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NEVADA BOARD OF PAROLE COMMISSIONERS

November 10, 2014

To: Richard Combs, Director, Legislative Counsel Bureau

From: Connie S. Bisbee, Chairman *CSB*

RE: Parole Board Quarterly Report of Actions July 1, 2014 through September 30, 2014.

Please find attached the Quarterly Report of Parole Board Actions for the period July 1, 2014 through September 30, 2014. (Q1, FY 2015.) 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	1044	168	1212
Discretionary Paroles Granted	569	124	693
Discretionary Paroles Denied	475	44	519
Mandatory Parole (MPR) Hearings	500	55	555
Mandatory Paroles Granted	266	41	307
Mandatory Paroles Denied	234	14	248
Discretionary Parole Violations Hearings	169	32	201
Discretionary Paroles Continued (Reinstated)	34	4	38
Discretionary Paroles Revoked	135	28	163
MPR Release Violation Hearings	33	1	34
MPR Violators Continued (Reinstated)	1	0	1
MPR Violators Revoked	32	1	33
Total Decisions	1746	256	2002
Total Grant/Continued	870	169	1039
Total Denied/Revoked	876	87	963
Hearings with No Action	332	9	341
Rescissions (not eligible)	3	3	6
Total Hearings	2,081	268	2,349

Percentage of Action by Gender

Percent of Action by Gender	Male	Female	Total
Percent of Discretionary Parole Granted	54.5%	73.8%	57.2%
Percent of Mandatory Parole Granted	53.2%	74.5%	55.3%
Total Discretionary/MPR Grant Rate	54.1%	74.0%	56.6%

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	152	27	85%
Parole at 1st or 2 nd Hearing	341	174	66%
Consider Factors	196	228	46%
Deny Parole	4	90	4%
Total	693	519	57%
Mandatory Parole Actions by Guideline Recommendation			
	Granted	Denied	% Granted
Parole at Initial	44	10	81%
Parole at 1st or 2 nd Hearing	163	58	74%
Consider Factors	96	94	51%
Deny Parole	4	86	4%
Total	307	248	55%

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:	27
Total Number of Discretionary Denials:	519
Percent of Deviation:	5.2%

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:	5
Total Number of Discretionary Grants:	693
Percent of Deviation:	0.7%

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 cannot 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	111	316	229	417	37	102	1212
Discretionary Parole Hearings Granted	28	142	170	273	19	61	693
Percent Favorable	25%	45%	74%	65%	51%	60%	57%

MPR Hearings	39	213	69	162	39	33	555
MPR Hearings Granted	14	87	57	103	26	20	307
Percent Favorable	36%	41%	83%	64%	67%	61%	55%

Total Parole Hearings	150	529	298	579	76	135	1767
Total Parole Grants	42	229	227	376	45	81	1000
Percent Favorable	28%	43%	76%	65%	59%	60%	57%

PV Hearings	14	46	54	99	3	19	235
PV's Reinstated	1	11	14	10	0	3	39
Percent Favorable	7%	24%	26%	10%	0%	16%	17%

Total	164	575	352	678	79	154	2002
Total Favorable	43	240	241	386	45	84	1039
Percent Favorable	26%	42%	68%	57%	57%	55%	52%

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>
2	Other
12	The inmate has adjusted in a positive manner to a work release program or other assignment as community trustee.
35	Case factors suggest parole may be appropriate at this time.
46	The inmate has successfully completed a prior period of parole or probation.
87	The inmate must serve a consecutive sentence.
89	The inmate has a positive institutional record.
108	There is a detainer lodged by other jurisdiction.
133	The inmate has stable release plans.
157	The inmate has no prior or minimal criminal conviction history.
195	The inmate has participated in programs specific to addressing behavior that led to incarceration.
330	There is community and/or family support.
469	The parole guideline recommends that parole be granted, and there are no serious reasons to deviate from the guideline recommendation.
1,663	Total

Reasons for Denying Discretionary Parole Release

<i>Frequency</i>	<i>Reason</i>
1	Prior conviction for a sexual offense.
1	Prior conviction for a violent offense.
1	Significant prior criminal history.
1	The prisoner was assessed in accordance with NRS 213.1214 and was determined to be a high risk, or higher than moderate risk to reoffend.
1	Inmate was convicted of a new felony while serving a prior period of community supervision.
2	Prior prison term did not deter future criminal activity.
2	Disruptive institutional behavior or poor disciplinary record.
9	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.
1	Positive adjustment to HWH/work release program.
2	The inmate has been infraction free for two years or more to hearing month.
2	The inmate has participated in programs specific to addressing the behavior that led to incarceration.
2	Community and/or family support
5	Pending CS sentence or detainer
13	Total

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

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

Reasons for Granting Mandatory Parole Release

<i>Frequency</i>	<i>Reason</i>
307	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.

Reasons for Denying Mandatory Parole Release (NRS 213.1215)

<i>Frequency</i>	<i>Reason</i>
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.)
1	The prisoner has met the minimum requirements in accordance with subsection of NRS 213.1215 however the Board has determined that there is a reasonable probability that the prisoner would be a danger to public safety if released on parole.
2	The prisoner has made statements indicating he/she will refuse to comply with the terms and conditions of parole.
4	The prisoner has engaged in violent behavior while incarcerated.
6	The prisoner has previously committed crimes while on community supervision.
8	The criminal conduct of the prisoner has increased in severity over time.
9	The prisoner has been convicted of multiple felony offenses of driving under the influence of intoxicating liquor or a controlled substance.
51	Other
92	The prisoner has a history of convictions for violent crimes.
106	The parole guidelines indicate the prisoner is a high risk to re-offend.
280	Total

Reasons for Taking No Action

<i>Frequency</i>	<i>Reason</i>
1	The inmate needs an interpreter and one was not available for the hearing.
1	Inmate expired prior to eligibility.
2	Inmate not eligible for parole for reasons other than new sentence or credit adjustment
2	Inmate needs to be considered by three commissioners, and three were not available at the hearing.
2	Inmate expired after being scheduled, but before the hearing took place.
3	Prior action to deny parole.
3	The attorney appointed to represent the inmate during parole revocation proceedings was not present at the scheduled time.
3	Hearing continued pending outcome of disciplinary charges
5	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.
7	No PSI, or specific information related to the offense was available to the Board at the time of the hearing.
8	Inmate not eligible due to change or correction in sentence structure or credits earned/lost per NDOC records
10	No action taken due to lack of information needed to make a recommendation.
13	The Board did not have access to the NDOC NOTIS database because of networking issues which resulted in a lack of access to information necessary to conduct the hearing or make an action recommendation.
14	Inmate was not available at the time of the hearing.
15	Inmate or inmate's counsel requested a continuance
19	The inmate has a current or prior conviction for an offense listed in NRS 213.1214 and the required assessment was not provided to the Board by the hearing date. A parole hearing will be re-scheduled and conducted once the Board is in receipt of the evaluation.
20	Other
22	Inmate not given proper notice of the hearing.
26	Inmate not eligible due to new felony conviction. Inmate will be re-scheduled when eligible.
36	Inmate was moved after hearing date was set. Will be rescheduled upon publication of new eligibility list.
38	The NDOC NOTIS database was not available at the time of the hearing or a database issue resulted in a lack of access to information necessary to conduct the hearing or make an action recommendation.
46	The inmate is pending new criminal charges. Will be rescheduled once the new charges have been adjudicated.

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83	The inmate indicates an interest in aggregating his/her consecutive sentence(s). No Action is taken to allow the inmate time to research and make a determination whether to opt-in.
379	Total

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

cc: Sheri Brueggemann, Dept. of Public Safety
Julie Strandberg, Department of Administration