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NEVADA BOARD OF PAROLE COMMISSIONERS

October 15, 2012

To: Richard Combs, Director, Legislative Counsel Bureau

From: Connie S. Bisbee, Chairman

RE: Parole Board Quarterly Report of Actions July 1, 2012 through September 30, 2012.

Please find attached the Quarterly Report of Parole Board Actions for the period July 1, 2012 through September 30, 2012. 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	1050	159	1209
Discretionary Paroles Granted	560	133	693
Discretionary Paroles Denied	490	26	516
Mandatory Parole (MPR) Hearings	437	41	478
Mandatory Paroles Granted	258	35	293
Mandatory Paroles Denied	178	6	184
Discretionary Parole Violations Hearings	178	39	217
Discretionary Paroles Continued (Reinstated)	50	15	65
Discretionary Paroles Revoked	128	24	152
MPR Release Violation Hearings	24	2	26
MPR Violators Continued (Reinstated)	0	0	0
MPR Violators Revoked	24	2	26
Total Decisions	1689	241	1930
Total Grant/Continued	869	183	1052
Total Denied/Revoked	820	58	878
Hearings with No Action	250	22	272
Rescissions (not eligible)	3	1	4

Percentage of Action by Gender

Percent of Action by Gender	Male	Female	Total
Percent of Discretionary Parole Granted	53.3%	83.6%	57.3%
Percent of Mandatory Parole Granted	59.2%	85.4%	61.4%
Total Discretionary/MPR Grant Rate	59.2%	85.4%	61.4%

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	131	16	89%
Parole at 1st or 2 nd Hearing	329	127	72%
Consider Factors	216	205	51%
Deny Parole	17	167	9%
Total	693	516	-
Mandatory Parole Actions by Guideline Recommendation			
	Granted	Denied	% Granted
Parole at Initial	24	8	75%
Parole at 1st or 2 nd Hearing	159	21	88%
Consider Factors	99	64	61%
Deny Parole	12	91	12%
Total	293	184	-

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:	14
Total Number of Discretionary Denials:	516
Percent of Deviation:	2.7%

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:	18
Total Number of Discretionary Grants:	693
Percent of Deviation:	2.6%

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
Discretionary Parole Hearings	109	360	201	383	48	108	1209
Disc. Parole Hearings Granted	47	149	154	243	39	61	693
Percent Favorable	43%	41%	77%	63%	81%	56%	57%

MPR Hearings	25	165	74	137	40	36	477
MPR Hearings Granted	12	86	53	96	27	19	293
Percent Favorable	48%	52%	72%	70%	68%	53%	61%

Total Parole Hearings	134	525	275	520	88	144	1686
Total Parole Grants	59	235	207	339	66	80	986
Percent Favorable	44%	45%	75%	65%	75%	56%	58%

Parole Violation Hearings	14	49	47	106	5	22	243
Parole Violations Reinstated	2	15	13	28	1	6	65
Percent Favorable	14%	31%	28%	26%	20%	27%	27%

Total	148	574	322	626	93	166	1929
Total Favorable	61	250	220	367	67	86	1051
Percent Favorable	41%	44%	68%	59%	72%	52%	54%

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>
438	The parole guideline recommends that parole be granted, and there are no serious reasons to deviate from the guideline recommendation.
137	The inmate has no prior or minimal criminal conviction history.
107	The inmate has a positive institutional record.
206	The inmate has participated in programs specific to addressing behavior that led to incarceration.
29	The inmate has adjusted in a positive manner to a work release program or other assignment as community trustee.
54	The inmate has successfully completed a prior period of parole or probation.
141	The inmate has stable release plans.
89	There is a detainer lodged by other jurisdiction.
130	The inmate must serve a consecutive sentence.
43	Case factors suggest parole may be appropriate at this time.
225	There is community and/or family support.
4	Other
1,603	Total

Reasons for Denying Discretionary Parole Release

<i>Frequency</i>	<i>Reason</i>
228	Prior prison term did not deter future criminal activity.
43	Prior conviction for a sexual offense.
191	Prior conviction for a violent offense.
227	Repetitive criminal conduct.
167	Significant prior criminal history.
46	Disruptive institutional behavior, or poor disciplinary record.
8	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.
88	Nature of criminal record is increasingly more serious.
72	Crime was targeted against a child or person at greater vulnerability because of age/disability.
234	Impact on victim(s) and/or community.
6	The extreme or abnormal aspects of the crime.
1	Inmate has indicated an unwillingness to comply with the terms of parole.
191	Risk factors indicate the inmate is a high risk to commit a new felony.
1	Refusal to participate in a treatment program.
7	Removal from community supervision program.
123	Parole Guideline recommends parole denial and other factors do not indicate the Board should deviate from the guideline.
18	Other
12	Inmate refused to participate in the hearing process.
22	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.
1,746	Total

Reasons for Recommending Discretionary Parole Release when the Guideline Recommends Denial

<i>Frequency</i>	<i>Reason</i>
1	The inmate has no prior or a minimal criminal conviction history.
6	The inmate has been infraction free for two years or more to hearing month.
1	The inmate had a lesser involvement in the instant offense, but received a penalty similar to the co-offenders.
6	The inmate has participated in programs specific to addressing the behavior that led to incarceration.
5	Community and/or family support
2	Stable release plans.
12	Pending CS sentence or detainer
1	The crime was situational without evidence of intent to harm.
2	The case history demonstrates remorse on the part of the inmate.
5	Other Factors:
41	Total

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

<i>Frequency</i>	<i>Reason</i>
10	Prior prison term did not deter future criminal activity.
1	Prior conviction for a sexual offense.
5	Prior conviction for a violent offense.
12	Repetitive criminal conduct.
8	Significant prior criminal history.
2	Multiple prior parole/probation revocations.
3	Nature of criminal record is increasingly more serious.
1	Crime was targeted against a child or person at greater vulnerability because of age/disability.
1	Impact on victim(s) and/or community.
1	Inmate has indicated an unwillingness to comply with the terms of parole.
2	Other
4	Inmate requested to expire sentence.
1	Inmate was convicted of a new felony while serving a prior period of community supervision.
51	Total

Reasons for Granting Mandatory Parole Release

<i>Frequency</i>	<i>Reason</i>
292	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
293	Total

Reasons for Denying Mandatory Parole Release (NRS 213.1215)

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

Reasons for Taking No Action

<i>Frequency</i>	<i>Reason</i>
22	Inmate was moved after hearing date was set. Will be rescheduled upon publication of new eligibility list.
9	Inmate not eligible due to new felony conviction. Inmate will be re-scheduled when eligible.
39	Inmate was not available at the time of the hearing.
21	No action taken due to lack of information needed to make a recommendation.
1	Prior action to deny parole.
1	Prior action to grant parole.
1	Inmate refused to attend hearing.
8	Inmate not eligible due to change or correction in sentence structure or credits earned/lost per NDOC Records.
18	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.
52	The inmate is pending new criminal charges. Will be rescheduled once the new charges have been adjudicated.
13	The attorney appointed to represent the inmate during parole revocation proceedings was not present at the scheduled time.
17	Inmate not given proper notice of the hearing.
2	Inmate not eligible for parole for reasons other than new sentence or credit adjustment
3	Inmate expired prior to eligibility.
21	Inmate or inmate's counsel requested a continuance
1	Inmate needs to be considered by three commissioners, and three were not available at the hearing.
9	Hearing continued until a psychological panel is conducted in accordance with NRS 213.1214.
15	Other
97	No PSI, or specific information related to the offense was available to the Board at the time of the hearing.
350	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