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NEVADA BOARD OF PAROLE COMMISSIONERS

February 7, 2012

To: Lorne Malkiewich, Director, Legislative Counsel Bureau

From: Connie S. Bisbee, Chairman *CS*

RE: Parole Board Quarterly Report of Actions July 1, 2011 through September 30, 2011.

Please find attached the Quarterly Report of Parole Board Actions for the period July 1, 2011 through September 30, 2011. This report is prepared in accordance with NRS 213.10887: "Board to compile, maintain, organize and tabulate information concerning decisions regarding parole."

This report is organized by sections as follows:

- Section 1: Summary of all parole decisions during the reporting period. Parole actions are categorized by discretionary parole decisions, mandatory parole decisions (MPR), and parole violation decisions.
- Section 2: Summary of parole actions based on the parole guideline recommendation.
- Section 3: Summary of parole actions that deviate from the guideline recommendation.
- Section 4: Summary of parole actions by offense group.
- Section 5: Summary of the reasons for parole actions, including reasons for deviating from the parole guideline recommendation. Reasons for actions on individual cases are on file at the Carson City Office of the Parole Board and are available upon request.

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Section 1. Summary of all parole decisions during the reporting period

Quarterly Totals

Parole actions are categorized by discretionary parole decisions, mandatory parole decisions (MPR), and parole violation decisions. Hearings that resulted in 'No Action' being taken and hearings resulting in the rescission of a parole as a result of ineligibility are also displayed in the following table.

	Male	Female	Total
Discretionary Parole Hearings	1136	159	1295
Discretionary Paroles Granted	651	136	787
Discretionary Paroles Denied	485	23	508
Mandatory Parole (MPR) Hearings	434	36	470
Mandatory Paroles Granted	275	29	304
Mandatory Paroles Denied	159	7	166
Discretionary Parole Violations Hearings	173	19	192
Discretionary Paroles Continued (Reinstated)	53	3	56
Discretionary Paroles Revoked	120	16	136
MPR Release Violation Hearings	13	2	15
MPR Violators Continued (Reinstated)	0	1	1
MPR Violators Revoked	13	1	14
Total Decisions	1756	216	1972
Total Grant/Continued	979	169	1148
Total Denied/Revoked	777	47	824
Hearings with No Action	149	12	161
Rescissions (not eligible)	5	0	5

Percentage of Action by Gender

Percent of Action by Gender	Male	Female	Total
Percent of Discretionary Parole Granted	57%	85%	60%
Percent of Mandatory Parole Granted	63%	81%	65%
Total Discretionary/MPR Grant Rate	59%	85%	62%

Section 2: Statistics of parole actions based on the parole guideline recommendation

The following charts represent discretionary and mandatory parole actions based on the discretionary parole guideline. The MPR actions appear as reference only. The guideline for consideration for release under NRS 213.1215 (Mandatory Parole) is whether there is a reasonable probability that the prisoner would be a danger to public safety. When an inmate being considered for release under Mandatory Parole is denied, the underlying reason is the determination that there is a reasonable probability that the prisoner would be a danger to public safety if released on parole.

Discretionary Parole Actions by Guideline Recommendation			
	Granted	Denied	% Granted
Parole at Initial	145	10	94%
Parole at 1st or 2 nd Hearing	385	96	80%
Consider Factors	249	238	51%
Deny Parole	8	157	5%
	Granted	Denied	% Granted
Parole at Initial	29	2	94%
Parole at 1st or 2 nd Hearing	146	23	86%
Consider Factors	118	50	70%
Deny Parole	11	88	11%

Section 3: Summary of parole actions that deviated from the discretionary parole guideline

The following represents the number of inmates who were denied parole when the guideline recommended parole should be granted (denials when the guideline recommends parole be granted at 1st or 2nd hearing would become a deviation when parole is denied at the 2nd hearing):

# of Actions to Deny Parole that Deviated:	16
Total Number of Discretionary Denials:	508
Percent of Deviation:	3.1%

The following represents the number of inmates who were granted parole when the guideline recommended parole should be denied:

# of Actions to Grant Parole that Deviated:	11
Total Number of Discretionary Grants:	787
Percent of Deviation:	1.4%

Section 4: Summary of parole actions by offense group

The following charts represent parole actions by offense group as defined by the Department of Corrections. Offenses appearing in the "Sex" category include offenses such as "Prostitution with HIV," "Pandering" and "Failure to Register as a Sex Offender." Offenses that involved violence during the commission of the offense, but with an actual conviction title that would not by itself appear to be violent will not appear in the "Violence" offense group (i.e., a Burglary conviction that included striking a resident would appear in the "Property" offense group). Offenses appearing in the "Other" offense group includes offenses that can not be readily categorized into one of the other offense groups (i.e., Habitual Criminals, gaming related offenses and Victim over 65 Enhancement which could be a property or violent offense).

	Sex	Violence	Drug	Property	DUI	Other	Total
Reg Parole Hearings	127	392	230	409	40	97	1295
Reg Par Hearings Granted	53	169	191	285	31	58	787
Percent Favorable	42%	43%	83%	70%	78%	60%	61%

MPR Hearings	28	189	61	119	35	38	470
MPR Hearings Granted	15	100	49	81	31	28	304
Percent Favorable	54%	53%	80%	68%	89%	74%	65%

Total Parole Hearings	155	581	291	528	75	135	1765
Total Parole Grants	68	269	240	366	62	86	1091
Percent Favorable	44%	46%	82%	69%	83%	64%	62%

PV Hearings	11	42	31	97	7	19	207
PV's Reinstated	3	18	5	25	2	4	57
Percent Favorable	27%	43%	16%	26%	29%	21%	28%

Total	166	623	322	625	82	154	1972
Total Favorable	71	287	245	391	64	90	1148
Percent Favorable	43%	46%	76%	63%	78%	58%	58%

Section 5: Reasons for each parole action

The following provides a summary of the reasons for each decision to grant, deny, continue or revoke parole, including reasons for deviating from the parole guideline recommendation.

When acting to grant or deny parole, more than one reason may be selected. Reasons for each specific case are available upon request in the Carson City office of the Board of Parole Commissioners.

When the "Other" reason is selected, written comments are manually entered. Those comments are also available upon request at the Carson City office of the Parole Board.

Reasons for Denying Mandatory Parole Release (NRS 213.1215)

<i>Frequency</i>	<i>Reason</i>
102	The parole guidelines indicate the prisoner is a high risk to re-offend.
12	The prisoner was evaluated in accordance with NRS 213.1214 (psych panel) and was determined to be a high risk to re-offend.
19	The prisoner has made statements indicating he/she will refuse to comply with the terms and conditions of parole.
35	The prisoner has a history of convictions for violent crimes.
7	The prisoner has engaged in violent behavior while incarcerated.
1	The prisoner has been convicted of multiple felony offenses of driving under the influence of intoxicating liquor or a controlled substance.
5	The prisoner has previously committed crimes while on community supervision.
5	The criminal conduct of the prisoner has increased in severity over time.
1	The prisoner has demonstrated an attitude or behavior which indicates that the prisoner favors a criminal lifestyle (i.e., gang activities, planning escapes or other criminal activity, etc)
12	Other:
199	Total

Reasons for Denying Discretionary Parole Release

Frequency	Reason
194	Prior prison term did not deter future criminal activity.
35	Prior conviction for a sexual offense.
206	Prior conviction for a violent offense.
179	Repetitive criminal conduct.
146	Significant prior criminal history.
46	Disruptive institutional behavior, or poor disciplinary record.
28	The prisoner was evaluated in accordance with NRS 213.1214 (psych panel) and was determined to be a high risk to re-offend.
23	Multiple prior parole/probation revocations.
80	Nature of criminal record is increasingly more serious.
62	Crime was targeted against a child or person at greater vulnerability because of age/disability.
228	Impact on victim(s) and/or community.
5	The extreme or abnormal aspects of the crime.
6	Inmate has indicated an unwillingness to comply with the terms of parole.
166	Risk factors indicate the inmate is a high risk to commit a new felony.
4	Removal from community supervision program.
98	Parole Guideline recommends parole denial and other factors do not indicate the Board should deviate from the guideline.
8	Other:
7	Inmate refused to participate in the hearing process.
10	Inmate does not want parole, and requested to expire sentence.
38	Inmate was convicted of a new felony while serving a prior period of community supervision
1,569	Total

Reasons for Denying Parole Release when the Guideline Suggests Parole Should be Granted

<i>Frequency</i>	<i>Reason</i>
12	Prior prison term did not deter future criminal activity.
2	Prior conviction for a sexual offense.
6	Prior conviction for a violent offense.
7	Repetitive criminal conduct.
6	Significant prior criminal history.
4	Multiple prior parole/probation revocations.
2	Nature of criminal record is increasingly more serious.
4	Impact on victim(s) and/or community.
1	Removal from community supervision program.
2	Other:
1	Inmate requested to expire sentence.
2	Inmate was convicted of a new felony while serving a prior period of community supervision.
49	Total

Reasons for Granting Mandatory Parole Release

<i>Frequency</i>	<i>Reason</i>
304	The inmate is eligible for release in accordance with NRS 213.1215 and the case factors do not suggest that the inmate would be a danger to public safety if released on parole.
1	Other:
305	Total

Reasons for Granting Discretionary Parole Release:

<i>Frequency</i>	<i>Reason</i>
501	The parole guideline recommends that parole be granted, and there are no serious reasons to deviate from the guideline recommendation.
147	The inmate has no prior or minimal criminal conviction history.
88	The inmate has a positive institutional record.
215	The inmate has participated in programs specific to addressing behavior that led to incarceration.
15	The inmate has adjusted in a positive manner to a work release program or other assignment as community trustee.
41	The inmate has successfully completed a prior period of parole or probation.
179	The inmate has stable release plans.
123	There is a detainer lodged by other jurisdiction.
129	The inmate must serve a consecutive sentence.
53	Case factors suggest parole may be appropriate at this time.
245	There is community and/or family support.
9	Other:
1,745	Total

Reasons for Taking No Action

<i>Frequency</i>	<i>Reason</i>
5	Inmate was moved after hearing date was set. Will be rescheduled upon publication of new eligibility list.
3	Inmate not eligible due to new felony conviction. Inmate will be re-scheduled when eligible.
16	Inmate was not available at the time of the hearing.
13	No action taken due to lack of information needed to make a recommendation.
2	The inmate has been convicted of an offense listed in NRS 213.1214(8), or has a current/past conviction for an offense listed in NRS 213.1214(11) (c). The Parole Board has requested that an evaluation be conducted in accordance with NRS 213.1214. A parole hearing will be re-scheduled and conducted once the Board is in receipt of the evaluation.
1	Prior action to deny parole.
1	Prior action to grant parole.
5	Inmate not eligible due to change or correction in sentence structure or credits earned/lost per NDOC Records.
16	The inmate is in the custody of another jurisdiction and not enough information was provided to make an informed decision to grant or deny parole.
51	The inmate is pending new criminal charges. Will be rescheduled once the new charges have been adjudicated.
4	The attorney appointed to represent the inmate during parole revocation proceedings was not present at the scheduled time.
1	The inmate needs an interpreter and one was not available for the hearing.
18	Inmate not given proper notice of the hearing.
1	Inmate not eligible for parole for reasons other than new sentence or credit adjustment
14	Inmate or inmate's counsel requested a continuance
1	Hearing continued pending outcome of disciplinary charges
1	Inmate needs to be considered by three commissioners, and three were not available at the hearing.
12	Hearing continued until a psychological panel is conducted in accordance with NRS 213.1214.
2	Inmate expired after being scheduled, but before the hearing took place.
31	Other:
2	No PSI, or specific information related to the offense was available to the Board at the time of the hearing.
200	Total

Reasons for Recommending Discretionary Parole Release when the Guideline Recommends Denial

Frequency	Reason
2	The inmate has no prior or a minimal criminal conviction history.
1	The inmate has been infraction free for two years or more to hearing month.
5	The inmate has participated in programs specific to addressing the behavior that led to incarceration.
1	Prior successful completion of supervision
5	Community and/or family support
2	Stable release plans.
6	Pending CS sentence or detainer
1	Other Factors:
23	Total

Reasons for Revoking and Reinstating Parole are on file at the Carson City office of the Board of Parole Commissioners

cc: Mark Teska, Dept. of Public Safety
Julie Strandberg, Department of Administration