ATTACHMENT B

June 29, 2010

Jeremy Allen Crozier #77906
Ely State Prison
P.O. Box 1989
Ely, Nevada 89301

James Gibbons,
Nevada Governor,
Chairman of the Board of Prison Comissioners
State Capitol Building
Carson City, Nevada 89701

Catherine Cortez-Masto,
Nevada Attorney General,
Member of the Board of Prison Commissioners
100 North Carson Street,
Carson City, Nevada 89701

Ross Miller,
Secretary of the State of Nevada,
Member of the Board of Prison Commissioners
202 North Carson Street
Carson City, Nevada 89701

Dear Members of the Borad of Prison Commissioners:

The Nevada Department of Corrections does not provide Segregation housed prisoners with Satellite Law Libraries whatsoever, which is violative of mine, and other prisoners' First Amendment, and Fourthteenth Amendment Constitutional rights of the United States Constitution. As a result, I, and Othe prisoners have suffered injury through acts, practic policies, and omissions of the Board of Prison Commission Nevada Legislature, Nevada Department of Corrections, and employees thereof.

The following legal cases identify at least three(3) components that go into providing Segregated inmates with an adequate substitute for physical access to the principal prison law library.

First, many courts have required prison officials to establish small "Satellite" law libraries in the Segregation unit which Segregated inmates can use; including, the 9th Circuit Court of Appeals. See Toussaint v. McCarthy, 918 F.2d 752 (9th Cir. 1990) (Affirms requirement of Satellite law library for Segregation units). The purpose of these libraries is not to duplicate the main library but, rather, to provide a "Source of Citations" of materials that the inmate could then seek from the principal law library. See Abdual-Akbar v. Watson, 775 F. Supp. 735, 755 (D. Del 1991), vacated, 1993 WL 301527 (3d. Cir. Aug. 11, 1993). Thus, the Satellite library Should Contain Sets of relevant annotated Statutes, federal and State digests,

sets of Shepard's citations for the jurisdictions in which the prisoners are from, and major legal encyclopedias and treatises. Id 755-57. See also, Cepulonis v. Fair, 563 F. Supp. 659, 660 (D. Mass) 1983, affirmed in relevant part, 732 F.2d 1 (1st Cir. 1984) (describing similar contents for satellite law library). In addition to the materials in the satellite library, inmates must be permitted long enough periods of time to use the satellite library for it to be useful. Abdul-Akbar v. Watson, 775 F. Supp. 735, 755 (D. Del 1991), vacated, 1993 WL 301527 (3d. Cir. Aug 11, 1993) (one-hour visits to satellite library is inadequate); Cepulonis v. Fair, 563 F. Supp. 659, 660 (D. Mass 1983), Affirmed in relevant part, 732 F.2d 1 (1st Cir. 1984) (ordering that satellite law library be open and available for use by inmates 56 hours per week in one-, two-, or three-hour installments) Finally, the satellite library should be located in a room with adequate shelving, study space, chairs, tables, and lighting. See Abdual-Akbar v. Watson, 775 F. Supp 735, 739, 755 (D. Del 1991), vacated, 1993 WL 301527 (3d. Cir. Aug 11, 1993).

Second, the Board of Prison Commissioners, Nevada Legislature, Nevada Department of Corrections, and State employees thereof cannot claim that they are not on notice. "Government officials are charged with knowledge of constitutional developments, 'including all available decisional

law.'" Gutierrez v. Municipal Court, 838 F.2d 1031, 1048 (9th Cir. 1988); Also See, Tribble v. Gardner, 860 F.2d 321 (9th Cir. 1988). The State Of Nevada and employees thereof cannot claim that they are entitled to qualified immunity insofar as their conduct does not violate clearly established Statutory or Constitutional rights of which a reasonable person would have known, by citing Harlow v. Fitzgerald, 457 U.S. 800 (1982). This is because, "To determine whether a right is clearly established, 'in absence of binding precedent, a Court should look at all available case law including decisions of State Courts, other Circuits, and district Courts.'" See Ward v. County Of San Diego, 791 F.2d 1329, 1332 (9th Cir. 1986), cert. denied, U.S., 107 S.Ct. 3263 (1987). The United States Constitutional right to access the Court was in fact clearly established as far back as 1791 C.E. through the First Amendment provision to "petition the Government for a redress of grievances," and decisions of the United States Supreme Court, 9th Circuit Court of Appeals, Other Circuit Courts, District Courts, and State Courts, under the Ward requirement. Prison administrators must be sensitive and alert to protections afforded prisoners by developing Judicial scrutiny of prison conditions and practices. See Knell v. Bensinger, C.A. 7 (Ill) 1975, 522 F.2d 720.

Third, the State of Nevada, and employees thereof cannot use budget concerns as an

excuse to violate an individual's Constitutional rights. Perpetuation of unconstitutional conditions of confinement cannot be excused by inadequate funding or by an allegedly Contrary duty at State law. See Smith v. Sullivan, C.A. 5 (Tex) 1980, 611 F. 2d 1039. Inadequate resources can never be an adequate justification for State's depriving any person of his Constitutional rights. See Rhem v. Malcolm, C.A. 2 (N.Y.) 1974 507 F. 2d 333, on remand 389 F. Supp. 964. Individual or Class may not be deprived of Constitutional rights Simply because of economic Considerations, and lack of funds is not acceptable excuse for unconstitutional Conditions of incarceration. Owens-El v. Robinson, W.D. Pa 1978, 442 F. Supp. 1368. Inadequate funding by legislature was no answer to existence of unconstitutional conditions in State penal institutions especially where legislature had had ample opportunity to make provision for State to meet Constitutional responsibilities in area. Pugh v. Locke, M.D Ala 1976, 406 F. Supp. 318. Affirmed and remanded 559 F. 2d 283, rehearing denied 564 F. 2d 97, rehearing denied 564 F. 2d 98, Certiorari granted in part, reversed in part 98 S.Ct. 3057, 438 U.S. 781, 57 L.Ed. 2d 1114, Certiorari denied 98 S.Ct. 3144, 438 U.S. 915, 57 L.Ed. 2d 1160.

Everyday that the State of Nevada, and employees thereof, including public officers fail to correct this Constitutional violation, I and other prisoners are caused injury via denial of our right to access the Courts. A prompt Civil suit

pursuant to 42 U.S.C. §1983, has been filed known as Crozier v. Endel, 3:09-cv-00326-RCJ-RAM United States District Court, District of Nevada. A copy of this letter will be posted in Common inmate viewing areas encourging other prisoners in Segregation to file suit as well, Should the Nevada Attorney General Catherine Cortez-Masto Continue to fail to settle this matter.

Jeremy A. Crozier

C.C. Jeremy A. Crozier
Prisoner Rights Coalation Center
Board of Prison Commissioners.

Blood For Credits: Good Time and Good Work in Nevada

By Jeremy Allen Crozier

It is recommended that each township in the United States of America maintains a minimum of a three (3) day blood reserve in its community blood bank for everyday use by our Nation's medical professionals, for blood transfusions, medical emergencies, surgeries, and other related medical needs. According to the United Blood Services website (www.unitedbloodservices.org) it is estimated that sixty (60) percent of the population will need donated blood, or blood components sometime during their lifetimes. It is further noted by the United States Government, independent study groups, foundations, and non-profit organizations such as the United Blood Services for example, that a three (3) day blood reserve in a township's blood bank still would not be enough to meet the community's demands, and needs during times of large scale emergencies such as natural disasters, plagues, or the unprecedented growing concern of virus, and diseases such as hepatitis, and HIV.

Unfortunately, the fact is, that cities and townships across America, and those of the Great State of Nevada on average, only are able to maintain one-half of a day's worth of donated blood, and blood components inside of their community's blood bank. Thus, causing wide-spread shortages in the availability of the life saving donated blood in our Nation's hospitals, and with our emergency care providers, and it has regretfully, and painstakingly forced many health care providers, and doctors to choose between patients who will receive the much needed, and life sustaining donated blood, and those patients who will not receive it. Even despite the surreal fact, that many of the critically-ill patients who do not receive a blood transfusion, could have lived, and enjoyed a productive, and successful prolonged life, had it not been for the severe shortages of donated blood in our communities across America.

No one single source can account for the shortage of blood in our Nation's blood reserves in America than that of a severe lack of "willing blood donors." Blood donation is a simple procedure, which takes approximately five (5) minutes, or less, and only produces a "pinch-like" discomfort in the donor's arm that lasts not more than a fraction of a second. Organizations and community leaders have gone to great lengths to promote, and entice potential donors to blood-A-thon type campaigns for what has amounted to half a day's worth of blood reserve in our community blood banks on average. Incentives of money, prizes, market place discounts, employer paid days off from work, and even all expense paid vacations to lavish luxury resorts have failed to produce enough blood donors to meet even the minimum recommended requirements for our everyday medical needs.

Yet, many states in the Union have found a willing, and ready supply of blood donors in the Nation's prisons. Inmates have proven time, and time again, that they will meet their communities' blood supply needs in full. In return for their willing blood donations, and blood components, which save lives, the inmate blood donors are offered minimal incentives of eighteen (18) days credit per a blood donation every eight (8) weeks, which is the time needed for an individual to fully recover between blood donations.

There is no cost whatsoever to the State's tax payers, nor to the Department of Corrections for blood donations as all the cost of the donation procedures are passed onto the patients who receive the donated blood, and their insurance companies. Furthermore, victim's rights groups, and state tax payers have stated that they prefer this method of "Good time credits" and cost control compared to the current "Good time credit" system, which allows inmates to receive days off of their sentence for no other reason than sitting in prison, and the states increasing budget crisis. Most noted in recent years was the Nevada Legislature's doubling of the "Good time credits" in the year of 2007, for category "C" and under felonies. This was the Nevada Legislature's band-aid solution to their state's

depleting budget, which angered victims of crime, and victim's rights groups everywhere. As Ashley O'Neal stated, who was also a victim of a brutal crime, "Why should inmates receive 'Good time credits' for sitting in prison, and committing crimes? They should be required to give back to the victims, and communities they took from during the commissions of their crimes before they receive any time off of their sentences."

The blood taken from inmates undergoes strict scrutiny and screening at a blood center laboratory, and is then typed, labeled, stored at the proper temperature, and distributed to area hospitals to help save patients' lives. In states such as Wisconsin for example, inmate blood donors have met what has been called a community crisis, through their willing donations of blood. In return, these inmate blood donors serve their communities, and obtain a sense of community pride, and a sense of satisfaction for meeting a nationwide medical crisis. "In Nevada, 96.7% of all inmates will be returning to townships, communities, and neighborhoods, and we must begin to ask ourselves if we as citizens in Nevada, want former inmates to return from our state's prisons with a community connection, or who we as Nevada citizens, have completely isolated, cut-off, and otherwise excommunicated from our society for years," stated Joe O'Neal.

The State of Nevada currently has no such programs for reconnecting inmates to their communities whatsoever, even despite common sense solutions as the "Blood for Credits" inmate blood donation program presented in this article, which is estimated to save the Nevada tax payers 420 million dollars over the next ten (10) years when compared to our hard bed prison cost per an inmate over the same time period according to the Organization Nevada Accountability. A blood donation program in our state's prison system remains an issue for the Nevada Legislature, yet they continue to argue, and weigh the benefits of the cost of cutting measures limiting our Nevada citizens' rights to government spent tax dollars, and none of the body of Nevada legislatures have taken up the "Blood for Credits" recommendations. A program that would not only serve our Nevada communities, but decrease our state's budget, and prison problems, while increasing stable community programs, and awareness. Perhaps it is time for Nevada citizens to weigh in our opinions for our community leaders during the 2010 election season.

Author's Note:

The State of Nevada, and its elected leaders, creates laws and policies for their departments of corrections to solve problematic issues, which other states have experienced, and successfully solved years ago. Most intriguing is that these same elected leaders have no knowledge, nor invested interest, nor experience in the problematic issues, which they set out to solve. Even their half hearted attempts visiting the state's prisons are spent tucked, and hidden away by prison administration officials, and their movements are controlled as to not allow them to realize the vast deficiencies inside our state prisons. Some even search for the nearest exit, such as Hardesty of the ACAJ Steering Committee, instead of finding proper long term solutions.

The question should be of simple nature for Nevada Legislatures: Isn't it time to demand that we look towards and adopt other state's laws, policies, regulations and practices that have met and achieved the highest standards of scrutiny such as the Blood for Credits program? Why do they need to continue to waste tax dollars, and valuable time creating bandaid solutions, which often turn out causing more damage, tax dollars, and everyone's time in the end? Who ever told the Nevada politicians that they have a monopoly on good ideas?

If you wish to comment on this article, contact:

Author: Jeremy Allen Crozier
#77906 / ESP

Or contact the following if you find this plan a good and realistic one:

6-20-10

To Whom it may concern,

My name is Joseph M. Cappino, #25424 and I am serving two sentences of life without parole. I am currently housed at the Lovelock Correctional center. Until recently I was assigned to a handicapped cell as I am a handicapped person do to the loss of my right leg while in prison. I was moved from the handicapped cell and placed in a two man cell on June 10, 2010 this move was done so that an inmate with H.I.V. could be placed in the handicapped cell, this inmate has no physical disability that would require placement in a handicap cell, while there are other inmates here that are physically handicapped and use wheelchairs are being forced to live in two man cells because medical says that it is ok because our wheelchairs fold-up.

The use of the handicap cells here at Lovelock Correctional center to house H.I.V. inmates over inmates with actual physical disabilities is in violation of the A.D.A. and could fall under the cruel and unusual punishment clause of the 8th amendment of the United States constitution and I would hope that this could be looked into and that the improper use of the handicapped cells stopped without those of us here that are actually physically handicapped being harassed or transferred to another yard or retaliated against in any way.

Joseph M. Cappino