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NEVADA BOARD OF PAROLE COMMISSIONERS

July 27, 2012

To: Richard Combs, Director, Legislative Counsel Bureau

From: Connie S. Bisbee, Chairman

RE: Parole Board Quarterly Report of Actions April 1, 2012 through June 30, 2012.

Please find attached the Quarterly Report of Parole Board Actions for the period April 1, 2012 through June 30, 2012 organize and tabulate information concerning decisions regarding parole. 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 | 1016 | 149 | 1165 |
| Discretionary Paroles Granted | 576 | 109 | 685 |
| Discretionary Paroles Denied | 440 | 40 | 480 |
| Mandatory Parole (MPR) Hearings | 403 | 32 | 435 |
| Mandatory Paroles Granted | 241 | 27 | 268 |
| Mandatory Paroles Denied | 162 | 5 | 167 |
| Discretionary Parole Violations Hearings | 172 | 27 | 199 |
| Discretionary Paroles Continued (Reinstated) | 41 | 7 | 48 |
| Discretionary Paroles Revoked | 131 | 20 | 151 |
| MPR Release Violation Hearings | 24 | 2 | 26 |
| MPR Violators Continued (Reinstated) | 0 | 0 | 0 |
| MPR Violators Revoked | 24 | 2 | 26 |
| Total Decisions | 1615 | 210 | 1825 |
| Total Grant/Continued | 858 | 143 | 1001 |
| Total Denied/Revoked | 757 | 67 | 824 |
| Hearings with No Action | 262 | 31 | 293 |
| Rescissions (not eligible) | 4 | 0 | 4 |

Percentage of Action by Gender

| Percent of Action by Gender | Male | Female | Total |
|---|-------|--------|-------|
| Percent of Discretionary Parole Granted | 56.7% | 73.2% | 58.8% |
| Percent of Mandatory Parole Granted | 59.8% | 84.4% | 61.6% |
| Total Discretionary/MPR Grant Rate | 57.6% | 75.1% | 59.6% |

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 | 132 | 10 | 93% |
| Parole at 1st or 2 nd Hearing | 319 | 124 | 72% |
| Consider Factors | 222 | 200 | 53% |
| Deny Parole | 12 | 138 | 8% |
| Mandatory Parole Actions by Guideline Recommendation | | | |
| | Granted | Denied | % Granted |
| Parole at Initial | 22 | 5 | 81% |
| Parole at 1st or 2 nd Hearing | 111 | 18 | 86% |
| Consider Factors | 128 | 78 | 62% |
| Deny Parole | 7 | 62 | 10% |

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: | 12 |
| Total Number of Discretionary Denials: | 480 |
| Percent of Deviation: | 2.5% |

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: | 12 |
| Total Number of Discretionary Grants: | 685 |
| Percent of Deviation: | 1.8% |

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 | 126 | 313 | 215 | 363 | 46 | 102 | 1165 |
| Reg Par Hearings Granted | 51 | 148 | 178 | 230 | 24 | 54 | 685 |
| Percent Favorable | 40% | 47% | 83% | 63% | 52% | 53% | 59% |

| | | | | | | | |
|----------------------|-----|-----|-----|-----|-----|-----|-----|
| MPR Hearings | 27 | 177 | 55 | 108 | 34 | 34 | 435 |
| MPR Hearings Granted | 12 | 106 | 41 | 67 | 22 | 20 | 268 |
| Percent Favorable | 44% | 60% | 75% | 62% | 65% | 59% | 62% |

| | | | | | | | |
|-----------------------|-----|-----|-----|-----|-----|-----|------|
| Total Parole Hearings | 153 | 490 | 270 | 471 | 80 | 136 | 1600 |
| Total Parole Grants | 63 | 254 | 219 | 297 | 46 | 74 | 953 |
| Percent Favorable | 41% | 52% | 81% | 63% | 58% | 54% | 60% |

| | | | | | | | |
|-------------------|-----|-----|-----|-----|----|-----|-----|
| PV Hearings | 14 | 48 | 51 | 92 | 1 | 19 | 225 |
| PV's Reinstated | 3 | 10 | 11 | 21 | 0 | 3 | 48 |
| Percent Favorable | 21% | 21% | 22% | 23% | 0% | 16% | 21% |

| | | | | | | | |
|-------------------|-----|-----|-----|-----|-----|-----|------|
| Total | 167 | 538 | 321 | 563 | 81 | 155 | 1825 |
| Total Favorable | 66 | 264 | 230 | 318 | 46 | 77 | 1001 |
| Percent Favorable | 40% | 49% | 72% | 56% | 57% | 50% | 55% |

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 Granting Discretionary Parole Release:

| <i>Frequency</i> | <i>Reason</i> |
|------------------|--|
| 426 | The parole guideline recommends that parole be granted, and there are no serious reasons to deviate from the guideline recommendation. |
| 113 | The inmate has no prior or minimal criminal conviction history. |
| 107 | The inmate has a positive institutional record. |
| 201 | The inmate has participated in programs specific to addressing behavior that led to incarceration. |
| 25 | The inmate has adjusted in a positive manner to a work release program or other assignment as community trustee. |
| 43 | The inmate has successfully completed a prior period of parole or probation. |
| 141 | The inmate has stable release plans. |
| 76 | There is a detainer lodged by other jurisdiction. |
| 94 | The inmate must serve a consecutive sentence. |
| 49 | Case factors suggest parole may be appropriate at this time. |
| 232 | There is community and/or family support. |
| 6 | Other |
| 1,513 | Total |

Reasons for Denying Discretionary Parole Release

| <i>Frequency</i> | <i>Reason</i> |
|-------------------------|---|
| 216 | Prior prison term did not deter future criminal activity. |
| 41 | Prior conviction for a sexual offense. |
| 185 | Prior conviction for a violent offense. |
| 191 | Repetitive criminal conduct. |
| 182 | Significant prior criminal history. |
| 30 | Disruptive institutional behavior, or poor disciplinary record. |
| 9 | The prisoner was evaluated in accordance with NRS 213.1214 (psych panel) and was determined to be a high risk to re-offend. |
| 27 | Multiple prior parole/probation revocations. |
| 72 | Nature of criminal record is increasingly more serious. |
| 58 | Crime was targeted against a child or person at greater vulnerability because of age/disability. |
| 197 | Impact on victim(s) and/or community. |
| 4 | The extreme or abnormal aspects of the crime. |
| 4 | Inmate has indicated an unwillingness to comply with the terms of parole. |
| 144 | Risk factors indicate the inmate is a high risk to commit a new felony. |
| 4 | Removal from community supervision program. |
| 100 | Parole Guideline recommends parole denial and other factors do not indicate the Board should deviate from the guideline. |
| 9 | Other |
| 8 | Inmate refused to participate in the hearing process. |
| 20 | Inmate does not want parole, and requested to expire sentence. |
| 36 | Inmate was convicted of a new felony while serving a prior period of community supervision. |
| 1,537 | Total |

Reasons for Recommending Discretionary Parole Release when the Guideline Recommends Denial

| <i>Frequency</i> | <i>Reason</i> |
|------------------|--|
| 2 | The inmate has no prior or a minimal criminal conviction history. |
| 4 | The inmate has been infraction free for two years or more to hearing month. |
| 1 | Positive adjustment to HWH/work release program. |
| 10 | The inmate has participated in programs specific to addressing the behavior that led to incarceration. |
| 1 | Prior successful completion of supervision |
| 7 | Community and/or family support |
| 3 | Stable release plans. |
| 7 | Pending CS sentence or detainer |
| 1 | The case history demonstrates remorse on the part of the inmate. |
| 2 | Other Factors |
| 38 | Total |

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

| <i>Frequency</i> | <i>Reason</i> |
|-------------------------|---|
| 4 | Prior prison term did not deter future criminal activity. |
| 3 | Prior conviction for a violent offense. |
| 7 | Repetitive criminal conduct. |
| 5 | Significant prior criminal history. |
| 1 | Multiple prior parole/probation revocations. |
| 2 | Nature of criminal record is increasingly more serious. |
| 4 | Impact on victim(s) and/or community. |
| 1 | The extreme or abnormal aspects of the crime. |
| 3 | Other |
| 1 | Inmate requested to expire sentence. |
| 1 | Inmate was convicted of a new felony while serving a prior period of community supervision. |
| 32 | Total |

Reasons for Granting Mandatory Parole Release

| <i>Frequency</i> | <i>Reason</i> |
|-------------------------|--|
| 267 | 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 |
| 268 | Total |

Reasons for Denying Mandatory Parole Release (NRS 213.1215)

| <i>Frequency</i> | <i>Reason</i> |
|------------------|---|
| 88 | The parole guidelines indicate the prisoner is a high risk to re-offend. |
| 3 | The prisoner was evaluated in accordance with NRS 213.1214 (psych panel) and was determined to be a high risk to re-offend. |
| 7 | The prisoner has made statements indicating he/she will refuse to comply with the terms and conditions of parole. |
| 51 | The prisoner has a history of convictions for violent crimes. |
| 1 | The prisoner has engaged in violent behavior while incarcerated. |
| 8 | The prisoner has been convicted of multiple felony offenses of driving under the influence of intoxicating liquor or a controlled substance. |
| 8 | The prisoner has previously committed crimes while on community supervision. |
| 6 | The criminal conduct of the prisoner has increased in severity over time. |
| 2 | 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) |
| 29 | Other |
| 203 | Total |

Reasons for Taking No Action

| <i>Frequency</i> | <i>Reason</i> |
|------------------|---|
| 46 | Inmate was moved after hearing date was set. Will be rescheduled upon publication of new eligibility list. |
| 6 | Inmate not eligible due to new felony conviction. Inmate will be re-scheduled when eligible. |
| 29 | Inmate was not available at the time of the hearing. |
| 20 | 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. |
| 2 | Inmate refused to attend hearing. |
| 3 | Inmate not eligible due to change or correction in sentence structure or credits earned/lost per NDOC Records. |
| 19 | 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. |
| 12 | The attorney appointed to represent the inmate during parole revocation proceedings was not present at the scheduled time. |
| 21 | Inmate not given proper notice of the hearing. |
| 6 | Inmate not eligible for parole for reasons other than new sentence or credit adjustment |
| 1 | Inmate expired prior to eligibility. |
| 21 | Inmate or inmate's counsel requested a continuance |
| 1 | Hearing continued pending outcome of disciplinary charges |
| 3 | Inmate needs to be considered by three commissioners, and three were not available at the hearing. |
| 20 | Hearing continued until a psychological panel is conducted in accordance with NRS 213.1214. |
| 4 | Inmate expired after being scheduled, but before the hearing took place. |
| 13 | Other |
| 104 | No PSI, or specific information related to the offense was available to the Board at the time of the hearing. |
| 384 | 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