

March 1, 2013

Nevada State Legislature
Members of the Nevada Legislature
401 S. Carson Street
Carson City, NV 89701-4747

Nevadans for Civil Liberties
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RE: 120 Stories in 120 Days, Story 1, a 5 part story

Honorable Senate and Assembly Members,

Story 1

I would like to start off this series by describing the situations that have happened to me on a timeline basis in relation to home visits and my interactions with the specific Officers mentioned. I am one of the founding members of Nevadans for Civil Liberties, and after you read my stories, I hope that you will understand why I want to bring attention to these issues, and the way the Officers of the Division of Parole and Probation treat citizens of the State of Nevada.

Please allow me to begin by clarifying that I am aware of the fact that we are all individuals and have our own thoughts and feelings that in turn cause us to react in individual ways. Having said that, I also realize that the probation officer has a job to do, however, it is my belief that job can be done while respecting the constitutional rights of those persons not directly under his or her supervision, and with courtesy and respect. I realize that it is most likely the opinion of most parole and probation officers that the parolees and probationers under their supervision have forfeited their constitutional rights, which is not true, and that they do not deserve courtesy or respect. Furthermore, after what I have suffered, I would now venture to say that this opinion most likely extends to their families and friends of the family as well. While I understand that this mentality can and obviously does happen, I do not have to agree with the opinions and actions of those officers, or any Policy and Procedure of the Division, especially when they violate my personal constitutional rights.

Officer Howald's and Officer Avilla's first visit to our home was quite different than those of all of the previous officers who had come into my home over the last 7 1/2 years that my husband has been on supervision. The style of communication that Officer Howald employs left me feeling intimidated, scared and degraded. I am a professional who holds a Bachelor's and dual Master's Degree in my field and I am board certified in my profession. I have never committed a crime and I am a citizen and registered voter in the State of Nevada, which is where I choose to make my home with my husband and my family.

At some point after entering our home and introducing herself, Officer Howald came up our stairs to order my daughter and me to precede her down to our living room to join my husband. I have never been ordered by any other Officer to go to a different spot in our house, or to stop doing what I was doing when they arrived. I felt that I was being

detained for some reason or another, which I did not understand, as we presented no threat, as we were just doing our normal nightly chores and my daughter and I were talking upstairs after coming home for the day. While walking down the stairs Officer Howald began questioning me with regards to my feelings towards my husband and his crime. She stated "what's your take on this?" I believe that I responded appropriately to her question in saying that I didn't understand what she meant. She asked a very broad, generalized, open-ended question left open to my interpretation. Did she mean my take on parole and probation, her being a new officer, or what? My initial response was that of confusion but soon became one of intimidation.

Officer Howald proceeded to ask me questions that I believe to be of a personal nature and should be shared only in confidence with my therapist, family or even a close friend but certainly not a probation officer. Officer Howald asked me why I was still with my husband and did I understand his crime. I attempted to answer her question but felt extremely uncomfortable discussing feelings that were of a personal and private nature. I do not believe that my personal choices to forgive my husband and continue to love and support him are the concerns of the parole and probation department and this Officer. They are personal and private and between my husband, my God and me. I have discussed this with my therapist, both with and without my husband's presence and strongly believe that a unified family is his best chance of success. I have no idea what type of psychological or therapeutic background or training that Officer Howald has, however, based on my psychological education and any therapeutic counseling that I have personally received or been a part of with my husband, I feel that her questioning of my me and my daughter was very inappropriate and unwarranted.

Officer Howald and Officer Avilla continued this awkward line of questioning and I continued to feel uncomfortable, scared and intimidated. I attempted to voice this concern, but was abruptly told that I was being defensive and allowed no opportunity to explain my responses without continually being told that I was defensive. At a later point, after reading the Policy and Procedure of the Division regarding ethics for an Officer of the State employee, I am very perplexed and concerned for why they would choose to treat a citizen this way. According to the ethics policy, it clearly states that "?????". I also found and read the sworn oath that they take to the State when they are sworn in as an Officer, and it states, "they are supposed to treat all citizens of the State with courtesy and respect". This courtesy and respect has never been proffered to me as a citizen of the state by Officer Howald, and by allowing this intimidation and type of behavior to happen, Officer Avilla has violated this policy and her oath also.

At one point during her first visit, I recall actually being asked what concerned me and I attempted to share this with Officer Avilla. I advised her that I understood that officers would continue to change throughout my husband's probation and lifetime supervision period but that what I did not understand was their lack of communication and record keeping. I told her that this was a major concern of mine and really frustrated me. At that point, Officer Avilla actually acknowledged that frustration and we had a discussion about it that included an analogy that I made from within my own profession.

I likened this situation to that of a patient that I was about to see for the first time without first reviewing his chart and familiarizing myself with that patient's medical background, medications, etc. I explained that to be a good practitioner it was my responsibility to review any previous practitioners notes which might include their assessments,

medication changes, etc. She agreed with me but said that they have a large probationary load, at least 60 clients each. I agreed with her but informed her that we have 4000 combined patients in my office that are split among 3 practitioners, giving us an average of 1333 patients each. We don't seem to have a problem keeping our patients straight, or in knowing what their symptoms and medications are.

During this first visit, I also voiced my frustration regarding the impossibility of following rules that are only privy to the probation officer or loosely interpreted by an individual officer, which change all the time, upon the whim of the Officer. This can only set a person up for failure unless the interpretation of these rules are disclosed and discussed with the family and the person on probation, parole or lifetime supervision. Any Officer of the Division has never done this with my family or me. After reading the laws relating to Lifetime Supervision, I believe the Officers go far beyond what was intended in the law, and further punish the offender by the actions and lack of support and help.

In order for you to understand the treatment of the families of offender by the Officers, I have decided to share my stories with you over many of the issues that I would like to bring to your attention. After starting my website, and in discussions with other families and friends of offenders, I have to come to realize that this lack of respect and courtesy is common amongst the Officers, and has happened on many occasions to other families, who are also citizens of the State of Nevada and many of them are also registered voters. This policy of intimidation, scare tactics and harassment needs to be stopped by the Officers within the Division and by the command staff who allow this to happen. This includes constant violations of constitutional liberty interests and even goes farther by violating Nevada Revised Statutes. This appears to be from insufficient training, personal bias, or a psychological inadequacy to perform the job duties in a legal, courteous and respectful manner.

I will continue to advocate for myself, my daughter, my son in law, and my husband, and the family members and friends of offenders who are doing nothing more than trying to support that offender as part of their rehabilitation and integration back into society. The Officers appear intent on doing everything in their power to not allow this to happen, and attempt to break up the family to get the offender alone and unable to support himself. I have seen this firsthand and will not tolerate this abuse.

Sincerely,

A founding member of Nevadans for Civil Liberties