a definition of "serious or critical medical condition" in section 3, subsection 3, but did that come from anywhere in particular? Is that a medical definition?

**Assemblywoman Considine:**

This was the language that was returned to me in this bill from the Legislative Counsel Bureau when I wanted to include "serious or critical medical condition." These are specific issues that I have heard; (a) terminal, if someone has a terminal diagnosis and the family is not notified of it for 30 days, or if requires life-sustaining medical treatment; or "(b) An injury or illness that requires an offender to be admitted to a hospital for treatment," that is, if they are going for a surgery that is potentially an overnight surgery. If there is an issue that happens in the facility and somebody needs to get stitches, that needs to have anything taken care of. That is sort of a catchall for anything that requires a trip to the hospital. If there is anything that is missing, please let me know. That is also a conversation I had with the director of the Department of Corrections and one of the reasons we are changing the amendment to section 3, subsection 2.

**Assemblywoman Newby:**

I have more of a procedural question. If there is an offender who is in the hospital with a serious medical condition and perhaps this offender may pass away because of that condition, do the family members get to be with the offender in that transition of life or do they get to visit?

**Assemblywoman Considine:**

I do not have an answer to that question. I do not believe I am the right person to ask that question. That might be a question for the Department of Corrections.

**Assemblywoman Hansen:**

I see a lot of good things with this bill. Could you clarify when you were talking about coming to an arrangement with the Director about the four hours? Were you referring to section 3, subsection 2 or section 7, subsection 2? If you could say the language again about what the agreement is offline that you hope to incorporate.

**Assemblywoman Considine:**

The section that I am referring to is section 3, subsection 2. That would be in both section 3 and section 7. The conversation and the purpose for changing that one section from 4 hours to 24 hours is to give—and this might be something that the Department of Corrections can refer to—time for that person to be treated and then returned to the institution because I think that there are some issues with notification when someone is in the hospital. There is a balance between the safety of the people in the hospital and the staff, and the balance with the purpose of notifying the family. Trying to find that balance and giving the 24 hours will take care of a lot of those issues where they would be returned to the institution before that notification and hopefully take care of a lot of those worries or safety issues.

**Assemblywoman Summers-Armstrong:**

Had there been any discussion about the clock beginning upon return to the facility as opposed to in totality, meaning instead of 24 hours but upon return to the facility—4 hours for notification instead of a full 24 hours. I think, from my perspective, that would be a more appropriate approach to this instead of waiting a full day. That would be my suggestion.

I also want to ask a question about and follow up with Assemblywoman Cohen. There are other illnesses like COVID-19, hypertension, diabetes, diverticulitis, and other things that are not captured in your "critical," and we know people are hospitalized because of diabetic COVID-19, diabetic comas, and hypertension. I just think we need to be a little bit more prescriptive or maybe find a different way of describing what we consider serious so we are not limiting. A person can die from hypertension, and I do not want a situation where we have a family member find out the person was in a diabetic coma or they had a hypertensive situation and they never even found out about it, and then that turns into death or something even more serious.

**Assemblywoman Considine:**

That is why this section is in the bill. The way it has been drafted is that change to 24 hours in subsection 2, and 4 hours in subsection 3, would be "of such hospitalization or diagnosis" is when the clock starts. It does not start upon return except in subsection 3, it is upon 4 hours from when they return if it is less than 24 hours. Does that make sense?

**Assemblywoman Summers-Armstrong:**

Okay, so it is early, and I only had one cup of coffee, so maybe you can help me if I draw a little picture and you can help me. If someone is in the hospital and they have to stay more than 24 hours, please explain when the family member will be contacted. If they were in the hospital treated and released, when would their family members be notified?

**Assemblywoman Considine:**

If they are in a hospital overnight, the Department shall, within 24 hours of hospitalization, notify the family member. It would be from the 24 hours. If they go into the hospital at 4 p.m., by 4 p.m. the next day; that is the time frame on that. However, if they are in the hospital for less than 24 hours and released the same day, then that time clock starts when they get back to the institution. Ideally, they already have somebody with them when they return to the institution, and they get that phone call immediately, but that is what that 4 hours is.

Your second question about capturing everything: I think serious and critical medical condition is modified by the sections; if they are in the hospital or diagnosed, they all would be included. If it is somebody who has COVID-19 or diverticulitis who is in the hospital, those are all included. I just included ones that you are going to a hospital or medical facility under the assumption that they have more available contact with their family members if they are still in the institution.

**Chair Miller:**

Not seeing any additional questions, I will open it up for testimony in support of Assembly Bill 121 starting in Las Vegas and then move to Carson City.

**Sonya Williams, Private Citizen, Las Vegas, Nevada:**

I am also going to introduce my daughter, Jaselyn Newman. I brought her here today to obviously support A.B. 121, but in addition, I wanted her to tell you how receiving physical mail and pictures is so important. Jaselyn's dad was incarcerated since she was three. She could not write letters, she could not email, but she could draw him pictures. When he passed away, we got all his property back and all the pictures she had drawn him; all the pictures we had sent him were included in his stuff. It made her so happy to see that he had all that stuff because she does not remember that, being so young. I want to make that clear; her father is no longer with us. I also wanted to make it very clear that we were not able to see him for six months, the six months prior to his passing, because he was permanently housed in the infirmary. There are no bedside visits, and we were not notified when he was transferred to the hospital. The only reason why I even had knowledge that he was transferred to the hospital was another inmate within the infirmary would call me and tell me that he had been transferred. I would spend the whole day trying to find out what hospital he was at just to get some sort of status on his condition. He was terminal, so we did not know when he was going to go. This is Jaselyn. She is eight, and she is a little nervous and may get emotional, but this is what she wants to tell you.

**Chair Miller:**

That is okay, Jaselyn; go ahead and talk to us like you have always known us.

**Jaselyn Newman, Private Citizen, Las Vegas, Nevada:**

Hi, my name is Jaselyn and my dad's name was Eric Newman and he went to prison when I was three. I would like to tell you a story of him. Here are the pictures that I drew of him, and a picture of him and me. I got the birthday letter from him. I went to go visit him and that was the last memory, the last memory that I have with him, and then he passed away two years ago.

**Chair Miller:**

Thank you so much for sharing that with us. I know your daddy is so proud of you and thank you so much, and always hold his memories with you close to you.

**Chris Kovello, Private Citizen, Las Vegas, Nevada:**

I am sorry, we are all having a hard time in this room holding it together after Jaselyn's story.

**Chair Miller:**

You have no reason to hold it together. That is not a requirement. We are not doing it up here either, so you can continue with your testimony.

**Chris Kovello:**

I want to say that my son is formerly incarcerated. He is recently released and those drawings and those pictures that Jaselyn talked about meant so much to him to receive from his own small children. Sometimes those drawings and those pictures are really all that our loved ones who are incarcerated have to look forward to. They are so personal to them that a scanned picture means practically nothing. This is a way for the incarcerated individuals to keep in touch with their children and to watch their progress when they send in their homework for their daddies or their mommies or the pictures that they draw. The pictures, the photographs that we can send of their children to our loved ones just means so much. These are items that, as was said earlier, they can be brought out over and over and over again. They just mean so much, and this is really their way of communicating with their children and their children to communicate with them. We are in full support of the bill.

**Pamela Browning, Private Citizen, Las Vegas, Nevada:**

I am a formerly incarcerated person. I also have a loved one who is incarcerated, and I am a member and staff member of Return Strong. Today I am here to support A.B. 121. While I could give a story on all the issues it works to correct, I am going to talk specifically about medical issues and the experience communicated to us from our members who are incarcerated and their families. The two things in this bill, how people get refills on life-sustaining medications I believe is apparent and critically important. What you may not realize is that recently, some time over the past few years, the policy on how refills happen has changed so that prescriptions were not automatically refilled. Now people are required to send in a kite, as we have heard a couple of times already, a request to medical for

prescriptions to be filled, but that can take months to get them. By then people have gone six to nine months without seizure medication, heart medication, and antidepressant medications to treat their mental health.

In addition, there is no avenue for non-English speakers to get help unless they have a person who is bilingual to help them because they get notes back saying, Write the request in English. All of this needs protection. It is easy enough to hope that NDOC can get medications to people in a timely manner. We need it to be required because the past several years, it has not. People are dying because of it, people who do not have life sentences or death sentences. People should be coming home to their loved ones, their families, their communities, and they are not.

This is actually a bigger problem than I can talk about in two minutes, but I will share one story of a person incarcerated at Southern Desert Correctional Center who wrote us. This person is on medication for seizures that must be taken every 12 hours in order to keep him seizure free. He normally was allowed to keep the medication on him and by doing so, he was able to keep himself seizure free. The medications were removed from him to be able to self-administer, resulting repeatedly having up to 20 seizures a day. That resulted in him being moved to medical isolation, solitary confinement, where he was disciplined for a fight due to scratches on his body that were caused from his seizures. Over a third of the letters from inside are tied to medical neglect. Assembly Bill 121 would take a huge step towards improving outcomes for our incarcerated people.

**Chair Miller:**

Thank you so much for your testimony. Is there anyone else in Las Vegas who would like to testify in support?

**Vivian Jones, Private Citizen, Las Vegas, Nevada:**

I am in support of all the bills. I just want to give quick testimony. My son is 36 and I went without hearing from him for almost two years. When my sister went to see him—because I cannot as I have a case from 20 years ago and they denied me—he was not in his mental state. I was never notified. This bill would be awesome, very, very awesome. I was not notified that he was in the Extended Care Unit (ECU) for six months. They let him back out. All of his property for 20 years is gone. His account is depleted. They froze his account; it is a long story, but I was never notified. I plead and beg on every voicemail to hear from my son and to know that he is not in his right mind. He graduated from the prison. He got married in the prison. This is the importance of us being notified. That is my only child; I never had any other children and cannot go see him.

Just on January 19th, he was admitted back into ECU, and he is supposed to be getting the medical treatment and everything that he needs. I did hear from my son just yesterday after two years of begging and pleading. Even when my sister passed away, the chaplain did not call me back. Something was going mentally; he walked past my sister and did not even know who she was, did not know who his children were. So mental health is very important. I do not even know if I would be able to go see my son. The tablet, I do not even know if he

would be able to use it because of his mental state. He did not even know how to use the kiosk. We do truly need help, and from this day forward, I am praying that something changes. Thank you.

**Ashley Gaddis, Private Citizen, Henderson, Nevada:**

I am a formerly incarcerated person. I was a member of Return Strong while I was incarcerated, and now I am a Return Strong citizen using my voice and freedom for the people who do not have one right now. I am here today because we need everything that is included in A.B. 121, and I am in support and represent the voices that are not here. We need to protect the physical mail for the people who are in prison. Mail call is a lifeline. It is one of the things that keeps us connected and maintains our humanity to know that the person who loves you sat down and took the time to write and touch that envelope. It is the connection that cannot be replaced or duplicated. For me, because my mom and son were out of the country during my incarceration, receiving their mail and pictures was such a relief and assurance that they were alive and well. Being able to hold and look at those pictures would bring me back mentally in my moments of hopelessness.

Scanning mail basically provides people with an email in which there is already an email system in place. It takes the emotion out of the words, and the emotion is what we need to maintain our humanity, and our humanity helps us when we transition home. It is the heart and soul of relationships that have been frozen. I do not know if any of you have lost a loved one and then one day found an old card or note from them. But if you have, I am going to ask you to remember the emotions in that moment when you probably closed your eyes and felt them. That is the moment in mail call: the smell, the handwriting, the knowing you were thought of and loved, and the memory. Scanned mail cannot do that. If COVID-19 taught us anything, it taught us that our souls cannot survive on emails and Zoom. People need connection to survive mentally and emotionally. I support A.B. 121 and ask that you do as well. Thank you.

**Ryan Wohlgmuth, Private Citizen, Las Vegas, Nevada:**

I am in support of Return Strong and I am in support of this bill. I just want to explain something as far as my personal experience. I lost my incarcerated brother, and as far as the mail aspects, I am a formerly incarcerated person as well. I have been working in reentry for a significant amount of time. He ended up unfortunately passing away due to some of the medical-related issues as far as the coordination of care and some of those things with the Department of Corrections. Myself, I had a brain aneurysm in custody where I was placed in a coma for three weeks and my family was not notified. The only way that I was able to communicate them with them was through mail.

I just recently got released. And as far as some of the things that I have today, the only reason why was as far as the mail that is going on. Taking that away is something that I would encourage everyone of you guys to look at because not only did I lose a brother, I am struggling myself, transitioning out of prison, where I have to get this growth removed and it is affecting my ability to speak and walk. I just wanted to get up here and just explain that situation as far as what is going on in that and being in support of this bill because it is



detrimental to the reentry aspects to the community. I have worked in reentry and drug courts and in so many different areas as far as transitional living and things like that for the last eight years. And this is something that is detrimental to the transitioning in and out of prison and some of these things that the primary focus should be on when it comes to some of those things. And I just wanted to share that with you.

**Chair Miller:**

Thank you so much for sharing. We appreciate it. Is there anyone else in Las Vegas who would like to testify in support? I would like to say to everyone, because I do not see anyone else approaching in Las Vegas but I know you are still listening and watching in Las Vegas, that we deeply appreciate those of you who were formerly incarcerated coming forward with your stories, and we believe in you. We will come back here to Carson City for those in support of Assembly Bill 121,

**James E. Dzurenda, Director, Department of Corrections:**

I am in support of A.B. 121 with the amendments we went over this morning. To help answer Assemblywoman Newby's question about the visits when somebody who is incarcerated gets admitted to the hospital for a serious, life-threatening, potentially life-threatening situation, placed in critical care in a coma, we do allow for visits. The visiting policy has to follow the hospital's rules and regulations of their policies for visiting. The only time that we do deny the visits is if we receive information that someone's life may be in danger from the visit, which is possible, not very likely all the time, but it could be possible, but we do allow the visits in accordance with the hospital's policy.

[Exhibit J was not discussed during the hearing but was submitted and will become part of the record.]

**Tonja Brown, Private Citizen, Carson City, Nevada:**

The Advocates for the Inmates and the Innocent support this bill with its amendment. First of all, as an advocate, I would like to say that Senate Bill 201 of the 76th Session passed in 2011. It was an ombudsman bill, and it was to have the concerns that are here to oversee them and things like that, but there was no funding for it. There has never been funding for it, but it does exist. If you pass this bill, I ask that you take the money from this or any monies to go towards that bill to fund it. It is under the control of the Office of Attorney General.

Okay, now I would like to get into the personal part of what it is to be someone. Health Insurance Portability and Accountability Act is huge. There were instances in which my family, my loved one, was dying because he contracted the highly infectious, deadly disease methicillin-resistant Staphylococcus aureus (MRSA). There was an outbreak in 2007 within NDOC and out in the community. There should be a notification. There is nothing there to warn visitors, inmates, or to separate them or the community. That is a concern. When I got the information that he had MRSA, there was no communications from NDOC. I got a call, and it was like you have a collect call from my brother and I was expecting to hear him. It was not. It was from another inmate informing me that he was dying. He was rushed out

of here. We do not know what is going on and then having to wait. Then having him transferred back only to learn that he is in critical condition, he is in a coma, his organs are shutting down, and that you can call back next week. We do not think he is going to make it through the weekend and call back on Monday to see how he is doing. I expected him to be dead. Fortunately, he was not at this time.

This is some of the concern we have with HIPAA because anytime I had any communications with him, there was always that deadline of the six months and they will not give you any communication. This was an ongoing issue within NDOC on how do we change it because they have to conform with the federal guidelines because the regional medical facility was a licensed hospital and so they follow those guidelines. That is an issue as well.

Also, I would tell you that on Senate Bill 201 of the 76th Session, Nevada Battle Born and Nevada Strong met with the Attorney General's Office last summer.

**Sheryl Samson, Private Citizen, Fallon, Nevada:**

I have an association with Return Strong. In support of A.B. 121, I come to you after working many years in the state of California's prison system. I do acknowledge the need for security, custody, and control. Yet I also recognize the need that some decisions are made for the greater good. One of those decisions would be to protect the rights of properly receiving mail while incarcerated. Sending mail in a prison includes the human rights of two. It may be a card from a child connecting to the incarcerated parent. It may be a letter from a sibling or an old friend who cannot afford to accept the excessive costs of prison phone calls, but maybe it is the aging mother or the disabled father sending their regards and their love through an envelope because they can no longer make a visit. Maybe the correspondence is a lot of things, but anyone would realize that it breaks up the isolation of doing time and the heaviness within the environment in which an inmate daily lives, especially during the current excessive lockdowns; receiving mail becomes their lifeline. And just because someone is incarcerated, it does not mean they are not loved by someone. I ask that you remember not only the inmate receiving the mail but add to that those that are sending the inmate letters and cards. In this decision, there are two making an effort to continue a relationship while the loved one is incarcerated. I ask that you continue to protect the rights that they have with their mail system. Thank you.

**John (Rob) Phoenix, Private Citizen, Las Vegas, Nevada:**

I own the largest family practice clinic for gender-affirming care, and I am here today to speak as a nurse practitioner. I am here to represent the tens of thousands of people living in the state of Nevada with HIV. I am also here to speak as a provider of care at the Department of Corrections. There are some things that we need to improve with delivery of care within that system. Patients in the City of Las Vegas, Clark County, in the state, and across the globe have access to standard of care, which is seven days of medication from the diagnosis of HIV. That does not happen in the Department of Corrections.

I saw a patient recently who had waited for 30 days for his medication for HIV. In that time, his HIV has been allowed to go unchecked and untreated. He has remained detectable, which affects his ability to share the infection with others. My husband is living with HIV. He has been undetectable for five years. He takes his medicines every day. I do not have to worry that he is going to give me HIV infection when we have sex or when we share a kiss. As a nurse practitioner, getting patients access to medications regardless of their disease is very important. Patients, regardless of their housing situation, need access to their medications. We have set a standard in the community of Las Vegas that everybody with the diagnosis of HIV has access to medications within seven days or rapid start of medication. Ideally, we want that to be the same day of diagnosis.

In my practice in the past two years, every day we offer HIV treatment to patients and 90 percent of the patients that we diagnose or that reengage in care go home with medicines in their hands. We do that for diabetes. We do that for high blood pressure. We do that for cancer. We do that for everything. We need to make those services available to patients regardless of their housing situation. Thank you.

**Denise Bolanos, Vice Chair, Return Strong!, Carson City, Nevada:**

My husband was wrongfully convicted in the state of Nevada 11 years ago. I became a volunteer with Return Strong last legislative session, and I come back this 82nd Session as vice chair of their board. I would like to express my support for A.B. 121 on each of the sections that it introduces. Mail is a lifeline for thousands of families in this state who are impacted by incarceration, and this bill recognizes the importance of that. To quote my husband, Receiving mail is a rare moment of happiness while you are in prison regardless of how you got here. It may seem like a small thing, but it means someone thought of you and deemed you worthy of their time and their effort. At the end of the day, incarcerated or not, we are all just people, and all humans have a basic need to feel loved and have a sense of belonging and to cultivate meaningful relationships, which we all know are also essential components to successful reentry. Thank you.

**Erica Roth, Government Affairs Liaison, Deputy Public Defender, Washoe County Public Defender's Office:**

We are here to testify in favor of A.B. 121. You heard me say in my presentation a week ago that the number one issue facing my clients when released is housing. I can tell you, and I think it is no surprise after what we have heard this morning, that the number one issue facing clients while in custody is medical care. I want to pivot to Assemblywoman Newby's question, and I appreciate the answer from Director Dzurenda regarding ability to visit clients when they have been diagnosed. It is not across the board, however. I had a client; he was about my age, and he had a minor infection that went untreated in the Washoe County Jail that ultimately resulted in his hospitalization and a terminal diagnosis. I was informed by a deputy at the jail who reached out knowing that something needed to be done and we appreciated that deeply. But his hands were tied as far as reaching out to the parents. I had to file an emergency bail motion so that his parents could sit with him and hold his hand while he was in the hospital. It is not across the board. He had to have an own recognizance release to have that happen.

That story is common. Again, we heard many of them this morning. This bill is a step in the right direction to ensure that individuals who are incarcerated do have the ability to communicate with their families to let them know what is going on when these real-life things happen, and they happen every day. I want to thank Assemblywoman Considine for bringing this bill. It is a seemingly simple bill, but it highlights the impact that incarceration has on our communities every single day. Thank you.

**John J. Piro, Chief Deputy Public Defender, Legislative Liaison, Clark County Public Defender's Office:**

We support this bill. We are thankful that the sponsor brought it forward. I do not think I could say anything better than all the people who came before. Mail is a lifeline; health care is important. We are grateful and we hope that you pass this measure.

**Nick Shepack, Nevada State Deputy Director, Fines and Fees Justice Center:**

I am also the board chair of Return Strong and I want to commend them. You have heard a fraction of the stories they receive today, a very small fraction, and the work they do is amazing; the fact that these individuals take off time from work. This is my job. It is easy for me to be here. It is not easy for these individuals to show up and tell their stories, and that speaks volumes to the importance of this bill.

As mentioned in my previous testimony, electronic communication fees can be extremely exorbitant. However, mail remains the cost of a stamp. We, in fact, as an organization for this legislative session sent in over 1,000—with the help of Return Strong—surveys to individuals. So far, we have received almost 400 back. It is hard to imagine how we would do this without physical mail. They are able to get the survey, fill it out, and send it right back. There is no printing, no middleman, and what we have found through that survey is that over 49 percent of individuals have paid medical copays for prescription medication, which means a large number of people are receiving this medication and not always on time as we have heard.

We have identified and spoken to 39 individuals who have had "man-down" fees. This is emergency medical fees and as a direct result of not receiving their medication. Thirty-nine individuals who responded to us out of 400, close to 10 percent, ended up hospitalized or needing emergency medical attention, which they were charged for directly due to the result of not getting their medication on time. I mean, that should drive home the importance with some numbers. We believe that by implementing this bill, we will save families money, we will save the Department of Corrections money, we will save everybody money on medical simply by ensuring that people have their medication on time. Thank you.

**Nicole Williams, Private Citizen, Carson City, Nevada:**

I am a volunteer with Return Strong and I process all the mail that comes in; approximately 4,000 letters last year alone. I also have a loved one who is incarcerated and a four-year-old. If there is one thing I know, it is how important mail is to both the people whom we represent, who are in prison, and to the people out here who love and care for them. I know

there are people today that are going to share stories about this, but I want to address the sheer amount of work it takes to process mail for me and for mailroom employees at all our facilities.

We do believe that staffing is a huge contributing factor behind last year's push to revise the mail and take physical mail away and move to scanning. We have received letters from our members who are incarcerated that tell us about correctional officers complaining about needing to pass out mail because of the staffing shortages. It is one more thing that they have to do with less manpower to get it done. We understand, but we also understand that mail is critical to keeping family connections alive and nurtured and well. We understand that there are risks and that there may be people using the mail to get drugs into facilities. But we also understand that actual research has proven time and time again that mail is the least way that drugs enter facilities, and when states have moved to scanning mail, there has been literally no difference in the amount of drugs coming in, the number of write-ups for violence, the number of unauthorized mail, which does not mean drugs.

A team of us met with NDOC in October and they were supposed to give us research and data that supports taking physical mail to achieve their goal of stopping drugs. Until today we have not received it. Here is what I hope you understand today. While the original intention of NDOC when they attempted to institute this policy may have been good, maybe, what is that saying? The road to hell is paved with good intentions. We can have all the good intentions in the world and still do harm. Taking away physical mail will cause harm. My question is, is the risk worth the reward? I say no. I am here today in full support of A.B. 121. Thank you.

**Jodi Hocking, Founder/Executive Director, Return Strong!, Carson City, Nevada:**

I am going to try to do this in less than two minutes because you have heard from our families today and there is not a lot that I can add to what people have experienced. But I do want to say, part of the fight for the mail and these things, we are so grateful to Assemblywoman Considine because for us it meant somebody heard us. We are a group of people who are generally marginalized for the conviction status of our loved ones, and the fact that we were heard over the past couple of years and that somebody brought this legislation to the table is really important to us.

I want to acknowledge that we are in a different place. All of you have heard us scream and yell. You have probably gotten some of my emails that are, like, who the heck controls government or holds them accountable; this is annoying. I do want to say that with the administration change, we are very thankful because they are coming to the table. We, from the beginning, have asked for communication, transparency, and accountability, and the new administration is doing that. But we cannot forget the fact that this is their job and maybe next year, two years, five years, they might not be here, and we could be in the situation that we have been in the past couple of years, which was horrific and traumatic for most of us.

I also want to touch base about being bedside when somebody is passing away, and while there is policy, there is also what happens in practice. It is clear that policy does allow for that, but that has not been happening, and we have more people on the line who are going to talk about those stories, but I could probably walk in here with hundreds. But we did not want to blow you up today. I just wanted to again thank Assemblywoman Considine. There is a quote from *Howards End* that I say all the time about the government's version of history and the people's version of history, and we appreciate the people who have listened to us to incorporate the people's version into this. I do believe that the new administration is focused in a different way and we are super thankful for that.

[[Exhibit K](#), [Exhibit L](#), [Exhibit M](#), [Exhibit N](#), [Exhibit O](#), [Exhibit P](#), [Exhibit Q](#), [Exhibit R](#), [Exhibit S](#), [Exhibit T](#), [Exhibit U](#), [Exhibit V](#), and [Exhibit W](#) were not discussed during the hearing but were submitted in support of Assembly Bill 121 and will become part of the record.]

**Chair Miller:**

Is there anyone on the phone who would like to testify in support of Assembly Bill 121?

**Christine Saunders, Policy Director, Progressive Leadership Alliance of Nevada**

I will just echo the sentiments of all of those who spoke before me and urge your support of Assembly Bill 121. Thank you.

**Betty Guess, Private Citizen, Indiana:**

My husband David and I are both 73 years old. Our youngest son is incarcerated, and we have not seen him in nearly 19 years. We live mainly on our fixed social security income which does not really cover the cost of living, so my husband still works as a rideshare driver to fill the financial gap. We cannot visit our son because we no longer live in Nevada. We had to move to Indiana several years ago. With our very limited income and our declining health, we cannot travel back and forth from Indiana to Nevada. All we are able to do financially for our son is put a small amount of money on the books for phone calls and emails. We were estranged from our son for several years, but when we finally reconciled, the main means of communication between us was physical mail. We have saved every letter he has written to us, and I know he has saved each one of ours. We have also sent photos of ourselves, our pets, and our home so he can better relate to how and where we live now. It is so very important and meaningful to him to be able to hold and to touch the letter or the actual photo that we have sent. It helps keep the genuine connection between us. Scanned copies of letters are often difficult to read or have missing pages. Scanned copies of photos are often too dark to make out the features of the faces. These will not give our son the same connection with us as he gets from the originals.

We are pleading with you today to do the right thing. Do not make it harder for us to stay connected with our son. Do not collectively punish all of us mothers, fathers, spouses, grandparents, and children based on the actions of so few who abuse this privilege. It is so very hard to maintain family relationships now. Please, please, do not make it even harder for all of us. Thank you.

**Mariana Espinoza, Private Citizen, North Las Vegas:**

I am in support of A.B. 121. I have two sons incarcerated in the Department of Corrections. I have a husband who is incarcerated as well in the Department of Corrections. My husband recently got transferred from Ely State Prison to the High Desert State Prison. In that transition, a lot of his mail and property were taken from him. He has mental health problems and him not having his mail that my daughter and I personally touched and drawings that she drew for him has affected him. Also, him not having his medication that he needs for his mental health has affected him and has caused him to get into trouble in there because he is not getting the proper medication that he needs to keep himself calm and collected. He is a paranoid schizophrenic, and he constantly thinks everybody is against him.

I support this bill because the mail is important. It is personal; something that we touch that they are able to touch has that connection that we feel. My husband has life without parole, so there is no chance that he is going to get out unless something in the laws change. I have my oldest son who has 24 to 60 years. He was unable to have any kids. The only kids in his life are my daughter and his nieces and nephews. Him not being able to get any drawings, cards, or letters that they physically touched, it is going to affect him as well, and that scares me that he might go into a depression not having that connection. I am in support of A.B. 121. Thank you.

**Lilith Baran, Policy Manager, American Civil Liberties Union of Nevada:**

We are in strong support of this bill and would like to thank the sponsor. I would also like to commend and congratulate all of the directly impacted folks who had the courage to live their stories today. They were extremely moving. I cannot stress enough how essential mail is for our organization to maintain contact with people who are incarcerated. I would say that most of the letters I have read are people's last resort when they are contacting us, and I cannot imagine those folks not having a lifeline to essential attorneys and care that they need and their families. We urge your support.

**Desiree Miller, Private Citizen:**

I am here today to tell the story of one of the families we work with. She is unable to come today because she has cancer and she and her son asked that we tell the story. I am an activist and staff with Return Strong and stand in support of A.B. 121. Valerie's son, Ryan, was diagnosed with a platelet disorder right before he was incarcerated for a nonviolent money crime. The illness that he has, when controlled, is not life threatening, but uncontrolled, a bump on the head could cause a bleed that kills him very quickly. During his incarceration, he was hospitalized four times for low platelet counts. We met the family in between his first and second hospitalizations. The first one, his family did not know where he was, if he was okay—he was not calling them at all because when you are a prisoner and hospitalized, you do not get phone calls. You cannot let your family know what is happening. Families are out here holding their breath that their loved one is okay. They are trying to function with their daily life, work, kids, bills, and whatever they have on their plate. During Ryan's incarceration, Valerie was dealing with custody of his child, her

grandchild, who was having a really hard time missing her father. They went through a COVID-19 hospitalization and almost died, and she had cancer and was going through chemo.

During this, Ryan, for all purposes, disappears. He is not at High Desert State Prison and no one will give them information, so she just worries. She met us at Return Strong and we helped her learn how to read the system to figure out what was going on. First, we taught her to use VINE [Victim Information and Notification Everyday], an app that notifies you whenever your loved one is moved. Then we taught her how to go onto NDOC's inmate search website and look up your loved one to see if the custody level changed. Are they in the "hole" or close custody? Then they probably got a write-up, and it can take a week or two for the privilege to get back or it will not let you know where they went. But it gives you a clue, because medical at the prison will tell you nothing. We all eventually got really good at reading the non-information that we get. This is truly insanity.

We have talked to the new director and deputy director and believe they are working towards resolutions to these issues. But as someone else said, families need protection in statute to ensure that people are given the opportunity to fill out the HIPAA release, which is like pulling teeth at the moment. We need a notification system. If it is not a call, then a text or something. This cannot continue. Thank you for listening. I am in support of A.B. 121.

**Melissa Duna, Private Citizen:**

Thank you for the opportunity to speak on behalf of A.B. 121. I am a mother, and my son is incarcerated at High Desert State Prison. The physical mail is a key link to families. It helps children express their emotional needs. Also, visits for families to touch and the physical contact is what helps them heal. This is why I fully support A.B. 121. Also, as a mother, I need to have peace of mind about my son's health. When your loved one calls and tells you his or her health conditions are not being taken care of in the proper way [unintelligible] to where they are needed, nor does HIPAA forms. Thank you for the time to listen to me. My son has been locked in solidarity, called crazy, and been in fear for his life, and the mail and visits are what keeps us connected emotionally. His letters are the key way for me to know what was happening to him.

**Cyrus Hojjaty, Private Citizen, Las Vegas, Nevada:**

I support this bill. A lot of cool, interesting stories. I have learned a lot just in the last several minutes. We would like to thank the Assemblywoman for bringing this bill forward. Best of luck to everybody.

**Chair Miller:**

Is there anyone else who would like to testify in support? [There was no one.] Is there anyone who would like to testify in opposition?



**Jason Walker, Sergeant, Administrative Division, Legislative Liaison, Washoe County Sheriff's Office:**

We are in opposition to the bill as introduced. The majority of it we are in agreement with. We have had constructive conversations with Assemblywoman Considine specific to section 7, subsection 2 concerning safety and security issues. We have had a recent coordinated escape attempt. We just cannot have that. We are hoping that conversations will continue, and that we can move towards support.

**Adrian Hunt, Police Detective, Office of Intergovernmental Services, Las Vegas Metropolitan Police Department:**

I am going to echo the same sentiments as my colleague. We do plan on working with Assemblywoman Considine and hope we can come up with something forthcoming.

**Zach Bucher, Government Affairs Officer, Government and Community Affairs, City of Las Vegas:**

I would be lying to you if I did not say when I started walking up here, I just thought about just going right and walking out the door after that heartrending testimony that we heard and the information in the affirmative this morning. But I need to bring up a couple of issues. We are not in full disagreement with this bill, and we appreciate the conceptual amendments, but we must testify against because of a couple of issues that still remain impacting our city jail, which takes in approximately 21,000 individuals per year.

First, I need to apologize to the Chair and the sponsor of this bill. Our concerns should have been shared before we got here today and that did not happen; so again, my apologies. We hope to work with the sponsor going forward on our concerns, which are still officer safety, the definition of what constitutes a serious or critical medical condition, and what we believe are possible unforeseeable time constraints.

**Chair Miller:**

For those testifying in opposition, I would like to remind everyone that section 6, subsection 1 was amended to take out county or city jail or detention facility, and it is replaced with prison institution or facility. But thank you for your willingness to continue to work with the Assemblywoman. Is there anyone else in opposition to Assembly Bill 121?

**Pamela Del Porto, Executive Director, Nevada Sheriffs' and Chiefs' Association:**

We are opposed to A.B. 121 as it is written and amended. We look forward to continued conversations. We appreciate the work that has been done thus far and believe there may be language we all can agree upon to move us to a position of support, language that will address concerns we always have for hospital staff, all hospital patients, law enforcement personnel, and the general public while still being able to notify family about the status of their loved one in a timely manner.

**Jesse J. Watts, Sheriff, Eureka County:**

I am opposed to A.B. 121 as introduced and presented today. However, like the Nevada Sheriffs' and Chiefs' Association, Washoe County Sheriff's Office, and the Las Vegas

Metropolitan Police Department, I look forward to working towards the common conclusion to make this a bill I can support.

**Chair Miller:**

Is there anyone else who would like to testify in opposition? [There was no one.] Is there anyone who would like to testify in the neutral position? [There was no one.] I would invite Assemblywoman Considine back to the table for any concluding remarks.

**Assemblywoman Considine:**

I want to thank everyone for reading this bill, for questions, for supporting, for opposing, for willing to work with me so that we can make this happen and bridge whatever issues we have. I want to point out that section 7, as the Chair mentioned earlier, the prisons are the only entities where I am asking, under this bill, for hard copy mail. The rest of the bill refers to any jails or institutions. I will get the amendment for section 2, and I look forward to working with the folks in opposition to make this happen. Thank you so much, and I appreciate all of your time.

**Chair Miller:**

I would like to thank everyone in the room for participating with respect and sensitivity toward our fellow Nevadans. I will close the hearing on Assembly Bill 121. I will open it for public comment. [Public comment was heard.] We will be back tomorrow at 8 a.m. for two additional bills. Thank you to everyone who shared their stories today. We appreciate your candor and honesty. This meeting is adjourned [at 10:55 a.m.].

RESPECTFULLY SUBMITTED:

RESPECTFULLY SUBMITTED:

---

Garrett Tamagni  
Recording Secretary

---

Traci Dory  
Transcribing Secretary

APPROVED BY:

---

Assemblywoman Brittney Miller, Chair

DATE: \_\_\_\_\_

## EXHIBITS

[Exhibit A](#) is the Agenda.

[Exhibit B](#) is the Attendance Roster.

[Exhibit C](#) is a document titled, "Correctional Agencies that issue wireless devices to offenders throughout the United States," submitted by James E. Dzurenda, Director, Department of Corrections, regarding [Assembly Bill 35](#).

[Exhibit D](#) is a document titled, "Assembly Bill 35," submitted by James E. Dzurenda, Director, Department of Corrections, regarding [Assembly Bill 35](#).

[Exhibit E](#) is a letter dated February 23, 2023, submitted by Douglas Unger, Chapter President, Nevada Faculty Alliance, University of Nevada, Las Vegas; and representing Nevada Prison Education Project, in support of [Assembly Bill 35](#).

[Exhibit F](#) is a document submitted by JoAnn Prevetti, Director of Development, Las Vegas-Clark County Library District, in support of [Assembly Bill 35](#).

[Exhibit G](#) is written testimony submitted and presented by Nick Shepack, Nevada State Deputy Director, Fines and Fees Justice Center, in neutral on [Assembly Bill 35](#).

[Exhibit H](#) is an email regarding a proposed amendment to [Assembly Bill 35](#), dated February 21, 2023, submitted by James Palombo, representing Nevada Prison Education Project.

[Exhibit I](#) is a proposed conceptual amendment to [Assembly Bill 121](#), submitted and presented by Assemblywoman Venicia Considine, Assembly District No. 18.

[Exhibit J](#) is a document titled, "Assembly Bill 121," submitted by James E. Dzurenda, Director, Department of Corrections, regarding [Assembly Bill 121](#).

[Exhibit K](#) is an article titled, "Protecting the Fundamental Right to Mail in Prison – Undermining the Postal Service Hurts Incarcerated People and Their Families," from the Brennan Center for Justice, written by Alia Nahra and Leily Arzy, dated August 21, 2020, submitted by Jodi Hocking, Founder/Executive Director, Return Strong!, Carson City, Nevada, in support of [Assembly Bill 121](#).

[Exhibit L](#) is an article published by *The Texas Tribune* titled, "Texas prisons stopped in-person visits and limited mail. Drugs got in anyway," written by Jolie McCullough, dated March 29, 2021, submitted by Jodi Hocking, Founder/Executive Director, Return Strong!, Carson City, Nevada, in support of [Assembly Bill 121](#).

[Exhibit M](#) is an article published by *Slate* titled, "Prisons Are Increasingly Banning Physical Mail," written by Mia Armstrong, dated August 9, 2021, submitted by Jodi Hocking, Founder/Executive Director, Return Strong!, Carson City, Nevada, in support of Assembly Bill 121.

[Exhibit N](#) is an article published by the *Albuquerque Journal* titled, "Prison mail restrictions scrutinized," dated July 27, 2022, written by Dan McKay, submitted by Jodi Hocking, Founder/Executive Director, Return Strong!, Carson City, Nevada, in support of Assembly Bill 121.

[Exhibit O](#) is an article published by *The Nation* titled, "Why Prisons Are Banning Letters," written by Michelle Chen, dated February 9, 2022, submitted by Jodi Hocking, Founder/Executive Director, Return Strong!, Carson City, Nevada, in support of Assembly Bill 121.

[Exhibit P](#) is an article published by *The Prison Policy Initiative* titled, "The Biden Administration must walk back the MailGuard program banning letters from home in federal prisons," written by Wanda Bertram, dated July 29, 2021, submitted by Jodi Hocking, Founder/Executive Director, Return Strong!, Carson City, Nevada, in support of Assembly Bill 121.

[Exhibit Q](#) is an article published by the *Tampa Bay Times* titled, "No more mail call as Florida prisons replace letters with digital copies," written by Natalie Weber, dated August 11, 2022, submitted by Jodi Hocking, Founder/Executive Director, Return Strong!, Carson City, Nevada, in support of Assembly Bill 121.

[Exhibit R](#) is an article published by *The Intercept* titled, "NYC Jails Want To Ban Physical Mail, Then Privatize Scanning of Digital Versions," written by Akela Lacy, dated January 23, 2023, submitted by Jodi Hocking, Founder/Executive Director, Return Strong!, Carson City, Nevada, in support of Assembly Bill 121.

[Exhibit S](#) is an article published by *The Marshall Project* titled, "Inside the Nation's Overdose Crisis In Prisons and Jails," written by Beth Schwartzapfel and Jimmy Jenkins, dated July 15, 2021, submitted by Jodi Hocking, Founder/Executive Director, Return Strong!, Carson City, Nevada, in support of Assembly Bill 121.

[Exhibit T](#) is an article published by *Prison Policy Initiative* titled, "Mail scanning: A harsh and exploitative new trend in prisons," written by Leah Wang, dated November 17, 2022, submitted by Jodi Hocking, Founder/Executive Director, Return Strong!, Carson City, Nevada, in support of Assembly Bill 121.

[Exhibit U](#) is an article dated December 13, 2022, titled, "Prisons and Jails Keep Making It Harder for Incarcerated People to Communicate With Loved Ones," written by Nazish Dholakia, submitted by Jodi Hocking, Founder/Executive Director, Return Strong!, Carson City, Nevada, in support of Assembly Bill 121.

[Exhibit V](#) is an article published by *Workers World* titled, "End privatization of prison mail!" posted on *Prison Legal News*, dated June 4, 2021, submitted by Jodi Hocking, Founder/Executive Director, Return Strong!, Carson City, Nevada, in support of Assembly Bill 121.

[Exhibit W](#) is an article dated March 1, 2022, titled, "More and More Prisons Are Banning Mail," written by Nazish Dholakia, submitted by Jodi Hocking, Founder/Executive Director, Return Strong!, Carson City, Nevada, in support of Assembly Bill 121.