

state employees to violate the rules and regulations of the department for which they work, knowingly violate those rules and have a court determine that they knowingly violated those rules, then the state pays for the wrong that they caused, the state is underwriting deliberate violation of the rules and regulations of that department. For Mr. Best, who is acting like the Director of the Department of Correctional Services, to ask the Legislature to cover over the wrongdoing of two employees indicates that he either lacks the will or the strength to properly administer that department. He is saying that despite the fact that the warden and the then acting deputy warden violated the rules and regulations of the institution and the law, he wants them not to be held accountable for it. Yet these are the ones who are to discipline inmates. If you want to maintain discipline in a paramilitary organization, which they like to say police divisions in penal institutions are, those people who commit wrongs have to be held accountable for the wrong that they do and this is why the federal law, under which the lawsuit was brought, holds the individual who commits the infraction personally liable and responsible. The State of Nebraska did not approve of this man being held without the proper hearing. For your information, if you did not read the judge's opinion, the misconduct report on which all of this supposedly occurred was never found. Parratt and Nance knew. They want to be able to run the penitentiary in disregard of the law and the rules and regulations of the department itself. Yet they can in an ad hoc fashion promulgate any rule that they want and without informing the inmates hold them accountable if they violate a rule or an order that they didn't even know existed. And on page 2 I see interesting language which is becoming very hackneyed when we talk about problems in the institution. In the second paragraph, "Senator, I also believe that a failure to indemnify Parratt and Nance would be a gross injustice to these two men and would cause extremely serious personnel problems for this department as a whole." A few days ago we were being told with the concurrence of some of the senators, I guess, or they were being duped, that the deputy ombudsman for corrections is the cause of the most serious personnel problems out there. So, since that word or phrase that they conjure by seemed to get the senators attention so much, anything they want to put across now is based on it being a serious personnel problem. And I believe the Attorney General's hand is involved in this like it has been in the other matters and it is time for somebody to call his hand. He is a politician before he is a lawyer and he has done things and written things and taken positions that I think are highly questionable and this is one of them. He should not stick his nose in this at all, nor