HELP! NV-CURE Needs Financial Resource

This is the hard part – raising financial resources. We do not ask our Members inside – because we know that your financial resources are very limited. However, our Members and Supporters in the community do have access to financial resources - and a number of them do donate from $3.00 to $50.00 per month to our non-profit organization. Their contributions have been sustaining us, however, our bank account continues to decrease. Our funds are at the lowest they have ever been. We need the help of our Members and Supporters in the Community.

We urge all NV-CURE Members and Supporters in the community to consider and make a monthly donation to NV-CURE. This money will be used to continue our newsletter and other activities on behalf of NV prisoners. Remember, we are a non-profit organization and all of our people are volunteers and none of us get paid for our activities, except for Directors, who earn $1.00 per year, which is donated back to the organization.

We will continue to try to raise money from other sources, but we need your help. Forego an extra cup of coffee once or twice a month and donate that money to NV-CURE. Thank you for your help.

Grant Writer and Fundraising Chair

NV-CURE continues efforts to find a grant writer and Chair of a Fundraising Committee. We have several people interested in writing grants to raise financial resources, however, only a few of those people have any grant writing experience – and training classes are expensive. Any person in the community interested in being the Chair of a NV-CURE Fundraising Committee and/or writing grants should contact NV-CURE as soon as possible. E-mail and/or telephone us as soon as possible. Thank you.

Check the Mailing Label on Your Newsletter

Please check the mailing label on your IB Newsletter No. 31. If there is an “x” behind your last name, your NV-CURE Membership has expired. Should you want to continue your Membership and continue to receive the Newsletter, you must re-new your Membership for one (1) year. If your Membership is not renewed, your name will be removed from our Membership and Mailing List.

Birth Certificates and Social Security Cards

NV-CURE highly recommends and encourages every NDOC prisoner to obtain and have stored in their NDOC C-file a copy of their Birth Certificate and Social Security Card. You will need these documents to participate in various NDOC activities and when you are released from prison. According to the NDOC, your Caseworker will help you obtain these documents.

All prisoners should obtain a copy of their Birth Certificate and have it placed in their Central File for their use when released from prison. A Birth Certificate is a crucial document which you will require when released from prison. You will also need your Social Security Card to obtain your
driver’s license and other social security benefits. Please, take steps to obtain those documents now.

Check Your Voting Rights Status
By Blair Bowie

Many people with felony convictions believe that they cannot vote, even after their sentence is complete. However, that is frequently not the case. Here in Nevada, many people have their rights automatically restored after completing their sentence, and others can petition to regain their voting rights. Restore Your Vote, a project of the Campaign Legal Center, is here to assist you through that process. We have organizers in Las Vegas and Reno, as well as an online toolkit at RestoreYourVote.org. Please contact us if you are unsure of your voting rights status or if you want to get involved with our campaign to register thousands of voters with previous convictions. Contact: Aaron in Las Vegas, aaron@restoreyourvote.org; Blair for the rest of Nevada, BBowie@campaignlegalcenter.org, 202-736-2201. Or visit RestoreYourVote.org

Answer the following questions to determine the status of your voting rights in Nevada:

**Question A:** Have you completed your sentence, including probation and parole?
No - you are not yet eligible to restore your voting rights. You must wait until your sentence is complete.
Yes - move on to question B.

**Question B:** When did you complete your sentence - before or after July 1, 2003?
Before – You can register to vote.
After - Move on to Question C.

**Question C:** Do you have multiple convictions that arose from separate incidents?
Yes, I have multiple convictions from separate incidents – You must petition a court to restore your voting rights. Please contact us for information on that process.
No, I only have a single conviction or multiple that arose from the same incident - move on to Question D.

**Question D:** Were you honorably or dishonorably discharged from probation or parole?
Dishonorably discharged – You will either have to request to change your discharge status or petition a court to restore your voting rights.
Honorably discharged from probation or parole or never sentenced to probation or parole - move on to question E.

**Question E:** What was the category of your conviction?
Category A - You will need to petition a court to restore your voting rights. Please contact us for information on the process.
Category B – Did the conviction involve force or violence and substantial bodily harm to the victim?
Yes – You will need to petition a court to restore your voting rights. Please contact us for information on that process.
No - You can register to vote.
Other Categories – You can register to vote.

If you are unsure about which category of conviction you have, please contact us.

NOTE: If you were dishonorably discharged from probation or parole and were not convicted of Category A felony of Category B felony involving use of force and resulting in substantial bodily harm, your voting rights will be automatically restored on January 1, 2019, at which point you may register to vote. However, to vote in the 2018 Election cycle, you will need to petition the court for rights restoration or to change their discharge to honorable.

Prisoners Not Getting Healthy Diet
By: Geoff Dornan, Nevada Appeal Reporter, July 31, 2018

The Nevada Supreme Court has ruled prison officials aren't providing inmates with a healthy diet. Justices Michael Cherry, Ron Parraguirre and Lidia Stiglich agreed with inmate Robert Stockmeier that corrections officials failed to report the diet wasn't healthy and to show standards for determining nutritional adequacy were followed, including the recommended daily allowances and other standards set by the Food and Nutrition board of the National Academy of Medicine. As a result, they write, the record indicates excessive levels of fat and sodium.

They rejected the department's argument sodium is a necessary nutrient and therefore higher levels of sodium don't render the diet inadequate. "The standard proffered does not deem adequate a diet with an unlimited quantity of sodium," the order states. "It is plain that a nutritionally adequate diet is not simply one that has some quantity of necessary macronutrients as many nutrients that are necessary in small quantities are dangerous in large quantities."

Despite previous court orders to report proper standards were followed, the justices ruled corrections and the state's chief medical officer still aren't showing a standard was followed.

Saying statute doesn't require corrections to follow a specific standard, they ruled they "must actually apply whatever standard it purportedly relies upon."

The chief medical officer, they ruled, "failed to show that it's reporting applied any standards in assessing nutritional adequacy," and therefore failed to comply with statutory reporting requirements.

NOTE: Congratulations Robert Stockmeier on another job well done. For those interested in reviewing the decision, it may be found on the NV Supreme Court website under: Stockmeier v. Tracey D. Green, State Health Officer, Appeal No. 73498, Order of Reversal and Remand, filed July 27, 2018. The previous decision in the case is found at Stockmeier v. Green, 130 Nev. 1003, 340 P.3d 583 (2014). Robert has done it again. Thank you, Robert, for all your good work.

Please note that other prisoners are pursuing other civil actions against the NDOC over the food served and other dietary needs. These actions are sorely needed, as the food served to prisoners by the NDOC is definitely not adequate.

I STARTED WITH NOTHING – I STILL HAVE MOST OF IT
Revised Resource Guide

NV-CURE now has a Revised Resource Guide. The information has been updated and new materials added. We thank Linda C., Sara B. Chris R., and the Rights Society for the help, time, and checking of this Guide. Without their help, this Revised Guide would not have been done. Thank you, NV-CURE People!

We hope it will be of assistance to prisoners upon release.

Lights On 24 Hours A Day

NV-CURE has received a number of complaints regarding lights being left on 24 hours a day. We asked for your help regarding case law on this subject and have received it. The following cases deal with the subject: Holmes v. Fischer, 764 F.Supp.2d 523 (WDNY 2011), Lopez v. Pennsylvania DOC, 119 A.3d 1081 (2014), Keenan v. Hall, 83 F.3d 1083, 1090 (9th Cir. 1996), Hoptowit v. Spellman, 753 F. 2d 779, 783 (9th Cir. 1985), King v. Frank, 328 F. Supp. 940 (W.D. Wis. 2004), LaMarire v. Mass, 745 F. Supp. 624 (D. Ore. 1990), and Shepard v. Ault, 982 F. Supp. 643 (N.D. Iowa 1997). Shepardize 9th Circuit cases for additional information.

Prison Officials Are Not Treating Prisoners Infected With Hepatitis C?

0781818 PLN Article on Hep C Treatment

A cure for a disease is only useful if it’s accessible to those who need it. For people with chronic hepatitis C, that cure can cost up to $90,000 and may not be fully covered by their insurance. For prisoners in the U.S. correctional system, that cure is even further out of reach.

State prisons are failing to treat at least 144,000 incarcerated patients with hepatitis C, according to a recent story published by Kaiser Health News. Nationwide, about 97 percent of incarcerated patients with hepatitis C aren’t getting the treatment they need.

Alex Friedmann, managing editor of Prison Legal News - part of the nonprofit Human Rights Defense Center - said that the cost of the care isn’t a good enough legal argument to deny someone the cure. "When you incarcerate people, you take away their right to get their own care," he told Healthline. "With hepatitis C, the standard of care has changed. Things are evolving. These antiviral drugs are the latest in treating hepatitis C." What's worse is that the burden of paying for the treatment shouldn't fall on prisoners, who, on average, make 50 cents an hour. While the cost of treatment is expensive, the cost of nontreatment, which not only results in prisoner deaths but also in the spread of the disease both within prisons and outside, is also expensive," Friedmann said.

NOTE to NV Prisoners infected with the Hepatitis C. NV-CURE President Witherow will be attending the October 4-6, 2018, Advocates Conference at the University of DENVER Strum School of Law. He will again, as he did at the 2016 Advocates Conference at UCLA, attempt to secure funding and/or counsel for a class action lawsuit in NV requiring treatment for all prisoners infected with the disease.

Utah County Jail $1 Million For Medical Bill

180809 PLN Article on Medical Bill

The Utah County Jail will get a $1 million influx to pay for the ballooning medical expenses of a man whose case highlighted the struggle to pay for inmate health care.

The Daily Herald reports the Utah County Commission approved the transfer Tuesday, a month after Sheriff Jim Tracy resigned when faced with the possibility of having to lay off employees and close jail beds to pay the bills.

Jails are required to provide inmates with necessary medical care, and the cost of cancer treatment for a single inmate had outstripped the Utah County’s medical budget. It’s a problem faced by jails around the country.

Disciplinary Reports for Pro Se Prisoners

NV-CURE has recently received information indicating that pro se litigators attempting to obtain good time due under the provisions of AB510, who were not actually entitled to the good time, have been written disciplinary reports for abusing the judicial process based upon a request by the Court presiding over the litigation – and have been found guilty of this alleged misconduct. We have objected to these disciplinary reports and findings to NDOC Director Dzurenda regarding this procedure based upon the fact that this procedure is unfairly placing a higher standard of knowledge of judicial procedures on pro se prisoner litigators than is imposed upon judges and the Attorney General’s Office. Director Dzurenda appears to have agreed with NV-CURE regarding this matter.

As many prisoners know, the NDOC and Attorney General’s Office have refused to provide various prisoners with the good time to which they were entitled under the provisions of AB 510 based upon “their” interpretation of the provisions of AB 510. Prisoner Frederick Vonseydewitz, in an unpublished Nevada Supreme Court decision, established that the NDOC and Attorney General “interpretation” of the provisions of AB 510 was wrong. Unfortunately, the Attorney General’s Office refused to accept the fact that they were wrong and Vonseydewitz was right.

Numerous prisoners then commenced litigation to obtain the good time to which they believed they were entitled. Various District Court Judges denied many of these prisoners relief based upon the failure of these Judges to understand the provisions of AB 510 or the decision of the Nevada Supreme Court in Vonseydewitz. The Nevada Supreme Court, subsequently, in the Jessica Williams case, affirmed their interpretation of AB 510 set forth in the Vonseydewitz case. The decisions of the District Court Judges denying relief were subsequently reversed and many cases remanded for further proceedings.

Unfortunately, some of the pro se litigants that commenced litigation to obtain additional good time were not entitled to the additional good time and various judges denying them relief issued instructions to the NDOC to write disciplinary reports against those prisoners for abuse of the judicial process. This was done and these prisoners were found guilty and
sanctioned for their alleged abuse of the judicial process. This was ludicrous!

No disciplinary reports or judicial complaints were filed against the Attorney General or the District Court Judges for their misinterpretation of the provisions of AB 510 or the laws referenced by the Supreme Court in the Vonseyedewitz decision. The Judges recommending disciplinary reports be written and the Attorney General’s Office were clearly being held to a lessor standard than the pro se litigants that mistakenly believed they were entitled to additional good time. We pointed this out to Director Dzurenda in an e-mail regarding the matter.

According to our information, Director Dzurenda has directed that any disciplinary report written against a prisoner for abuse of the judicial process in conjunction with AB 510 good time entitlement be dismissed. We commend Director Dzurenda for his leadership and understanding of the issues involved in this matter. He clearly understands the principle involved and believes in justice and fairness for all. The NDOC appears to be heading in the right direction.

**NV-CURE Position on Various Issues**

NV-CURE was recently asked our position on various issues relating to prison reforms. NV-CURE believes in the complete abolition of prisons as a part of a larger rebuilding of a more just society as a whole. We also believe that smaller and more easily accessible changes greatly help prisoners trapped in the current system. To that end, we continue to advocate for the following reforms in the current criminal justice system:

1. Change thought process of people on crime from punitive to rehabilitative.
2. End the Death Penalty
3. Make 60 years absolute maximum sentence that may be imposed and provide for a 50% good time deduction for whatever sentence is imposed. (Assuming a person is 18 years old and commits a terrible crime. The maximum sentence that could be imposed is 60 years – and he gets a 50% good time deduction from that sentence. That means, if he behaves himself for 30 years and does not lose any good time, he will be released at age 48. He could be there longer if he misbehaves. That formula would apply to all sentences.) There would be no parole supervision – because there would be no parole.
4. Eliminate discretionary parole.
5. End plea bargaining as we know it (which leads to overcharging). A prosecutor would be required to charge all offenses that are going to be charged in the original information filed in the case and he could not threaten to bring additional charges in the plea bargaining process.
6. Require prison disciplinary hearings to be conducted by 3 people, i.e., caseworker and above pay grade, with Warden as Chair, and provide all procedural protections required by **Wolff v. McDonald**, with a full and fair appellate opportunity to Deputy Director and Director and judicial relief available.
7. Eliminate all procedural hurdles in the grievance process, require a full and fair opportunity for prisoners to air their grievances and provide a full and fair appellate process, with judicial relief available.
8. Establish “retaliation” by a correctional employee, or for another correctional employee, against a prisoner for exercising 1st Amendment rights by filing a grievance or a lawsuit as a “prohibited act” punishable by “termination” from NDOC employment and a bar to future employment by the NDOC.
9. Pay all workers that perform any type of work with pay, with base pay starting at federal minimum wage (which needs to be raised to $15.00 per hour).
10. Health care must be provided to all prisoners, including all people infected with any type of infectious disease, with absolutely no medical charges to the prisoner for any appointments or health care necessary that would be available to people in the community.
11. Telephone use charges to be the same as for people in the community (no extra charges or fees on funds placed in prisoner telephone account).
12. Prison canteen workers will be NDOC employees and the canteens will make absolutely no profits from the items sold.
13. No prisoner shall ever be housed in a prison run by a private company. The State will build and operate any and all prisons required to house the state’s prisoners.
14. Make all sentences for all interdependent crimes committed in the commission of an incident concurrent.
15. Provide all prisoners with opportunity to participate in educational, job training and rehabilitative activities.
16. End to all profits generated from e-mails, telephones, video visits, clothing, or other services available to prisoners.
17. Establish an Ombudsman Office to assist all prisoners in the disciplinary process, in the grievance process, and investigating and referring for prosecution any and all prison employees involved in any type of criminal activity, including claims of retaliation in those processes. No former or current correctional personnel to be employed by the Ombudsman.
18. Fire immediately any NDOC employee found by the Ombudsman to have abused his authority or abused a prisoner, either physically, mentally, or otherwise through his action.
19. Eliminate the Inspector General’s Office as part of the NDOC, prohibit former or current correctional personnel to be employed by the I.G.’s Office and the I.G. be charged with investigating and prosecuting correctional officers accused of misconduct.
20. Restore the right to vote to all convicted felons and allow prisoners to vote in all elections.
21. Remove all criminal penalties for the possession or use of controlled substances.
22. End all prison sentences for persons convicted of non-violent property crimes.
23. Immediately raise by 25% the pay of all NDOC employees and require completion by all potential correctional employees of a Certificate Program that includes courses in
history, sociology, ethnic studies, literature, and other humanities courses.

24. Establish policies and procedures to effectuate all of the above.

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### Dozens Sickened After Exposure To Heroin, Fentanyl

#### 8/29/18 Marshal PROJECT, U.S. News

More than two dozen people at a prison in Ohio became ill on Wednesday after being exposed to a mixture of heroin and the powerful opioid fentanyl, according to the Ohio State Highway Patrol.

Later on Wednesday, at least seven people at prisons in Pennsylvania also reported feeling ill, prompting the state’s Department of Corrections to put all its prisons on lockdown.

In Ohio, 28 people were transported from Ross Correctional Institution in Chillicothe to a nearby hospital for treatment, including 23 correctional officers, four nurses and one inmate, according to police.

One additional inmate was treated at the prison but was not transported, police said. As of Wednesday evening, one staff member and one inmate remained hospitalized.

Police received a call at 9:10 a.m. ET about a substance exposure at the facility. All officers, nurses and inmates affected were responsive and transported to Adena Regional Medical Center for treatment, according to police. Police said there had been no fatalities and there was no threat to the public.

Fentanyl is a powerful synthetic opioid that can be absorbed through the skin, eyes or mouth, and can cause an overdose even in small doses, according to the Mayo Clinic.

Ohio sheriff says his officers won't carry Narcan, a life-saving drug used to counter an overdose of Fentanyl, had been administered to several victims, according to police, and 300 doses of Narcan had been made available at Ross Correctional Institution. The cellblock where the substance exposure happened had been cleared and all inmates and employees had been relocated to other parts of the facility. Police said a hazardous materials decontamination team was headed to the prison to clean up the scene. The incident remains under investigation.

In Pennsylvania, five prison staff members at State Correctional Institution in Albion became ill after being exposed to an unknown substance, according to NBC News affiliate Erie News Now. Those staff members were taken to a nearby hospital, Erie News Now reported, adding that two staff members from State Correctional Institution in Somerset had also reported feeling dazed and lethargic and were taken to a hospital. Law enforcement believe that the employees may also have been exposed to a drug, but only one staff member so far has tested positive for K2, a potent synthetic cannabinoid.

Following these reports on Wednesday, Pennsylvania Department of Corrections Secretary John Wetzel put all the state’s prisons on lockdown, citing multiple sickened staff members over the last few weeks. “The safety and security of our employees is my number one concern,” Wetzel said in a statement. “Our state prisons, especially those in the western part of the state, have experienced recent incidents in which employees have been sickened and we need to get to the bottom of this issue now.” Pennsylvania prison mailrooms will be closed and visitors will not be allowed at the locations for the duration of the lockdown, according to the release.

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### Pennsylvania Prisons Are Locked Down

#### 8/29/18 By Reporter Deanna Paul

After an Albion, Pa., prison rushed five employees to the hospital on Wednesday, the Pennsylvania Department of Corrections ordered a statewide lockdown of its prison system.

The Albion episode was one of 17 cases that have terrorized the western part of the state since early August. Twenty-nine prison staff members have been hospitalized from “unknown substances” and nine prisons have been affected, two on Wednesday morning, according to Sue McNaughton, Pennsylvania Department of Corrections Communication Director. One employee was kept overnight. Effective Wednesday, she said, all state prisons were locked down indefinitely, all visits suspended, and all mail rooms closed for nonlegal mail. “It’s definitely going to be more than a day,” she said. “It’s going to be a good while.” The department has been combating violence and drugs in its 25 Pennsylvania facilities.

Last week, Pennsylvania Department of Corrections Secretary John Wetzel announced new protocols to detect narcotics and other illicit substances, including purchase of body scanners for processing new inmates and expanding the unit dedicated to searching community corrections facilities.

“The safety and security of our employees is my number one concern,” Wetzel said Wednesday. “Our state prisons, especially those in the western part of the state, have experienced recent incidents in which employees have been sickened and we need to get to the bottom of this issue now.” Affected employees have reported feeling sick after routine activities like searching a cell or escorting an inmate through the prison, with symptoms like dizziness, lethargy, scratchy throats, and headaches, according to McNaughton.

The mail room, she said, has been particularly dangerous. “Mail is one of the main ways people get drugs into the institutions,” said McNaughton. “Individuals will take a piece of paper, soak it in a drug, let it dry, write on it, then send it. Our mailroom staff opens up mail and searches for contraband, exposing them to it.” The department is looking into a new mail processing system. For now, it has made the use of personal protective equipment such as gloves mandatory and will begin training on institutional awareness.

Staffers have also been advised to use extra caution with new inmates and parole violators. “Just like the community is suffering, the prisons are suffering from the opioid epidemic,” said McNaughton. “We’re not alone in this battle.”

Wednesday’s lockdown came a day after a crisis in Ohio, with nearly 30 prison employees exhibiting signs of drug overdose at an Ohio Correctional Institution. The suspected cause was fentanyl, a synthetic opioid about 50 times more powerful than heroin.
More than 72,000 people died of drug overdoses last year, according to preliminary 2017 figures from the Centers for Disease Control and Prevention. That is a 9.5 percent increase from 2016, a rise driven largely by deaths from fentanyl and carfentanil, an even stronger opioid typically used as a large-animal tranquilizer. Since Aug. 6, Pennsylvania has sent out lab testing in all 17 cases. Results have only returned for an Aug. 13 incident, where four officers at SCI Greene, a supermax facility near Waynesburg, were hospitalized after searching an inmate's property. The labs tested positive for synthetic cannabinoids. The department is still investigating whether all cases are related, however the state's Opioid Command Center is involved.

**Retaliatory "Rough Ride" by Prison Guards**

*7/9/19 PLN Article*

The Fourth Circuit Court of Appeals held that a Virginia state prisoner had stated a claim for violation of his constitutional rights when guards gave him a "rough ride" in a prison van in retaliation for filing grievances and lawsuits.

Paul C. Thompson was placed in handcuffs, leg irons, shackles and a black box restraint device, then loaded into a prison van on April 8, 2010 for transport to the Mecklenburg Circuit Court for a proceeding. Prison guards Diming and Cooper refused Thompson's request to secure his seat belt. The van then made an uneventful ride down a "windy, sharply-curved road for about an hour and a half." The guards stopped at a convenience store and turned back in the direction of Deep Meadow Correctional Center after they received a call saying the court proceeding had been canceled.

According to Thompson, Cooper drove "erratically, exceeding the speed limit and crossing the white and yellow traffic lines." Not seat-belted, Thompson was thrown from one side to the other, and sudden stops and accelerations caused him to be thrown forward and backward. In response to Thompson's pleas to stop driving dangerously, Cooper and Diming allegedly laughed and taunted him, saying, "So you like to write grievances and take people to court, we know how to deal with inmates ... who create problems."

Photos taken after the van trip showed Thompson with a three-quarter inch gash on his forehead. Cooper and Diming said he was throwing himself about the van and threatening them with lawsuits claiming they had beat him up. Based upon the guards' statement, Thompson received a disciplinary charge for "lying and giving false information to an employee."

Thompson filed a civil rights action alleging First, Eighth and Fourteenth Amendment violations, as well as state law claims. The district court granted summary judgment to the defendants on all the claims in 2015, and Thompson appealed.

**Two Georgia Jail Guards Fired After Pro-Nazi Views Exposed**

*8/8/18 PLN Article*

Two jail guards in Spalding County, Georgia, were fired just one day after a local anti-fascist (antifa) group published an expose revealing pro-racism and pro-Nazi posts the two had made online. Such ideologies are all too common in the US prison system, experts tell Sputnik News.

The Atlanta Antifa group caught detention officers Howard Reece Costner and Jesse Jones posting pro-Nazi messages on various social media platforms and published their findings on a blog on Monday. Later that day, the pair was sacked. "This is a really common phenomenon," Paul Wright, editor of Prison Legal News, told Sputnik News Tuesday. He argued that white supremacy does, in fact, represent the view of many employed in America's carceral institutions. "The American police state likes to employ white supremacists, and it is tolerated, if not outright encouraged at the highest levels."

"Nazism, the [Ku Klux Klan] and white supremacy is perfectly OK for the people that run the American police state," he continued. "That's literally just a value judgement that they've made."

**New Mexico: Violent Prison Riot Kept Secret**

*8/2/18 PLN Article*

It's September 23, 2017, a quiet, uneventful evening on Cellblock 3 at the Northeast New Mexico Correctional Facility outside Clayton. But hang on. All hell is about to break loose.

Prison video surveillance cameras capture the entire incident beginning 9:05 p.m. when Correctional Officer Matt Shriner is seen patrolling along the Cellblock 3 walkway. Shriner pauses at a locked cell, reaches in the door slot and is handed a folded note which he then surreptitiously passes to an inmate next door.

What occurred that night was explosive and it's been kept under wraps for 10 months. A KRQE News 13 investigation finds a host of sloppy, reckless security blunders at the private prison in Clayton led to the most dangerous New Mexico inmate uprising in the last 20 years.

"What happened that evening was unacceptable," says New Mexico's Secretary of Corrections David Jablonski, "There were major security breaches. It wasn't safe," Secretary Jablonski says.

At the top of the list: Prison understaffing. According to state investigators, Correctional Officer vacancies at The GEO Group's Clayton facility are "dangerously inadequate." KRQE News 13 Investigation by Larry Barker reveals shocking surveillance video of the riot. His story on this incident reveals how the simple passing of a note from one prisoner to a correctional officer to another prisoner kicked off the entire incident.

**Fight Against For-Profit Prison Industry!**

*By: Paul Wright, PLN and HRDC*

On Saturday, protests and marches occurred across the United States against ICE's practice of separating immigrant children from their parents under the Trump administration, and against the proposed "solution" of holding families in indefinite detention in prison-like settings. Protestors called for the abolishment of ICE and the end of privately-operated, for-profit immigration detention centers.
Around 70 percent of immigration detention beds are managed by private companies, primarily CoreCivic (AKA Corrections Corporation of America) and GEO Group. They have lucrative contracts with the federal government to hold women, men and children in civil detention. There have been incidents of sexual abuse at these privately-operated facilities, and last week Williamson County officials in Texas voted to end the county’s contract with CoreCivic to operate the T. Don Hutto detention facility, which houses immigrant women and children.

The Human Rights Defense Center has been fighting CoreCivic for over a decade. We have sued the company at least eight times, including four wrongful death suits, three public records cases and a First Amendment censorship case. As a direct result of our litigation, CoreCivic is subject to public records laws in Tennessee, Texas, Vermont and Florida. We have also successfully sued GEO Group and Management & Training Corp. (MTC), as well as private prison medical contractor Corizon.

In one of our CoreCivic wrongful death cases, we obtained a substantial settlement for an 18-year-old pregnant prisoner who lost her baby due to grossly inadequate medical care by CoreCivic (the company was also sanctioned by the court in that case, for failing to preserve video evidence).

HRDC staff helped write the Private Prison Information Act, which has been introduced in Congress over seven times (thus far without success). And U.S. Senator Bernie Sanders consulted with HRDC, among other criminal justice non-profits, when he formulated his bill to abolish private prisons, the Justice is Not for Sale Act. In fact, we provided the name for his bill.

HRDC is unilaterally opposed to for-profit companies that operate prisons, jails and immigration detention facilities, or any other type of lock-up. A profit incentive and motivation has no place in our criminal justice system.

If you feel the same way, please donate to help us in our fight against the for-profit prison industry. HRDC has an established track record, and we have a website devoted to this issue: www.privateprisonnews.org.

Attached are photos from the ICE protest march held in Nashville, Tennessee on June 29. HRDC staff attended the protest and took these pics, and the demonstrators specifically called out CoreCivic for ICE detention abuses and demanded that Belmont University kick CoreCivic CEO Damon Hininger off the school’s board of directors.

Your support helps us do the work we do! Please donate now, and consider becoming an HRDC sustaining supporter!

In solidarity, Paul Wright, Executive Director, Human Rights Defense Center

We encourage you to visit PLN websites at prisonlegalnews.org, criminallegalnews.org, and humanrightsdefensecenter.org for more information on who we are and what we do. There you can also subscribe to our magazines, visit our bookstore, and sign up for our free 5-day-a-week email newsletter.

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**Hidden Costs of Free Tablets**  
180727 PLN Hidden Costs of Free Tablets

How to spot the hidden costs in a “no-cost” tablet contract. There’s no such thing as a free lunch - or a free tablet.  
By Wanda Bertram and Peter Wagner, July 24, 2018.

If someone offered you a free computer, you’d rightly be suspicious that there were strings attached. So when private companies offer “free” tablets to incarcerated people, politicians are understandably skeptical, looking for hidden costs to the state.

What would motivate a company to give away 52,000 tablet computers for free?

But in their quest for an answer, politicians will often fail, as we saw in New York State earlier this year. Private company JPay signed a contract with the New York Department of Corrections to give free tablets to 52,000 incarcerated people. Facing questions from legislators, the department insisted – truthfully – that taxpayers wouldn’t pay a dime. Legislators dropped the issue without asking the bigger question: What would motivate a company to give away 52,000 tablet computers for free?

We filed a public records request, and got a more complete answer: The 52,000 “free” tablets are part of a package deal (or “bundled contract”) of several JPay services that gouge incarcerated people and their families.

The contract contains virtually every exploitative trick we’ve documented in the past several years, including: 1. Taking over the state prisons’ banking system, so they can add fees for services like depositing money. Transferring just $10 to a loved one’s account in a New York state prison will soon cost between $3.15 and $4.15. 2. Selling $0.35 “stamps” for a product they have the nerve to call email. (We all have a love/hate relationship with our inboxes, but calling prison messaging email is not fair to email.) 3. Providing refunds to incarcerated people when they are released, not in a check, but via a pre-paid debit card rife with fees – such as monthly “service” fees, fees for checking your account balance, or automatic fines for inactivity. (You can request a paper check instead – for $10.) 4. Offering video chats at $9 for every 30 minutes. Charging above-market prices for media, such as music and e-books.

These provisions explain how JPay expects to make almost $9 million in five years from a contract that is free to the state: by selling profitable, fee-laden services against “complementary” products like tablets. You don’t need an advanced degree to find the hidden costs in New York’s ‘no-cost’ contract. New York state legislators never bothered to solve this mystery, but it’s ironic how close some of them got. Take Republican Assemblyman Steve Hawley, who demanded: “If it’s this easy to encourage vendors to provide free tablets to inmates, why aren’t they being provided to our students?” The answer, as columnist Erica Bryant points out, is that students would never purchase a fake “stamp” to send an email to their parents.
Companies like JPay are offering “free” tablet programs to a growing number of states, and legislators should approach these offers with caution. You don’t need an advanced degree to find the hidden costs in New York’s “no-cost” contract. The trick is looking not only at taxpayer costs, but also at the exploitation of incarcerated people and their families.

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**America’s Prisoners Are on Strike.**

**We Can’t Afford to Deny Their Demands.**

**August 2018 PLN Article of Prisoner Strike**

America’s inmates do not want to perform slave labor anymore. They would also like fully staffed facilities (so that fewer of them get murdered or raped); universal access to rehabilitation programs; voting rights; the power to press their grievances in the federal court system (a right that was significantly abridged by legislation passed under Bill Clinton); and to reduce their own ranks by aligning our nation’s draconian sentencing laws with international standards, and ensuring that black prisoners are not discriminated against in opportunities for parole.

Authorities have long insisted that these are unreasonable requests. So, America’s prisoners are going on strike.

Organizers at penal institutions across the country have planned a series of actions that will begin on August 21 and continue until September 9, dates that mark the anniversary of the ill-fated uprising at New York’s Attica Correctional Facility in 1971. The actions will include work stoppages, boycotts of companies that exploit prison labor, sit-ins, and hunger strikes.

One might think that “slavery should not be legal under any circumstances” and “prisons should be staffed well-enough to ensure that inmates are not killed and sexually violated on a regular basis” would be uncontroversial sentiments in the 21st-century United States. But much like “everyone should have access to basic medical care” and other left-wing fantasies, freeing prisoners from the burdens of forced labor and mass rape is the kind of proposal that sounds nice in theory, but just doesn’t add up mathematically. Would it be swell if our shining city on a hill had a prison system that didn’t subject its inmates to food-borne illnesses, slave labor, and internationally recognized forms of torture? Sure. But we simply can’t afford it.

**August 21 - Prison Strike 2018**

Men and women incarcerated in prisons across the nation declare a nationwide strike in response to the riot in Lee Correctional Institution, a maximum security prison in South Carolina. These men and women are demanding humane living conditions, access to rehabilitation, sentencing reform and the end of modern day slavery.

**Demands:**

1. Immediate improvements to the conditions of prisons and prison policies that recognize the humanity of imprisoned men and women.
2. An immediate end to prison slavery. All persons imprisoned in any place of detention under United States jurisdiction must be paid the prevailing wage in their state or territory for their labor.
3. The Prison Litigation Reform Act must be rescinded, allowing imprisoned humans a proper channel to address grievances and violations of their rights.
4. The Truth in Sentencing Act and the Sentencing Reform Act must be rescinded so that imprisoned humans have a possibility of rehabilitation and parole.
5. No human shall be sentenced to Death by Incarceration or serve any sentence without the possibility of parole.
6. An immediate end to the racial overcharging, over-sentencing, and parole denials of Black and brown humans. Black humans shall no longer be denied parole because the victim of the crime was white, which is a particular problem in southern states.
7. No imprisoned human shall be denied access to rehabilitation programs at their place of detention because of their label as a violent offender.
8. State prisons must be funded specifically to offer more rehabilitation services.
9. Pell grants must be reinstated in all US states and territories.
10. The voting rights of all confined citizens serving prison sentences, pretrial detainees, and so-called "ex-felons" must be counted. Representation is demanded. All voices count.

**Mass Incarceration and Prison Strike**

A mass incarceration expert says the 2018 prison strike could be "one of the largest the country has ever seen", By Jennie Neufeld

To protest unfair treatment in the criminal justice system, prisoners across 17 states from coast to coast have started what they expect will be a nearly three-week prison strike - it began on August 21 and ends on September 9.

Prisoners will conduct work stoppages, hunger strikes, and spending boycotts in the hopes that their list of 10 demands is met. Vox's German Lopez has explained the treatment of incarcerated Americans, the reasoning behind the strike and its technicalities in detail. The prisoners are protesting many issues - including an exemption in the 13th Amendment allowing them to be forced to work for pennies a day. They are led by a slew of organizations, including Jailhouse Lawyers Speak and the Incarcerated Workers Organizing Committee.

I spoke with Lauren-Brooke Eisen, a senior fellow at New York University Law School's Brennan Center for Justice and the author of Inside Private Prisons: An American Dilemma in the Age of Mass Incarceration, the historical context behind and efficacy of what has the potential to be "one of the largest prison strikes that the country has ever seen." We discussed why the 13th Amendment still allows prisoners to work for very low pay, the historical resonance of this strike, and the likelihood that the prisoners' demands will be met.

**NOTE:** The Nationwide Prison Strike will end before this NV-CURE Newsletter reaches our Members. The strike involved prisoners in 11 states according to our information. The Incarcerated Workers Organizing Committee, and many other groups, have focused attention on the need for criminal justice
reforms. Everyone knows the Criminal Justice System in the USA must be reformed and major changes made. We than, all the people involved for their contributions to major criminal justice reforms.

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**ACLU Prison Strike Right to Vote**  
8/30/18 ACLU E-Mail to NV-CURE

Incarcerated people have had enough. Brutal treatment, deteriorating prison conditions, and incredibly long sentences have led to widespread hopelessness among the incarcerated population. That's why – right now – there's a Nationwide Prison Strike going on coast to coast. Get the full rundown of what this strike is all about and learn how we can all show our solidarity – it means so much to the incarcerated people leading the charge.

The injustice of our criminal justice system is nothing new – you can trace it all the way back to 1865, when the 13th Amendment abolished slavery but carved out an exception for people convicted of criminal offenses. Over 250 years later, strikers are calling for fair compensation for their hard labor each day – it's one of 10 demands that include improving prison conditions, properly funding rehabilitation, and addressing the racism that fuels mass incarceration.

Among all the strikers' demands, they're emphasizing the #Right2Vote. Currently, only Maine and Vermont give all incarcerated and formerly incarcerated people their voting rights. People in jail, prison, or on parole should have a voice in our democratic society. In fact, their voices are key to resolving the countless failures of our criminal justice system. Learn more about the remarkable act of civil disobedience sweeping through our nation. It's about time we listen to the people who are directly impacted by our unjust policies.

Our country is stronger when we can all raise our voices to demand a better future. And in the historic Nationwide Prison Strike, we're seeing just that. Thanks for listening,

Udi Ofer, Director of the ACLU Campaign for Smart Justice

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**Prison Gangs and Correctional Officers**

NV-CURE has received letters from various NDOC prisoners expressing their concern regarding the relationship between gangs and guards. It is an extremely unfortunate alliance and causes more problems than the people involved know. It has been like that since the late 1970’s when the relationship was implemented and it has only grown progressively worse. The gang leaders need to wake up and realize the damage their “relationship” with prison guards is doing to the movement for criminal justice reform.

Information regarding this relationship between guards and gangs in Nevada prisons is readily available and has been provided to the US DOJ and NDOC on a number of different occasions by a number of different people. However, it appears nothing has, or will, be done to rectify the situation. The network of prison guards working with and using prison gangs to control events in the prison, known to some as “The Old Boy Network”, has been around for a long time and they are very good at manipulating gang members that will do their bidding in return for favorable treatment and “perks”, such as no disciplinary reports for their misconduct, bed moves for their gang members, items from the property room, no confiscation or busts for contraband, information regarding various events, beating other recalcitrant prisoners, running people off the yard, etc. This may benefit the shot-callers, but it is detrimental to other prisoners and the criminal justice reform movement. It needs to stop.

Time to bring in an era of mutual cooperation – prisoners helping prisoners, rather than prisoners helping guards to the detriment of other prisoners. By working together, rather than against each other, prison gangs can definitely make a difference. Working together for the benefit of all prisoners would make a substantial difference and, in the end, derive much better benefits for the participants.

The NDOC does not currently have the ability to change the situation with respect to guards and prisoners. The Old Boys network is to strong. Top NDOC officials say, take the matter to the Inspector General (IG). These officials apparently have no idea how much of a farce the IG’s Office is – correctional officers investigating correctional officers, with the attitude that a person may tell when a prisoner is lying when he is talking. These IG Correctional Officers are deeply involved with their “brothers” in the suppression of the grievance process, investigation of the suppression of the grievance process and the investigation of abusive misconduct by other prison guards. The Old Boy Network will never be broken by the IG’s Office – not when the Old Boys control the Office.

We do not know the solution to this problem. It is up to the shot-callers of the various groups to find a solution. Working together we may accomplish much. Working separately, with different goals only perpetuates the interests of the Old Boy Network. Time to wake up people and realize we are all part of the human race!

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**The Prison Phone Industry Has Quietly Become Even More of a Duopoly**  
7/10/18 PLN Article

In little-noticed regulatory filings in New York, Maryland, West Virginia, Ohio and Arizona in May 2018, telecom company Securus Technologies solidified its grip over the prison and jail phone service industry by announcing its acquisition of one of its competitors, ICSolutions, also known as ICS. First reported by Law360.com, the purchase further consolidates the duopoly of the prison telecom market, which is largely split between Securus and Global Tel*Link (GTL).

GTL and Securus currently own over 70 percent of the prison and jail phone industry, according to data crunched by the Prison Policy Initiative (PPI), a criminal justice research and advocacy organization. The regulatory filings - joint petitions by Securus and ICSolutions regarding the acquisition - also included the private equity firm TKC Holdings, the company that owned ICSolutions. TKC Holdings also owns Trinity Services Group and Keefe Group, which provide food and commissary services to prisons and jails.
"Securus will acquire all the issued and outstanding membership interests of ICS," the filings stated. "As a result, ICS will become a wholly owned, direct subsidiary of Securus. Petitioners intend to consummate the Transaction as promptly as possible after the necessary federal and state regulatory approvals have been received." Just a week before the announcement of the acquisition, The New York Times revealed that former Missouri sheriff Cory Hutchenson had been indicted for using Securus' telephone system at his jail to obtain location data on cell phone customers without a court order. Put another way, Securus' platform can be abused by law enforcement officials to spy on people who receive calls from their incarcerated loved ones.

Officially, as the regulatory filings in New York and West Virginia point out, there are other competitors in the prison and jail telecom market besides Securus and GTL, including Legacy Long Distance, Network Communications International Corp., Pay Tel and Legacy Inmate Communications. But by and large, Securus and GTL dominate the industry and ICSolutions was already in a distant fourth place behind GTL, Securus and CenturyLink, according to PPI.

The regulatory filings noted that Securus would now have an even greater opportunity to market its telecommunications services to prisoners, including tablet devices. "Inmate calling can also be permitted from such tablets, further facilitating the ability of inmates to connect with their friends and family," the filings stated.

An investor note written by the analyst and credit ratings firm Moody's observed that Securus was acquiring ICSolutions by taking on the company's $350 million in debt. It also noted that the purchase will rid Securus of one of its competitors.

"The transaction is strategically positive for Securus as it removes a marginal competitor and improves the company's market share position," the note said. "ICS has grown significantly over the past three years by winning new contracts, occasionally from Securus as well as other competitors. While a costly purchase, the acquisition eliminates an aggressive competitor in the smaller facility space comprised of local and county jails. Moody's believes this is a prudent defensive tactic which fortifies Securus' recent market share gains and helps preserve the company's solid growth trajectory."

**Class Certified in Case Against Phone Provider**

*8/8/18 PLN Article on Phone Class Action*

A suit claiming that the private company contracted to provide phone services at nearly every New Jersey correctional facility charges improperly inflated rates has been granted class action status. U.S. District Senior Judge William J. Martini of the District of New Jersey on Monday approved the plaintiffs' request for class certification in their case against Global Tel Link and its subsidiaries, lodged over claims that it overcharged for calls and tacked on superfluous fees. The certification was granted on claims lodged under the unconscionability section of the Consumer Fraud Act and the takings clause of the Fifth Amendment.

The plaintiffs allege that GTL engaged in "unconscionable business practices by setting grossly excessive rates and fees," Martini wrote in his opinion. Although pricing varied across facilities, the inmates claim that even the lowest rates and fees were "unconscionably high" in relation to the actual cost of providing inmate calling services. The company provides services for 20 state Department of Corrections facilities and 21 county facilities-every such facility in the state, except for Passaic County's jail, according to the decision.

**Conversations With Organizers of the North Carolina Prisoners' Labor Union**

*7/10/18 PLN Article on NC Prisoner's Union*

Earlier this year, Florida prison inmates took part in a statewide labor strike to protest forced labor that they view as a modern form of slavery. The strike was just the latest action in a growing movement to organize inmates and for some, to abolish the prison system altogether. In order to maintain the pressure, incarcerated workers have also announced another wave of strike actions set to beg on August 21.

Today's inmate organizing has a powerful precedent. During the early 1970s, the prisoners' union movement counted tens of thousands of members in prisons from California to North Carolina. This activism was inspired by Black Power organizing as well as decades of agitation by both Black and white prisoners to expand their legal rights. But there was one Southern inmate union in particular, in the least unionized state in the country, that forced legal battles about whether prisoners have the right to free speech and assembly.

At its height in the early 1970s, the North Carolina Prisoners' Labor Union collected union cards from more than 5,000 prisoners, roughly half of the state's total inmate population. But the struggle to expand prisoners' rights to free speech and assembly received a heavy blow with the 1977 Supreme Court ruling in Jones v. The North Carolina Prisoners' Labor Union. The Jones decision all but ensured the demise of the North Carolina Prisoners' Labor Union and for awhile, it seemed that this history was lost.

**Prison Still on Lockdown Month After Riot**

*7/8/18 PLN Article on MO Riot Lockdown*

CAMERON, Mo. -- A Missouri prison remains on lockdown more than a month after a protest turned into a riot, and officials with the union representing corrections officers worry that a staffing shortage could lead to more violence.

Inmate activities have been restricted at Crossroads Correctional Center in Cameron since May 12, when dozens of inmates angered by loss of programs and recreation time due to staffing shortages damaged dining halls, the kitchen and other property. Corrections spokeswoman Karen Pojmann says the lockdown remains necessary because repairs and the investigation continue. Inmates get only sack meals and no phone calls or visits, other than with attorneys.
Lawsuits Filed, Renewed Push to Block Cell Phones
After Deadly South Carolina Prison Riot
By Steve Horn, 7/26/19 PLN Article

In the two months following an April 15, 2018 riot at the Lee Correctional Institution in Bishopville, South Carolina that left seven prisoners dead and at least 22 injured, the state's Department of Corrections (DOC) has renewed its push to get the Federal Communications Commission (FCC) to approve jamming contraband cell phones in prisons and jails. Additionally, several prisoners who were wounded during the riot have filed lawsuits alleging that staff at the facility failed to protect them from foreseeable violence.

The incident at Lee Correctional was the deadliest prison uprising in the U.S. in a quarter century. [See: PLN, May 2018, p.12]. Bryan P. Stirling, director of the South Carolina DOC, has maintained that the incident was caused and orchestrated by prisoners over contraband cell phones - a position shared by Governor Henry McMaster.

But others say corrupt prison guards who sold cell phones to prisoners for upwards of $1,500 each are to blame. In a lawsuit filed against the South Carolina DOC in June 2018, Javon Rivers, who was incarcerated at Lee at the time of the disturbance, claims that "guards were allowed to assist inmates with illegal activities in exchange for payment, including the smuggling of contraband and turning a blind eye to attacks on other inmates." A turf war over the contraband smuggling ensued, Rivers said in his complaint, and during the riot he was "stabbed twice with a knife and was also chopped with a homemade axe."

Ironically, it was not for a prisoner with a contraband cell phone who took photos of the aftermath of the lethal incident and sent them to Prison Legal News and other media outlets, the broader public may have never known the extent of the riot or what it looked like. Regardless, the South Carolina DOC has continued its push to get the FCC to jam cell phone signals at correctional facilities.

Prison Legal News spoke with state-level policymakers, the FCC and stakeholders involved in the issue, including DOC director Stirling, to learn more about the policy changes and regulatory discussions that have taken place in the aftermath of the riot.

Prisoner Self Help Litigation Manuel

The Prisoners’ Self-Help Litigation Manual, 4th ed. (2017), by John Boston and Daniel E. Manville. helps prisoners and advocates learn how to successfully pursue civil litigation that is guaranteed to them by the US Constitution. From the Introduction: “...work with others when you can. You can learn from those who are more knowledgeable than you; in addition, one of the best ways to understand something is to try to explain it to someone else.” Available on-line, in stores, and as PDF download.

NV-CURE Accepts Advertisements

NV-CURE Membership for prisoners ($2.00), basic ($10.00), family ($20.00), sustaining ($50.00) and lifetime ($100.00). All Memberships are ANNUAL. Each person needs to track their membership date and make a renewal membership donation yearly. We do accept unused stamps for prisoner memberships.

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NV-CURE does not accept collect telephone calls! NV-CURE’s number is 702.347.1731. All calls to NV-CURE must be prepaid. We do not have the funds necessary to accept collect calls and do not accept collect calls. Only call from 9 AM to 5 PM on Monday thru Friday are accepted.
Articles and Information Wanted
Please provide NV-CURE with suggestions for articles and information you may want included in our Newsletter. We are interested in bringing you information on events and issues related to the prison and parole systems. We will attempt to gather the facts on issues of concern and write articles that may be of interest to all.

If you want to write an article for publication, write it and send to NV-CURE and we may edit and publish it.

NV-CURE is looking for Sustaining Contributors
NV-CURE is looking for Sustaining Contributors who want to advertise their businesses and/or corporations in our IB Newsletter. We currently publish the Newsletter bi-monthly. Every two (2) months our Newsletter goes out to almost eight hundred prisoners and 1200 people and organizations in the community. Our primary costs are printing and mailing. It currently costs NV-CURE over $820.00 to mail our Newsletter to Prisoners – the very people who need our help. NV-CURE would like to increase our mailing to over 450 prisoners. Our costs would increase accordingly. NV-CURE, a tax exempt non-profit organization, and needs at least twenty (20) Sustaining Contributors to accomplish our goals. With twenty Sustaining Contributors, contributing $500.00 per year, which is tax exempt, we can reach our goal. Is your organization interested in becoming a NV-CURE Sustaining Contributor? Visit our Website, nevadacure.org, and see what we do and call our office to sign up. Thank you.

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NV-CURE, Inc.
540 E. St. Louis Ave.
Las Vegas, NV 89104