

Governor Steve Sisolak  
*Chairman*

Susan Brown  
*Clerk of the Board*



Attorney General Aaron D. Ford  
*Member*

Secretary of State Barbara K. Cegavske  
*Member*

## STATE OF NEVADA BOARD OF EXAMINERS

209 E. Musser Street, Room 200 / Carson City, NV 89701-4298  
Phone: (775) 684-0222 / Fax: (775) 684-0260  
<http://budget.nv.gov/Meetings>

**Date and Time:** August 10, 2021, 10:00 AM

**Location:** Old Assembly Chambers of the Capitol Building  
101 North Carson Street  
Carson City, Nevada 89701

**Video Conference Location:** Grant Sawyer Building  
555 East Washington Avenue, Suite 5100  
Las Vegas, Nevada 89101

**MEMBERS PRESENT:**

Governor Steve Sisolak  
Secretary of State Barbara Cegavske  
Attorney General Aaron Ford

**STAFF PRESENT:**

Susan Brown, Clerk of the Board  
Dale Ann Luzzi, Board Secretary  
Rosalie Bordelove, Board Counsel

**OTHERS PRESENT:**

Kim Blandino, Member of the Public

### **MEETING MINUTES**

#### **1. Call to Order / Roll Call**

**Governor:** I would like to call today's meeting of the State of Nevada Board of Examiners for August 10th, 2021. If I could ask the Clerk to take the roll, please.

**Board Secretary:** Governor Sisolak?

**Governor:** Here.

**Board Secretary:** Secretary of State Cegavske?

**Secretary of State:** I'm here.

**Board Secretary:** Attorney General Ford?

**Attorney General:** Here.

**Board Secretary:** Let the record reflect we do have a quorum.

- 2. Public Comment** (The first public comment is limited to comments on items on the agenda. No action may be taken upon a matter raised under public comment period unless the matter itself has been specifically included on an agenda as an action item. The Chair of the Board will impose a time limit of three minutes.)

**Governor:** Agenda Item 2, *Public Comment*. This is the first time set aside for public comment. Anyone wishing to address the Board on any item on today's agenda, please step forward, identify yourself for the record and comments will be limited to three minutes. We will start in Las Vegas.

**Public Comment:** Kim Blandino (Attachment A)

**Governor:** Do we have anyone else for public comment? Is there anyone in the north?

**Clerk of the Board:** We do not have anybody in Carson City.

- 3. Approval of the July 13, 2021 Meeting Minutes** (For possible action)

**Governor:** Agenda Item 3, *Approval of the July 13, 2021 Meeting Minutes*. Do I have a motion?

**Secretary of State:** Move for approval.

**Governor:** We have a motion for approval from Secretary Cegavske. Is there any discussion? Hearing none. All in favor signify by saying aye. Are any opposed? The motion passes.

- 4. Authorization for an Emergency Contract with a Current and/or a Former State Employee** (For possible action)

Pursuant to NRS 333.705, subsection 4, the Department of Health and Human Services, Division of Child and Family Services seeks a favorable recommendation regarding the department's determination to use the emergency provision to contract with former employee David Blake through Master Service Agreement #23211 Reliable Health Care Services of Southern Nevada, Inc., to enable the agency to meet the higher staffing ratio required to adequately serve a recently admitted youth that requires a higher level of care.

**Governor:** Agenda Item 4, *Authorization for an Emergency Contract with a Current and/or Former State Employee.*

**Clerk of the Board:** Good morning. Pursuant to subsection 4 of Nevada Revised Statute 333.705, an agency may contract with a former employee without first obtaining a Board of Examiners approval if the term of the contract is for less than four months and the head of the using agency determines that an emergency exists. If the using agency contracts with an individual pursuant to this exception, they must submit a copy of the contract and a description of the emergency to the Board of Examiners who shall review the contract and description of the emergency and notify the agency whether or not they would have approved the contract had it not been entered into under the emergency provision.

This request is from the Department of Health and Human Services, Division of Child and Family Services. They are seeking a favorable recommendation from the Board on their use of the emergency provisions to contract with a former employee. The Division contracted through Reliable Health Care Services of Southern Nevada for the period of July 9th, 2021 through November 9th, 2021 to enable the agency to meet higher staffing ratios required to adequately serve youth who requires a higher level of care. Are there any questions on this item?

**Governor:** Do we have any questions on this item? Do I have a motion?

**Secretary of State:** Move for approval.

**Governor:** We have a motion for approval from Secretary Cegavske. Is there any discussion? Hearing and seeing none. All in favor signify by saying aye. Are any opposed? The motion passes.

**5. Authorization to Contract with a Current and/or a Former State Employee** (For possible action)

**A. Department of Transportation**

Pursuant to NRS 333.705, subsection 1, the Nevada Department of Transportation requests authority to contract with former employee Donald Gillespie, now employed by HDR, Inc., who is proposing to utilize Mr. Gillespie to fill a roadway construction inspector position in the Full Administration of District II Betterment projects.

**B. Department of Administration – Purchasing Division**

Pursuant to NRS 333.705, subsection 1, the Department of Administration, Purchasing Division requests authority to contract with former employee Lance Hussey to perform uniformed security guard duties for various agencies through Master Service Agreement #19049 with Universal Protection Service LLP, dba Allied Universal Security.

**Governor:** Agenda Item 5.

**Clerk of the Board:** This item contains 2 requests to contract with former employees pursuant to NRS 333.705, subsection 1. The first item is from the Department of Transportation to contract with a former employee to provide roadway construction inspector services for District II Betterment projects on a part-time basis. The duration of this contract is expected to be one and one-half years.

The second item is from the Department of Administration, Purchasing Division to contract with a former employee to perform uniformed security guard duties for various agencies. This individual will be employed through Allied Universal Security on a full-time basis and the duration of this request is through May of 2023. Are there any questions on these items?

**Governor:** Do we have any questions on either 5-A or 5-B? Do I have a motion?

**Attorney General:** None here. Move for approval.

**Governor:** We have a motion for approval from General Ford. Is there any discussion? Hearing and seeing none. All in favor signify by saying aye. Are any opposed? The motion passes.

**6. Request for a Recommendation of Approval to the Interim Finance Committee for an Allocation Amount from the Contingency account (For possible action)**

**A. Department of Conservation and Natural Resources – Division of Water Resources**

Pursuant to NRS 532.230, the Division requests a recommendation to the Interim Finance Committee for \$250,000 from the Contingency Account to replenish the Channel Clearance budget account.

**B. Nevada State Controller's Office**

Pursuant to NRS 353.268, the Controller's Office requests a recommendation to the Interim Finance Committee for \$51,680 from the Contingency Account to fund a contractor to help reconcile bank statements resulting from the Department of Taxation refunds.

**Governor:** Agenda Item 6, Request for a Recommendation of Approval to the Interim Finance Committee for an Allocation Amount from the Contingency Account.

**Clerk of the Board:** This item includes two requests for a positive recommendation to the Interim Finance Committee pursuant to NRS 353.268. The General Fund Interim Finance Contingency account has an approximate balance of \$24.2 million to cover unanticipated costs for the 2021-2023 biennium. If these items are approved, the remaining balance in the account will be approximately \$24 million.

The first request is from the Department of Conservation and Natural Resources, Division of Water Resources for an allocation of \$250,000 to replenish the Channel Clearance activities as allowed under NRS 532.230.

The second request is from the State Controller's Office. This is for an allocation of \$51,680 to fund a contractor and associated costs through June 30, 2022 to assist with the reconciliation of bank statements related to the Department of Taxation's Modified Business Tax refunds.

**Governor:** Do we have any questions on items 6-A and/or 6-B?

**Attorney General:** None here. Move approval.

**Governor:** Hearing and seeing none. We have a motion for approval from General Ford. Is there any discussion on that motion? Hearing and seeing none. All in favor signify by saying aye. The motion passes.

**7. Request for Approval of Payment from the Statutory Contingency Account** (For possible action)

Pursuant to NRS 41.950 and NRS 41.970, the Governor's Finance Office requests the Board of Examiners to approve a payment of \$1,980,900 from the Statutory Contingency Account to Frank LaPena representing compensation for his wrongful conviction.

**Governor:** Agenda Item 7, Request for Approval of Payment from the Statutory Contingency Account.

**Clerk of the Board:** Item number seven is a request for compensation for wrongful conviction from the statutory contingency account pursuant to NRS 41.950 and 41.970 which provide compensation and other properly related matters to certain persons who were wrongfully convicted. The statute requires the court to enter a Certification of Innocence and determine the proper amount of the award. A Certificate of Innocence and an Order Granting Monetary Relief were granted to Mr. Frank LaPena by the Eighth Judicial District Court pursuant to NRS 41.950. The amount of the award is \$1,980,900 which includes \$1.5 million for wrongful conviction, \$375,000 for his time on parole, \$25,000 for attorney fees, \$12,500 for Medicare premiums and \$68,400 for housing assistance. The current balance in the statutory contingency account is \$14.3 million. If this item is approved, the remaining amount would be approximately \$12.3 million. Are there any questions on this item?

**Governor:** Do we have any questions on this item? Do I have a motion?

**Attorney General:** I move approval and I'd like to also add that I've always said and so frequently that justice isn't always arrest and conviction, sometimes it's exoneration and compensation and I'm proud to see some justice being delivered here. So, I move for approval.

**Governor:** I have one question. Susan, these amounts are figured by statute or the court or how?

**Clerk of the Board:** The amount for wrongful conviction and the years on parole and the attorney fees are all dictated in statute and the others are negotiated.

**Governor:** Thank you. We have a motion on the floor. Is there any discussion on the motion? Hearing and seeing none. All in favor signify by saying aye. The motion passes.

**8. Requests for the Allocation and Disbursement of Funds for Salary Adjustments** (For possible action)

The 2019 Nevada Legislature, through Assembly Bill 542, section 3, made appropriations from the General Fund and the Highway Fund to the Board of Examiners to meet salary deficiencies that may be created between the appropriated money of the State’s respective departments, commissions, and agencies and the salary requirements for the personnel of those departments, commissions, and agencies. The Board of Examiners, upon recommendation of the Director of the Governor’s Finance Office, may allocate and disburse amounts, from the appropriate fund, to the departments, commissions and agencies of the State for the purpose of paying personnel salary deficiencies.

The following department, commission and/or agency requests for allocations from the General Fund and/or Highway Fund salary adjustment accounts are recommended by the Director of Finance:

	<b>BUDGET ACCOUNT NAME</b>	<b>GENERAL FUND ADJUSTMENT</b>
<b>Department of Agriculture</b>		
4540	Plant Health & Quarantine Services	\$2,121
4557	Livestock Enforcement	\$5,396
	Total	\$7,517

	<b>BUDGET ACCOUNT NAME</b>	<b>GENERAL FUND ADJUSTMENT</b>
<b>Nevada System of Higher Education</b>		
2980	University of Nevada, Reno	\$3,149,393
2982	University of Nevada, Reno - School of Medicine	\$487,396

2983	University of Nevada, Reno - Intercollegiate Athletics	\$25,329
2985	University of Nevada, Reno - Statewide Programs	\$81,308
2987	University of Nevada, Las Vegas	\$2,470,225
2989	University of Nevada, Reno - Agricultural Experiment Station	\$79,159
2990	Cooperative Extension Service	\$89,220
2992	University of Nevada, Las Vegas - Law School	\$208,548
2994	Great Basin College	\$272,588
3001	University of Nevada, Las Vegas - Statewide Programs	\$29,770
3002	University of Nevada, Las Vegas - Dental School	\$292,959
3003	Business Center North	\$33,841
3004	Business Center South	\$29,568
3005	Nevada State College at Henderson	\$275,800
3010	Desert Research Institute	\$110,896
3011	College of Southern Nevada	\$1,504,915
3012	Western Nevada College	\$239,077
3014	University of Nevada, Las Vegas - School of Medicine	\$403,275
3018	Truckee Meadows Community College	\$631,471
3221	Laboratory and Research	\$26,952
	Total	\$10,441,690

**Governor:** Item number eight, *Requests for the Allocation and Disbursement of Funds for Salary Adjustments.*

**Clerk of the Board:** Sections 4, 5, 6 and 7 of Assembly Bill 542 from the 2019 Legislative Session appropriated salary adjustment funds to the Board of Examiners to cover the 3 percent cost-of-living adjustments that were effective July 1, 2019. These funds were not included in agency budgets and an agency whose actual salaries exceed their budgeted amount due to these costs is allowed to request salary adjustment dollars from the Board of Examiners.

This item includes two requests for funds. The first is the Department of Agriculture in the amount of \$7,517 in General Funds for two different budget accounts: the Plant Health and Quarantine Services account; and the Livestock Enforcement account. It also includes \$10,441,690 in General Funds for various institutions and accounts within the Nevada System of Higher Education (NSHE). The balance in the general fund salary account is currently \$30.7 million. If these requests are approved, the balance would be approximately \$20.3 million. Are there questions on these items?

**Governor:** I have none, thank you. Do we have any questions on this item?

**Secretary of State:** Thank you. I want to, first of all, thank your staff for answering all the questions and I know you always like to say the same thing. But this was one of the agencies that we had some issues with, NSHE, trying to figure out why it was requested and why it had some institutions out of line with the others so I want to thank your staff for their response and promptness getting back to us. So, thank you. I don't know that I totally agree with all of it but I don't find reason not to support it.

**Governor:** Thank you, Secretary and I appreciate what staff and Susan did explaining this to me. This one was held over from the last meeting. I, like you, am not totally convinced that all of this is appropriate but it's under statute. Just that, it seems like higher education keeps coming back and getting more money after their budgets are established and there doesn't seem to be a control on it. So, I'll leave it at that.

Do we have a motion on item number eight?

**Attorney General:** I move approval.

**Governor:** We have a motion for approval. Is there any discussion on the motion? Hearing and seeing none. All in favor signify by saying aye. Are any opposed? The motion passes.

#### **9. Approval of Proposed Leases** (For possible action)

**Governor:** Agenda Item 9, *Approval of Proposed Leases*.

**Clerk of the Board:** There is one lease on the agenda for approval by the Board today. Are there any questions on this item?

**Governor:** No, thank you, Susan. Do I have a motion on item number nine?

**Attorney General:** Move approval.

**Governor:** We have a motion for approval. Is there any discussion? All in favor signify by saying aye. The motion passes.

#### **10. Approval of Proposed Contracts** (For possible action)

**Governor:** Agenda Item 10, *Approval of Proposed Contracts*.

**Clerk of the Board:** There are 43 contracts in Agenda Item 10 today for approval by the Board. Are there any questions on any of these items?

**Governor:** No, I appreciate it. Do we have any questions or a motion?

**Attorney General:** Move approval.

**Governor:** We have a motion for approval. Is there any discussion? Hearing and seeing none. All in favor signify by saying aye.



**11. Approval of Proposed Work Plan** (For possible action)

**Governor:** Agenda Item 11, *Approval of Proposed Work Plan*. We have one.

**Clerk of the Board:** There is one work plan under Agenda Item 11 for approval by the Board. Are there any questions on this item?

**Governor:** No. I appreciate your explanation in my briefing. Do we have a motion on item number 11?

**Attorney General:** Move approval.

**Governor:** We have a motion for approval from General Ford. Is there any discussion? Hearing and seeing none, all in favor signify by saying aye. The motion passes.

**12. Approval of Proposed Master Service Agreements** (For possible action)

**Governor:** Agenda Item 12, *Approval of Proposed Master Service Agreements*.

**Clerk of the Board:** There are five master service agreements for approval today. Are there any questions on any of these items?

**Governor:** No. Do we have a motion?

**Attorney General:** Move approval.

**Governor:** We have a motion from General Ford for approval. Is there any discussion? Hearing and seeing none. All in favor signify by saying aye. The motion passes.

**13. Information Item – Clerk of the Board Contracts**

Pursuant to NRS 333.700, the Clerk of the Board may approve all contract transactions for amounts less than \$50,000. Per direction from the August 13, 2013 meeting of the Board of Examiners, the Board wished to receive an informational item listing all approvals applicable to the new threshold (\$10,000 - \$49,999). Attached is a list of all applicable approvals for contracts and amendments approved from June 22, 2021 through July 20, 2021.

**Governor:** Agenda Item 13 – an information item.

**Clerk of the Board:** There are 49 contracts that were approved under the \$50,000 threshold between June 22, 2021 and July 20, 2021. Any questions here?

**Governor:** No, we do not.

## 14. Information Item Reports

### A. Governor’s Finance Office – Stale Claims Account, Emergency Account, Statutory Contingency Account and General Fund Balance

Pursuant to NRS Chapter 353, the Governor’s Finance Office, Budget Division presents a reconciled fund balance report for the Tort Claim Fund, Statutory Contingency Account, Stale Claims Account, Emergency Account, Disaster Relief Account, IFC Unrestricted Contingency Funds and IFC Restricted Contingency Funds as of July 19, 2021.

Tort Claim Fund	\$ 3,925,713.49
Statutory Contingency Account	\$ 14,306,039.96
Stale Claims Account	\$ 3,636,590.73
Emergency Account	\$ 354,763.00
Disaster Relief Account	\$ 5,958,510.95
IFC Unrestricted Contingency Fund General Fund	\$ 24,257,367.35
IFC Unrestricted Contingency Highway Fund	\$ 1,638,068.35
IFC Restricted Contingency Fund General Fund	\$ 16,674,723.00
IFC Restricted Contingency Highway Fund	\$ 2,921,846.00

### B. Department of Motor Vehicles – Complete Streets

Pursuant to NRS 482.1825, subsection 2, the Department of Motor Vehicles shall certify to the State Board of Examiners the amount of the voluntary contributions collected for each county by the department and its agents and that the money has been distributed as provided in statute. This is the 4th quarter of State Fiscal Year 2021 report for the period beginning April 1, 2021 and ending June 30, 2021.

**Governor:** Agenda Item 14, *Information Item Reports*.

**Clerk of the Board:** We have two informational reports under this item. The first is a report on the available balances in the various contingency accounts that are managed by the Board of Examiners or the Interim Finance Committee and these balances are as of July 19, 2021. A number of these accounts were replenished through Assembly Bill 464 of the 2021 Legislative Session and are intended to cover various contingencies through the 2021-2023 biennium or through June 30, 2023. I would be happy to answer any questions on this item Members may have.

**Governor:** We appreciate it.

**Clerk of the Board:** The second report under this item is on the voluntary contributions collected by counties pursuant to NRS 482.480, known as the Complete Streets program and is for the period of April 1, 2021 through June 30, 2021. During the fourth quarter of fiscal year 2021, the Department collected \$99,882 compared to \$102,102 in the same period last year. I would just note that this report will be corrected on the website as there was an error on the second page at the top for the fourth quarter, which indicates that 2020 was \$90,594 however, the actual amount is \$102,102. Then the total amount collected for fiscal year 2021 was \$418,880 compared to \$355,880 in fiscal year 2020. That concludes my report on this item. Are there questions on this item?

**Governor:** Are there questions? We have no questions.

**15. Public Comment** (This public comment period is for any matter that is within the jurisdiction of the public body. No action may be taken upon a matter raised under public comment period unless the matter itself has been specifically included on an agenda as an action item. The Chair of the Board will impose a time limit of three minutes.)

**Governor:** Moving on to Agenda Item 15, Public Comment. This is the second time set aside for public comment. Anyone wishing to address the Board on any item, please step forward, identify yourself for the record and comments will be limited to three minutes.

**Public Comment:** Kim Blandino (Attachment B)

**Governor:** Do we have anyone else in Las Vegas? None. Do we have public comment in Carson City?

**Clerk of the Board:** I do not see any.

**16. Adjournment** (For possible action)

**Governor:** Thank you, we are adjourned. Thanks everybody.

## Attachment A

**Kim Blandino:** My name is Kim Blandino. I'm here to speak on the LaPena matter. I've looked at the documents. I only found out about this yesterday afternoon so, it was serendipitous. I know Frank LaPena was at the Southern Desert back in the 1990s and what an incredible person. It was easy for this guy to be bitter but he obviously got better. This guy helped people from in prison. I was witness to that. Even though he had his own legal travails and everything to go through. I've looked at the casefiles to some degree, not as much as I wish but I will over the time. I am in complete agreement that he's ordered this monies but I don't think it's quite enough and I don't think it goes quite far enough because by the way, I'm not representing Frank in any way, he has no idea I'm speaking here, unless he is clairvoyant. I just found out about this yesterday but God wanted me to come here and speak my mind and that's what I'm doing and so, I think that the problem here is it doesn't address, the certificate of innocence, doesn't direct-address the absolute misconduct, malfeasance and misfeasance that was done by the prosecutor's office. This isn't a case where it was honest mistakes and everything. This was a deliberate setup to take this guy and railroad him because they knew he could. I don't know where Mel Harmon is, the prosecutor in this case that did what he did but I'm pretty sure that he's looking up and not down, unless he repented before he passed. But there has to be addressed somewhere the punitive damages or something. I know a Certificate of Innocence doesn't go that far. Maybe Frank can, and his attorneys could address that because to put this into perspective, 15, 20 years ago, you had no such statute, even less than that, that had gotten monies for like DeMarlo Berry and then there was another person that got monies through this statute that allows for these payments to be made when there is a finding of innocence. Frank had to wait all the way until he got to the pardon's board. All his appeals, collateral relief that he applied for, the state and the federal, it failed. Gratefully that the pardon's board looked at this and he had all the documentation to show that he was actually innocent. I think the state's doing right but not quite far enough and I think that there should be documented in here that there is some money that he gets because of punitive, sort of like punitive damages in a case, not just the recognition of presumption of innocence. Maybe the state can approve this money, the Board of Examiners approve this money and then, maybe revisit that aspect. Maybe he can marshal the evidence to show that this was just something that should not ever happen again and there are individuals that are being prosecuted to this date, to Steve Wolfson's credit, he has a review board as this body well knows that reviews wrongful convictions and everything. They have a unit. He established a unit to do that. And so, I think that, you know, this, as much as Frank, the integrity of this man. He could've, I was there in prison with him in the '90s. Just after he refused that plea bargain that would let him out right there and then but he wasn't going to plead to something that he did not do. The integrity that it takes to do that, to say no, I'm not going to plead to something. I'm upset. I'm sorry. Anyway, he was not going to do that. That's integrity. I appreciate being allowed to speak.

## Attachement B

**Kim Blandino:** I was here speaking at first public comment. The reason I actually looked this up is I was trying to get information. It got the oaths of office for all the different judges save a few from the public information office for the Secretary of State so if Barbara Cegavske would like to keep her ears open on this one. Anyway, they said they don't have any of the bonds for these judges. By statute, they're required, judges are required to have bonds and it appears to me that these statutes are not being complied with. I know it's not happening with the city of Las Vegas judges. They're saying that they're exempt. Now if this statute is being ignored and the law being violated because the Board of Examiners has the power if let's say a judge was perpetually drunk or other kind of misfeasance or malfeasance on the bench, the Board of Examiners could revoke the bond and the judge can't sit. No different than if the judge says you know what, this oath, I don't want to follow this oath or the two constitutions of the government of the United States and the State of Nevada so, I don't want to do that. I'm revoking my oath and they could just say, you're not sitting as a judge because you're not going to sit as a judge without the oath signed and approved before God. Now the bond has to work the same way. Now if these judges are trying to say that they're exempt from the bond or somehow because all these years it hasn't been followed, so at present, the public information officer, Jennifer, I can't remember her last name, said they don't have copies of the bonds. When I called yesterday, I was quite distressed to find out, when I called the Board of Examiners, there was really no one to talk to. They said well it's just the Governor and this and that but there's a statutory provision still in existence that those bonds can be revoked and then, that office has to be vacated by the person whose bond has been revoked. Now I, I hope you can appreciate the magnitude of this because this is just another check and balance in the system. So, if the public says they see this judge walking around drunk, even on his off-hours, public drunkenness and, you know, that would reflect on his bench, that he's unfit to do the office. Now you could go to the commission on judicial discipline, you could go to the Legislature and do impeachment, which is a rare thing, as we all know, in this State. Even the worst are some of these Clark County judges have had to go to be removed, they had to go to the Commission on Judicial Discipline because the Legislature is very reticent to act. So, this bonding issue is just another check and balance that was put in by the wise founders and the followers of this constitutional republic that we have, federalism and all that kind of thing and so, I need to get that information and it says that the bonds have to be set for these public offices, Legislative, judicial and executive. So, also, in this regard, I didn't plan on saying this but God never knows, I mean, I never know what God might put in my mouth to speak so, I'd like to see the bond for the Governor himself, as well as the Secretary of State and Attorney General Ford as well. So, I'd like to get copies of those documents. The great thing about this government that we have by the people, for the people and of the people is that we want transparency and the great thing is I'm allowed to comment. I mean, I'm just walking off the street and I'm allowed to comment onto these issues and I really appreciate the way the Board is functioned here. It's been very professional and been very adroit at what has happened in the way it's moved so smoothly and everything, I have no complaints with that but you know, the substance of the law has to be followed as well as the procedure of the law and sometimes we lose sight of the fact that we have these protections in there and it's a law of God the nature that he set up is what humans don't use they lose.