

John Quintero #93782  
NNCC PO Box 7000  
Cowson City NV 89702

March 24 2022

Nevada Parole Commission  
1677 Old Hot Springs Rd Ste A  
CC NV 89706-0677

Re: Public Comment for Hearing of March  
Regarding 213.518 and NRS 213.1214

Dear Board:

I would like this comment placed in the record and considered for placement on the agenda of subsequent meetings per NRS 233B.

Background: I read the letters of the lawyer Alan Erb, the response of Board Commissioner and the letter of prisoner Adam Garcia dtd 11-15-21 on the record for November 29 2021 hearing I listened to and transcribed the audio-visual record of discussions about amending NAC 213 518. My understanding is as follows:

In the past practice of the Board, NRS 213.1214 had been interpreted by the Board to give it permission to perform an "additional" evaluation that would serve to supercede or "override" the State-99 report sent to Board by some manner unclear from the record. Commissioner Derrico answers NO when asked by commissioner Merccio asks "do we still override?" The correct

RECEIVED

MAR 29 2022

STATE OF NEVADA  
PAROLE BOARD

purpose of NAC clarified by testimony is that when a parole applicant shows up to the Board without a static-99 due to a sex offense (conviction) on PSI missed by NDOC parole report preparers, a NO ACTION would issue. The Static-99 SHALL be used and no "overrides" are permitted, required or suggested by the NRS 213.1214, as conveyed by the Feb 18 2021 letter of Commission to Garcia via Alan Erb, Esq.

I will stand to be corrected in my understanding; but if I am right, then I request the following questions to be considered as agenda items and placed on the Agenda for the subsequent hearing(s):

1. Should the Board request an AG Opinion regarding the question of answerability of the Board to the past practice of mis-interpretation of NRS 213.1214, (a tradition passed on to the current board and not initiated by this current commission); in other words for purposes of injunctive relief (not damages) should the board be liable, and if so notice and opportunity for reconsideration be voluntarily extended to inmate improperly considered in the past?

Very respectfully,

