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## NEVADA BOARD OF PAROLE COMMISSIONERS

November 30, 2015

To: Richard Combs, Director, Legislative Counsel Bureau

From: Connie S. Bisbee, Chairman

RE: Parole Board Quarterly Report of Actions July 1, 2015 through September 30, 2015.

Please find attached the Quarterly Report of Parole Board Actions for the period July 1, 2015 through September 30, 2015. (FY 2016, Quarter 1.) 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	948	134	1082
Discretionary Paroles Granted	426	98	524
Discretionary Paroles Denied	522	36	558
Mandatory Parole (MPR) Hearings	493	46	539
Mandatory Paroles Granted	251	36	287
Mandatory Paroles Denied	242	10	252
Discretionary Parole Violations Hearings	146	30	176
Discretionary Paroles Continued (Reinstated)	29	9	38
Discretionary Paroles Revoked	117	21	138
MPR Release Violation Hearings	27	2	29
MPR Violators Continued (Reinstated)	2	0	2
MPR Violators Revoked	25	2	27
Total Decisions	1614	212	1826
Total Grant/Continued	708	143	851
Total Denied/Revoked	906	69	975
Hearings with No Action	289	32	321
Rescissions (not eligible)	19	3	22
Pending PV Hearing	0	0	0
Totals	1922	247	2169

### Percentage of Action by Gender

Percent of Action by Gender	Male	Female	Total
Percent of Discretionary Parole Granted	44.9%	73.1%	48.4%
Percent of Mandatory Parole Granted	50.9%	78.3%	53.2%
Total Discretionary/MPR Grant Rate	47.0%	74.4%	50.0%

## 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.

<b>Discretionary Parole Actions by Guideline Recommendation</b>			
	Granted	Denied	% Granted
Parole at Initial	116	31	79%
Parole at 1st or 2 <sup>nd</sup> Hearing	243	183	57%
Consider Factors	165	242	41%
Deny Parole	0	102	0%
Total	524	558	49%
<b>Mandatory Parole Actions by Guideline Recommendation</b>			
	Granted	Denied	% Granted
Parole at Initial	37	12	76%
Parole at 1st or 2 <sup>nd</sup> Hearing	151	62	71%
Consider Factors	98	103	49%
Deny Parole	1	76	1%
Total	287	253	53%

### 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:	32
Total Number of Discretionary Denials:	558
Percent of Deviation:	5.7%

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:	1
Total Number of Discretionary Grants:	524
Percent of Deviation:	0.2%

## 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).

	<b>Sex</b>	<b>Violence</b>	<b>Drug</b>	<b>Property</b>	<b>DUI</b>	<b>Other</b>	<b>Total</b>
Discretionary Parole Hearings	83	328	194	330	30	117	<b>1082</b>
Disc. Parole Hearings Granted	22	120	136	173	13	60	<b>524</b>
Percent Favorable	27%	37%	70%	52%	43%	51%	<b>48%</b>

MPR Hearings	28	191	74	166	25	55	<b>539</b>
MPR Hearings Granted	20	76	54	95	17	25	<b>287</b>
Percent Favorable	71%	40%	73%	57%	68%	45%	<b>53%</b>

Total Parole Hearings	111	519	268	496	55	172	<b>1621</b>
Total Parole Grants	42	196	190	268	30	85	<b>811</b>
Percent Favorable	38%	38%	71%	54%	55%	49%	<b>50%</b>

PV Hearings	11	47	47	71	5	24	<b>205</b>
PV's Reinstated	2	9	10	13	1	5	<b>40</b>
Percent Favorable	18%	19%	21%	18%	20%	21%	<b>20%</b>

Total	122	566	315	567	60	196	<b>1826</b>
Total Favorable	44	205	200	281	31	90	<b>851</b>
Percent Favorable	36%	36%	63%	50%	52%	46%	<b>47%</b>

## 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>
337	The parole guideline recommends that parole be granted, and there are no serious reasons to deviate from the guideline recommendation.
324	There is community and/or family support.
203	The inmate has stable release plans.
161	The inmate has participated in programs specific to addressing behavior that led to incarceration.
106	The inmate must serve a consecutive sentence.
101	The inmate has no prior or minimal criminal conviction history.
83	The inmate has a positive institutional record.
65	Case factors suggest parole may be appropriate at this time.
52	The inmate has successfully completed a prior period of parole or probation.
46	There is a detainer lodged by other jurisdiction.
10	The inmate has adjusted in a positive manner to a work release program or other assignment as community trustee.
1	Other
1,489	Total

### ***Reasons for Denying Discretionary Parole Release***

<b><i>Frequency</i></b>	<b><i>Reason</i></b>
306	Repetitive criminal conduct.
268	Prior conviction for a violent offense.
266	Prior prison term did not deter future criminal activity.
228	Impact on victim(s) and/or community.
215	Significant prior criminal history.
135	Nature of criminal record is increasingly more serious.
100	Risk factors indicate the inmate is a high risk to commit a new felony.
66	Crime was targeted against a child or person at greater vulnerability because of age/disability.
52	Parole Guideline recommends parole denial and other factors do not indicate the Board should deviate from the guideline.
50	Prior conviction for a sexual offense.
49	Disruptive institutional behavior or a poor disciplinary record.
49	Inmate was convicted of a new felony while serving a prior period of community supervision.
35	Multiple prior parole/probation revocations.
20	The prisoner was assessed in accordance with NRS 213.1214 and was determined to be a high risk, or higher than moderate risk to re-offend.
15	Inmate does not want parole, and requested to expire sentence.
13	Other
4	Inmate refused to participate in the hearing process.
2	The extreme or abnormal aspects of the crime.
2	Removal from community supervision program.
1,875	Total

***Reasons for Granting Discretionary Parole Release when the Guideline Recommends Denial***

<b><i>Frequency</i></b>	<b><i>Reason</i></b>
1	The inmate has been infraction free for two years or more to hearing month.
1	The inmate has participated in programs specific to addressing the behavior that led to incarceration.
1	Pending CS sentence or detainer
3	Total

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

<i>Frequency</i>	<i>Reason</i>
21	Repetitive criminal conduct.
18	Significant prior criminal history.
17	Prior prison term did not deter future criminal activity.
17	Prior conviction for a violent offense.
6	Nature of criminal record is increasingly more serious.
6	Other
5	Multiple prior parole/probation revocations.
5	Inmate requested to expire sentence.
4	Impact on victim(s) and/or community.
2	Inmate was convicted of a new felony while serving a prior period of community supervision.
1	Prior conviction for a sexual offense.
1	Crime was targeted against a child or person at greater vulnerability because of age/disability.
1	Inmate has indicated an unwillingness to comply with the terms of parole.
1	The prisoner has made threats against another person and release to the community could jeopardize public safety.
1	Inmate refused to participate in the hearing process.
106	Total

***Reasons for Granting Mandatory Parole Release***

<b><i>Frequency</i></b>	<b><i>Reason</i></b>
287	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)***

<b><i>Frequency</i></b>	<b><i>Reason</i></b>
122	The prisoner has a history of convictions for violent crimes.
100	The parole guidelines indicate the prisoner is a high risk to re-offend.
32	Other
11	The prisoner has made statements indicating he/she will refuse to comply with the terms and conditions of parole.
7	The prisoner was evaluated in accordance with NRS 213.1214 and was determined to be a high risk, or higher than moderate risk to re-offend.
6	The prisoner has engaged in violent behavior while incarcerated.
6	The prisoner has previously committed crimes while on community supervision.
6	The criminal conduct of the prisoner has increased in severity over time.
4	The prisoner has been convicted of multiple felony offenses of driving under the influence of intoxicating liquor or a controlled substance.
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.)
295	Total

**Reasons for Taking No Action**

<i>Frequency</i>	<i>Reason</i>
64	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.
39	Inmate not eligible due to new felony conviction. Inmate will be re-scheduled when eligible.
33	The inmate is pending new criminal charges. Will be rescheduled once the new charges have been adjudicated.
32	Other
28	Inmate was moved after hearing date was set. Will be rescheduled upon publication of new eligibility list.
23	No action taken due to lack of information needed to make a recommendation.
16	Inmate was not available at the time of the hearing.
16	Inmate not eligible due to change or correction in sentence structure or credits earned/lost per NDOC records.
16	Inmate not eligible for parole for reasons other than new sentence or credit adjustment
12	Inmate or inmate's counsel requested a continuance
12	Inmate expired after being scheduled, but before the hearing took place.
11	No PSI, or specific information related to the offense was available to the Board at the time of the hearing.
10	Inmate not given proper notice of the hearing.
8	Prior action to grant parole.
8	The attorney appointed to represent the inmate during parole revocation proceedings was not present at the scheduled time.
8	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.
6	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.
4	Hearing continued pending outcome of disciplinary charges
3	Prior action to deny parole.
3	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.
3	Inmate needs to be considered by three commissioners, and three were not available at the hearing.
1	The inmate needs an interpreter and one was not available for the hearing.
356	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  
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