My Name is Robert Ashcraft I am a Senior Correctional officer for the Nevada Department of Corrections, I am also the President of Nevada Corrections association and I have been an Officer for over 20 years. I have been representing Correctional Officers and free staff since approximately 2008 and have represented numerous people in that time, you would be amazed at some of the things I have seen, the abuse of AR 339, I have seen multiple violations of NRS 289 "Pease officer rights", threats and scare tactics ,Corrective actions used as disciplinary, I have multiple times watched the department interpret AR's, NAC's and NRS's to suit their own needs when they need it to and when it doesn't they attempt to have it changed so it does, including NAC 284.242 "Overtime", NRS 289 "Pease officer rights" and most of all AR 339 employee conduct, this allows them to pick and choose who gets disciplined and how severe the discipline is all on who they are and if they are liked or disliked. I have seen multiple times three officers with the same first time offense get three different charges, from Letters of instruction to Letters of reprimand and even up to 3 weeks suspension for the same first time offense!! I have repeatedly seen and argued the abuse of Progressive discipline due to a flawed Administrative regulation 339. AR 339 states that we to be Fair, Firm and consistent at all times but Administration does not follow this themselves. Our training for new recruits is an inadequate, where they briefly go over AR 339 but have you sign a piece of paper saying you have read it all, understand it and **agree** with it as terms for your employment, then when a mistake is made, instead of taking responsibility for their lack of training they hold it against their employees. If you look at NAC 284.650 "cause for Disciplinary action" there are 22
reasons sighted but in AR 339 there are 25 pages including AR 339.15 that has 54 different infractions I it alone. AR 339 was and remains a fundamentally flawed document in many respects, a few examples are:

1. AR 339.07 "CRIMINAL MISCONDUCT". The entire section is contrary to NAC 284.650 (13) which requires "a conviction of any criminal act involving moral turpitude". It also allows the department to fire you simply for pleading NOLO Contendere to a crime.

If a Corrections officer for the Nevada department of corrections is charged with a crime he is forced to go to trial and incur significant defense attorney fees and risk a higher penalty if convicted, in order to have any chance of saving his Job.

2. AR 339.07(17) "UNAUTHORIZED USE OF FORCE", Is extremely Vague as to what is "Unauthorized" moreover, the penalties are far in excess of what a first offence would get you as an LVMPD or City of Las Vegas corrections officer.

3. AR 339.07(12) "INSUBORDINATION" Uses a definition which is inconsistent with the Nevada Supreme Court Precedent.

The penalties are draconian and not in line with other Law enforcement agencies, adoption of such penalties will undermine the collective bargaining process which will be commencing now that senate bill 135 has become Law

The Nevada Corrections Association is asking that Administrative Regulation 339 be tabled due to the collective bargaining Law going into fact as "Disciplinary procedure and Discharge" is a subject of mandatory bargaining. The issue of negotiating the process for Investigation contained in AR 339 , its

penalties and prohibitions, should occur through the collective bargaining process which will be taking place shortly.