

work or educational release as well as recommendations for clemency.

Speaking to corrections officials apart from "my role as chairman of the Pardon Board," Exon said he would like to have psychiatric-psychological testing done before work release was approved for these prisoners.

Clinical Input

Correctional Services Director Joseph Vitek agreed. "It's my belief no person convicted of severe type crimes (first-degree murder, aggravated assaults, sexual-psycho offenses) should be released without clinical input," he said.

In most cases such reports have been made, and Complex Warden Robert Parratt said later prisoners are evaluated "before any change in custody is made."

The discussion indicated stringent budgets and a shortage of psychiatrists are continuing problems at the Penal Complex — but with some help in sight.

Vitek told the board that the Complex is exploring with the Nebraska Psychiatric Institute the possibility of having a full-time psychiatrist at the prison.

"Currently," he said, "we have a three-day-a-week psychiatrist."

Erving Case

The case of Omahan Jerry Erving Sr., recommended for a commutation, prompted the Pardon Board's interest in the subject. Parole Board member Eugene Neal said no evaluation was sought for the inmate because "we never felt he needed it."

Erving was sentenced in July 1960, along with Milton Howard, also of Omaha, for the 1959 death of Edward Floyd Ellis. Ellis was to have been a key

witness against Howard in a federal narcotics case.

Calling the murder "contract killing," Atty. Gen. Paul Douglas, a member of the pardon panel with Exon and Secretary of State Allen Beer-mann, objected strongly to a commutation.

Erving has done "less than the average time for first-degree murder," he said. (Neal said average was 17 years.)

Parole Board Chairman John Greenholtz, however, said, "People do change. In the last couple of years, this man has made a very good adjustment."

Witnesses Favorable

Erving, 55, has been on educational release since February and witnesses testified he had done well, was responsible and "could do a lot better job on the outside than the inside."

Douglas said he was also concerned about 12 disciplinary reports Erving had received at the penitentiary prior to 1972.

At Vitek's suggestion, the Par-

don Board voted to defer a decision on the case until an updated psychiatric-psychological report could be obtained and a detailed disciplinary report resume submitted.

In other action, the Board granted a commutation of 34 to 50 years to James Edward Harding, 40, of Omaha.

Harding was sentenced to life in 1959 for first-degree murder in the death of an Omaha bus driver during a tavern holdup. The commutation will make him eligible for future parole, probably in September 1976.

The Board also gave full pardons to two persons convicted of misdemeanors and approved commutations to 15 inmates who would have been discharged in January if LB567, a bill providing for earlier release for good behavior, had been determined retroactive.

Another 13 were denied LB567 commutations. Most of them will be considered for parole or reparole in the near future.

Dyas Set to Announce His Senate Candidacy

Hess Dyas of Lincoln is scheduled to formally announce his candidacy for the U.S. Senate seat now held by retiring Republican Roman Hruska in a series of appearances across Nebraska the week of Jan. 12.

Campaign manager Dick Kurtenbach said Friday places and times for the announcements are now being scheduled.

Dyas, 38, former Democratic state chairman, has been informally campaigning for several months and his campaign committee was formed last July.

Omaha Mayor Ed Zorinsky is also seeking the Democratic nomination. On the Republican side of the ticket, Rep. John Y. McCollister and former State Sen. Richard Proud of Omaha are seeking the nomination.

Dyas said he thinks he can win 35-45% of the vote in the May primary in Omaha and the Second District. "I don't concede Omaha, but I don't go along with the idea that I'll win by a landslide either," he said.

Dyas lost a 1974 bid to unseat First District Congressman Charles Thone.