

## CENTRAL OFFICE

1677 Old Hot Springs Rd., Ste. A  
Carson City, NV 89706  
<http://parole.nv.gov>  
(775) 687-5049  
Fax (775) 687-6736

CONNIE S. BISBEE, *Chairman*  
TONY CORDA, *Member*  
ADAM ENDEL, *Member*  
SUSAN JACKSON, *Member*

DARLA FOLEY, *Executive Secretary*

## STATE OF NEVADA BRIAN SANDOVAL Governor



## LAS VEGAS OFFICE

4000 S. Eastern Ave., Ste. 130  
Las Vegas, NV 89119  
<http://parole.nv.gov>  
(702) 486-4370  
FAX (702) 486-4376

CONNIE S. BISBEE, *Chairman*  
ED GRAY, JR., *Member*  
MICHAEL KEELER, *Member*  
LUCILLE MONTERDE, *Member*

## NEVADA BOARD OF PAROLE COMMISSIONERS

June 9, 2016

To: Richard Combs, Director, Legislative Counsel Bureau

From: Connie S. Bisbee, Chairman

RE: Parole Board Quarterly Report of Actions January 1 through March 31, 2016.

Please find attached the Quarterly Report of Parole Board Actions for the period January 1, 2016 through March 31, 2016. (FY 2016, Quarter 3.) 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	1027	168	1195
Discretionary Paroles Granted	428	121	549
Discretionary Paroles Denied	599	47	646
Mandatory Parole (MPR) Hearings	486	52	538
Mandatory Paroles Granted	265	42	307
Mandatory Paroles Denied	221	10	231
Discretionary Parole Violations Hearings	171	38	209
Discretionary Paroles Continued (Reinstated)	28	10	38
Discretionary Paroles Revoked	143	28	171
MPR Release Violation Hearings	20	1	21
MPR Violators Continued (Reinstated)	3	0	3
MPR Violators Revoked	17	1	18
Total Decisions	1704	259	1963
Total Grant/Continued	724	173	897
Total Denied/Revoked	980	86	1066
Hearings with No Action	321	30	351
Rescissions (not eligible)	12	3	15
Pending PV Hearing	0	0	0
Total Hearings	2037	292	2329

### Percentage of Action by Gender

Percent of Action by Gender	Male	Female	Total
Percent of Discretionary Parole Granted	41.7%	72.0%	45.9%
Percent of Mandatory Parole Granted	54.5%	80.8%	57.1%
Total Discretionary/MPR Grant Rate	45.8%	74.1%	49.4%

## 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.

<b>Discretionary Parole Actions by Guideline Recommendation</b>			
	Granted	Denied	% Granted
Parole at Initial	123	50	71%
Parole at 1st or 2 <sup>nd</sup> Hearing	233	228	51%
Consider Factors	190	246	44%
Deny Parole	3	122	2%
Total	549	646	46%
<b>Mandatory Parole Actions by Guideline Recommendation</b>			
	Granted	Denied	% Granted
Parole at Initial	39	14	74%
Parole at 1st or 2 <sup>nd</sup> Hearing	158	51	76%
Consider Factors	107	90	54%
Deny Parole	3	75	4%
Total	307	230	57%

### 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:	48
Total Number of Discretionary Denials:	646
Percent of Deviation:	7.4%

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:	3
Total Number of Discretionary Grants:	549
Percent of Deviation:	0.5%

## 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	102	334	218	393	25	123	<b>1195</b>
Disc. Parole Hearings Granted	22	118	137	197	14	61	<b>549</b>
Percent Favorable	22%	35%	63%	50%	56%	50%	<b>46%</b>

MPR Hearings	27	188	79	158	40	46	<b>538</b>
MPR Hearings Granted	14	94	57	99	26	17	<b>307</b>
Percent Favorable	52%	50%	72%	63%	65%	37%	<b>57%</b>

Total Parole Hearings	129	522	297	551	65	169	<b>1733</b>
Total Parole Grants	36	212	194	296	40	78	<b>856</b>
Percent Favorable	28%	41%	65%	54%	62%	46%	<b>49%</b>

PV Hearings	7	42	56	102	2	21	<b>230</b>
PV's Reinstated	0	8	16	15	1	1	<b>41</b>
Percent Favorable	0%	19%	29%	15%	50%	5%	<b>18%</b>

Total	136	564	353	653	67	190	<b>1963</b>
Total Favorable	36	220	210	311	41	79	<b>897</b>
Percent Favorable	26%	39%	59%	48%	61%	42%	<b>46%</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>
378	There is community and/or family support.
337	The parole guideline recommends that parole be granted, and there are no serious reasons to deviate from the guideline recommendation.
218	The inmate has stable release plans.
159	The inmate has participated in programs specific to addressing behavior that led to incarceration.
128	The inmate has a positive institutional record.
107	The inmate has no prior or minimal criminal conviction history.
67	The inmate must serve a consecutive sentence.
65	There is a detainer lodged by other jurisdiction.
41	The inmate has successfully completed a prior period of parole or probation.
27	Case factors suggest parole may be appropriate at this time.
2	The inmate has adjusted in a positive manner to a work release program or other assignment as community trustee.
1	Other
1,530	Total

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

<b><i>Frequency</i></b>	<b><i>Reason</i></b>
313	Prior prison term did not deter future criminal activity.
300	Repetitive criminal conduct.
275	Prior conviction for a violent offense.
265	Impact on victim(s) and/or community.
244	Significant prior criminal history.
132	Nature of criminal record is increasingly more serious.
107	Risk factors indicate the inmate is a high risk to commit a new felony.
84	Crime was targeted against a child or person at greater vulnerability because of age/disability.
71	Parole Guideline recommends parole denial and other factors do not indicate the Board should deviate from the guideline.
51	Prior conviction for a sexual offense.
48	Disruptive institutional behavior, or poor disciplinary record.
45	Inmate was convicted of a new felony while serving a prior period of community supervision.
37	Multiple prior parole/probation revocations.
25	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.
20	Inmate does not want parole, and requested to expire sentence.
14	Other
8	Inmate refused to participate in the hearing process.
7	The extreme or abnormal aspects of the crime.
5	Removal from community supervision program.
2	Refusal to participate in a treatment program.
1	Inmate has indicated an unwillingness to comply with the terms of parole.
2,054	Total



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

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

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

<b><i>Frequency</i></b>	<b><i>Reason</i></b>
30	Prior prison term did not deter future criminal activity.
24	Prior conviction for a violent offense.
36	Repetitive criminal conduct.
31	Significant prior criminal history.
3	Disruptive institutional behavior, or poor disciplinary record.
8	Multiple prior parole/probation revocations.
4	Nature of criminal record is increasingly more serious.
1	Crime was targeted against a child or person at greater vulnerability because of age/disability.
3	Impact on victim(s) and/or community.
2	Inmate has indicated an unwillingness to comply with the terms of parole.
1	Removal from community supervision program.
2	Other
1	Inmate refused to participate in the hearing process.
2	Inmate requested to expire sentence.
8	Inmate was convicted of a new felony while serving a prior period of community supervision.
156	Total

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

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

<b><i>Frequency</i></b>	<b><i>Reason</i></b>
97	The parole guidelines indicate the prisoner is a high risk to re-offend.
91	The prisoner has a history of convictions for violent crimes.
37	Other
19	The prisoner has made statements indicating he/she will refuse to comply with the terms and conditions of parole.
12	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.
8	The prisoner has been convicted of multiple felony offenses of driving under the influence of intoxicating liquor or a controlled substance.
7	The prisoner has previously committed crimes while on community supervision.
3	The criminal conduct of the prisoner has increased in severity over time.
2	The prisoner has engaged in violent behavior while incarcerated.
276	Total

**Reasons for Taking No Action**

<i>Frequency</i>	<i>Reason</i>
53	Inmate not eligible due to new felony conviction. Inmate will be re-scheduled when eligible.
53	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.
38	No PSI, or specific information related to the offense was available to the Board at the time of the hearing.
37	Inmate was moved after hearing date was set. Will be rescheduled upon publication of new eligibility list.
31	The inmate is pending new criminal charges. Will be rescheduled once the new charges have been adjudicated.
26	Other
23	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.
18	No action taken due to lack of information needed to make a recommendation.
17	Inmate not given proper notice of the hearing.
16	Inmate was not available at the time of the hearing.
15	Inmate not eligible due to change or correction in sentence structure or credits earned/lost per NDOC records.
14	Inmate or inmate's counsel requested a continuance
8	Prior action to deny parole.
7	Inmate not eligible for parole for reasons other than new sentence or credit adjustment
7	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.
6	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.
6	The attorney appointed to represent the inmate during parole revocation proceedings was not present at the scheduled time.
4	Inmate expired prior to eligibility.
2	Prior action to grant parole.
2	Inmate expired after being scheduled, but before the hearing took place.
1	The inmate needs an interpreter and one was not available for the hearing.
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.
386	Total

Board of Parole Commissioners

Quarterly Report January 1, 2016 – March 31, 2016 (Q3 – FY16)

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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  
Jim Rodriguez, Department of Administration  
Jaimarie Dagdagan, Legislative Counsel Bureau