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NEVADA BOARD OF PAROLE COMMISSIONERS**MEETING OF THE BOARD OF PAROLE COMMISSIONERS NOTICE AND AGENDA**

Date and Time: Monday, June 19, 2017, 9:00 AM

Location: Board of Parole Commissioners 1677 Old Hot Springs Rd., #A Room 201 Carson City, Nevada 89706

Video Conference to: Parole Board Office 4000 S. Eastern Ave., Suite 130 Room 301 Las Vegas, Nevada 89119

AGENDA

9:00 AM	I	Call to Order and Roll Call
	II	Public Comment. No action may be taken upon a matter raised during a period devoted to comments by the general public until the matter itself has been specifically included on an agenda as an item upon which action may be taken pursuant to subparagraph (2) of NRS 241.020.
	III	<p>For possible action: Comprehensive Review of Parole Standards (NRS 213.10885).</p> <p>A. Presentation by the JFA Institute on the revalidation of the Nevada Parole Risk Assessment. The Board must make a determination of whether the standards are effective in predicting the probability that a convicted person will live and remain at liberty without violating the law if parole is granted or continued. If a standard is found to be ineffective, the Board shall not use that standard in its decisions regarding parole [NRS 213.10885(6)].</p> <p>B. Presentation and discussion on the types of sexual assessments prepared by NDOC pursuant to NRS 213.1214 including the recidivism rates associated with assessment results.</p> <p>C. Presentation and discussion on risk assessments used to predict violence-related criminal recidivism and the potential for including violence-related predictive elements or assessments into the parole standards.</p> <p>D. Review of the current evidence-based programs administered by the Department of Corrections (NDOC).</p> <p>The Board may take action to: make changes to the parole guideline and risk assessment and the elements contained within; make a determination regarding the effectiveness of the current risk assessment and guideline and discontinue the use of an element on the parole guideline and risk assessment if it is found to be ineffective; draft or establish a policy or practice on how the results of sexual assessments should be applied to the parole standards; determine which NDOC programs may be awarded credit for on the Nevada Parole Risk Assessment; and/or set topics of future Board meetings relative to the presentation and discussion.</p>

Agenda for Parole Board Meeting of June 19, 2017 meeting
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	IV	<u>For possible action:</u> Presentation by NDOC on the Nevada Risk Assessment System (NRAS) and how its use may affect the parole consideration process. This may include a discussion on NDOC processes or initiatives that may affect the Board's processes related to the consideration of inmates for release on parole. The Board may act to set topics of future Board meetings relative to the presentation and discussion.
	V	<u>For possible action:</u> Presentation by the Division of Parole and Probation (the Division) on changes to its supervision practices that may affect parolees including: adoption of evidence-based practices in its supervision model; establishment of independent reporting centers; budgetary allocations to assist in the Division's effort to expedite the processing of parole releases from the NDOC; and, legislative appropriations related to funding costs of residential confinement. The Board may act to set topics of future Board meetings relative to the presentation and discussion.
	VI	<u>For Possible Action:</u> Update on the status of the implementation of the new parole grant order layout and conditions. Review of the language contained on the parole agreement template used by the Division to provide a statement of the conditions of parole in accordance with subsection 9 of NRS 213.1095. The Board may take action to make changes to the parole agreement template language relative to the section entitled "AGREEMENT BY PAROLEE."
	VII	For possible Action: The Board may act to issue a general Order amending the conditions of Lifetime Supervision on cases affected by the Nevada Supreme Court Opinion <i>McNeill v. State</i> , 132 Nev. ___, 375 P.3d 1022 (2016).
1:00 PM	VIII	<u>For possible action:</u> The Board will consider whether to petition the court of original jurisdiction to request a modification of sentence in accordance with subsection 2 of NRS 176.033 in regards to: 1) Wilkins, Thomas NDOC # 14026 2) Harold Lyons, NDOC # 16882 3) Grillo, Shannon NDOC # 40805 4) Ann Schuck, NDOC # 46532 The Board may take no action, deny the request to petition the court, or act to petition the court of original jurisdiction to request a sentence modification. Pursuant to subsection 6(c)(3) of NRS 241.020 and NRS 213.1075, all of the supporting documents are confidential and will not be provided to members of the public.
	XII	Public Comment. No action may be taken upon a matter raised during a period devoted to comments by the general public until the matter itself has been specifically included on an agenda as an item upon which action may be taken pursuant to subparagraph (2) of NRS 241.020.
	XIII	<u>For possible action:</u> The Board may act to adjourn the meeting.

A period shall be devoted to public comment. The Board may limit such comment to three minutes per person. At the discretion of the Chairperson, agenda items may be combined for consideration, or taken in a different order. The Board may remove an item from the agenda or delay discussion relating to an item on the agenda at any time.

This notice of hearing has been posted on or before 9 a.m. on the third working day before the meeting at the following locations:

CARSON CITY: Parole Board office, 1677 Old Hot Springs Road, Suite A, 89706; Attorney General's office, 100 S. Carson Street, 89701; Carson City Library, 900 N. Roop Street, 89702; LAS VEGAS: Parole Board office, S. 4000 Eastern Ave., Ste. 130, 89119; Attorney General's office, 555 E. Washington Avenue, 89101; County Court House, 200 S. Third Street, 89101; Clark County Main Library/Reference section, 833 Las Vegas Blvd., 89101.

This agenda was mailed out and posted on the Parole Board web site located at <http://parole.nv.gov/> and on the State's official website at <https://notice.nv.gov> on June 12, 2017.

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Supporting material will be made available at the offices of the Board of Parole Commissioners located at 1677 Old Hot Springs Road, Suite A, Carson City, NV 89706 and at the office of the Board of Parole Commissioners located at 4000 S. Eastern Ave, STE 130, Las Vegas, NV 89119 on the day of the hearing or before, once supporting material has been provided to the members of the Board. Supporting material will also be available on the Board's website at www.parole.nv.gov.

Special requests or persons with disabilities who require special accommodations or assistance at the public hearing should contact Darla Foley, Executive Secretary, Board of Parole Commissioners, 1677 Old Hot Springs Road, Suite A, Carson City, NV 89706, or call (775) 687-5049, or fax (775) 687-6736.

Static-99R Recidivism Estimates
ROUTINE SAMPLE
Estimated 5-year sexual recidivism rates

Logistic Regression Estimates			
Score	Predicted Recidivism Rate	95% C.I.	
-3	0.9	0.6	1.3
-2	1.3	1.0	1.8
-1	1.9	1.4	2.5
0	2.8	2.2	3.5
1	3.9	3.3	4.7
2	5.6	4.8	6.5
3	7.9	7.0	8.8
4	11.0	10.0	12.1
5	15.2	13.8	16.6
6	20.5	18.4	22.8
7	27.2	24.0	30.7
8	35.1	30.5	40.0
9	43.8	37.8	50.1
10	53.0	45.6	60.3
11	--	--	--

Source: Hanson, Thornton, Helmus, & Babchishin (2016)

STATIC-99R HIGH RISK/NEED GROUP
Estimated 5-year and 10-year sexual recidivism rates

Logistic Regression Estimates						
Score	5-Year Sexual Recidivism Rates			10-Year Sexual Recidivism Rates		
	Predicted Recidivism Rate	95% C. I.		Predicted Recidivism Rate	95% C. I.	
-3	--	--	--	--	--	--
-2	--	--	--	--	--	--
-1	5.6	3.5	9.1	10.6	5.8	18.4
0	7.2	4.7	10.7	13.0	7.9	20.5
1	9.0	6.4	12.5	15.8	10.7	22.8
2	11.3	8.6	14.6	19.1	14.1	25.4
3	14.0	11.3	17.2	22.9	18.2	28.5
4	17.3	14.5	20.5	27.3	22.5	32.6
5	21.2	18.0	24.8	32.1	26.7	37.9
6	25.7	21.5	30.3	37.3	30.5	44.7
7	30.7	25.1	37.0	42.8	33.9	52.3
8	36.3	28.8	44.5	48.5	37.1	60.1
9	42.2	32.6	52.5	--	--	--
10	48.4	36.6	60.5	--	--	--
11	--	--	--	--	--	--

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NEVADA BOARD OF PAROLE COMMISSIONERS

To: Members of the Board of Parole Commissioners

From: Lupe Garrison, Hearing Examiner I, and Kelly Mellinger, Hearing Examiner I

Subject: Consideration for the inclusion of a Violence-Based Risk Assessment with the Nevada Parole Guidelines

RE: Agenda Item III-C – June 19, 2017 Meeting

The Parole Board currently does not utilize an instrument to assess and calculate the probability of future crimes of violence on inmates being considered for parole release. The Nevada Parole Risk Assessment predicts general recidivism which is mostly related to property and/or substance abuse offenses.

Past violence of an inmate is only addressed in the aggravating factors section of the parole guideline when an inmate is being considered for parole.

In researching what other states do, we found that parole boards who utilize violence-related risk assessments are using in-house developed assessments, proprietary instruments, or other programs available in the public domain. The issue, other than the cost for some, is that a number of them are not validated with scientific evidence.

The following are some of the instruments being used in various states:

- ODARA (Ontario Domestic Assault Risk Assessment);
- COVR (Classification of Violence Risk), VRAG (Violence Risk Appraisal Guide);
- VRAG-R (Revised);
- HCR-20 (Historical Clinical Risk Management-20);
- SARA (Spousal Assault Risk Assessment);

- IVVI (Iowa Violence & Victimization Instrument); and
- DVSI (Domestic Violence Screening Instrument).

Some of these assessments are used in conjunction with others and included with this memo are a small sampling of the forms.

While some are used more than others, each serves a specific purpose, and would need to be further reviewed to see which would serve the needs of our community the best. This is only a preliminary introduction as to what we found, and the establishment of a process will not be an overnight venture. For example, it took the state of Maine approximately 18 months from start-to-finish to create the infrastructure for their system of assessment.

Based on our review, we believe a secondary tool can be utilized, alongside our current risk assessment, to try to minimize future violence in at risk persons.

Appendix A: Domestic Violence & General Risk Assessment Tools

Tool		Description & Items	Length	Strengths & Limitations
Domestic Violence Risk Assessment Tools	SARA ⁴⁰ Spousal Assault Risk Appraisal	<p>This is the most widely used structured assessment tool for domestic violence. It screens for empirically established risk factors for domestic violence among adult males. Designed as a guide for structuring professional judgment rather than providing firm cut-off points for decision-making.</p> <ul style="list-style-type: none"> ▪ <u>Static Factors</u>: general and domestic violence criminal history ▪ <u>Dynamic Factors</u>: psychosocial adjustment, aversive attitudes, employment issues, thinking errors associated with escalation in assaults, weapon use, threatening statements, and violating restraining orders. ▪ <u>Sources of information</u>: offender, victim, collateral records, psychological assessments 	20 items	<ul style="list-style-type: none"> + Uses well-established psychometric properties. + Easy to score and risk management flows well from scores. - Variables are derived from clinical judgments rather than actuarial.⁴¹ - Does not assess relationship status.
	DVSI ⁴² Domestic Violence Screening Instrument	<p>Used by the State of Hawaii to determine supervision levels for domestic violence offenders.</p> <ul style="list-style-type: none"> ▪ <u>Static Factors</u>: general and DV criminal history, prior DV treatment, prior substance abuse treatment, child witnesses, current restraining order, community supervision status at time of offense, family DV history ▪ <u>Dynamic Factors</u>: employment status ▪ <u>Sources of information</u>: collateral records 	12 items	<ul style="list-style-type: none"> + Instrument has been demonstrated to be valid on a sample of Hawaiian offenders. - Risk level cut-offs did not significantly vary with regard to domestic violence re-arrest recidivism rates.

⁴⁰ Kropp and Hart (2000). The Spousal Risk Assessment (SARA) Guide: Reliability and Validity in Adult Male Offenders. *Law and Human Behavior*, 24, 101-118 and Kropp, P.R. (2004). Some Questions Regarding Spousal Assault Risk Assessment. *Violence Against Women*, 10(6), 676-697.

⁴¹ Clinical assessments use professional judgment, general intake questionnaires, or psycho-social forms. Actuarial assessment processes involve using research-derived items that are correlated with recidivism and antisocial behavior and the tool itself has been empirically demonstrated to be statistically predictive of specific offender outcomes.

⁴² Hisashima, J. (2008). Validation Study of the Domestic Violence Screening Instrument (DVSI). See [http://hawaii.gov/icis/documents/DVSI%20Validation%202003-2007%20\(Jan%202008\).pdf](http://hawaii.gov/icis/documents/DVSI%20Validation%202003-2007%20(Jan%202008).pdf).

Tool	Description & Items	Length	Strengths & Limitations
Domestic Violence Risk Assessment Tools	ODARA⁴³ Ontario Domestic Assault Risk Assessment <p>Unlike the other DV-specific risk assessments where items were developed based on theory or prior research, ODARA items were developed empirically. Items that could be reliably assessed by the police were tested and the scale was developed from those items most closely associated with subsequent police contact for domestic violence.</p> <ul style="list-style-type: none"> 13 yes/no items that include questions about substance abuse, offender's history of violence, number of children, and victim's barriers to support. 	13 items	+ Easy to complete with generally readily available information. + ODARA appears to have the strongest results from the research so far. - ODARA is also one of the newer scales and has less current research in the DV literature.
	DA⁴⁴ Danger Assessment <p>This is the oldest DV risk assessment tool on this list that is still in use. Initially it was developed for use in emergency rooms to assess a woman's risk of being killed by her partner. It is now also used to assess the likelihood of spousal assault recidivism.⁴⁵</p> <ul style="list-style-type: none"> To be completed by the female victim in collaboration with someone trained to administer the tool. The scale includes a timeline to document the frequency and severity of abuse, 20 yes/no questions (e.g., Does he own a gun?, Is he unemployed?) and an algorithm to translate the responses into risk categories. 	20 item checklist and a calendar	+ Easy to use and interpret. + Psychometric properties have been published. + Replications on large samples have been promising.
	PAPS⁴⁶ Partner Abuse Prognostic Scale <p>Development of items on the PAPS scale were informed by both offenders and victims. For use with adult males. Provides cut-off scores for determining risk levels.</p>	17 items	+ Uses well-established risk factors + Reported psychometric data are promising

⁴³ Hilton, N.Z., G.T. Harris, M.E. Rice, C. Lang, C.A. Cormier, and K.J. Lines (2004). A Brief Actuarial Assessment for the Prediction of Wife Assault Recidivism: The Ontario Domestic Assault Risk Assessment. *Psychological Assessment*, 16, 267-275.

⁴⁴ Campbell, J.C. (1986). Nursing Assessment for Risk of Homicide with Battered Women. *Advances in Nursing Science*, 8, 36-51 and J.C. Campbell (2005). Assessing Dangerousness in Domestic Violence Cases: History, Challenges and Opportunities. *Criminology and Public Policy*, 4, 653-672.

⁴⁵ Heckert, D.A. and E.W. Gondolf (2004). Battered Women's Perceptions of Risk versus Risk Factors and Instruments in Predicting Repeat Reassault. *Journal of Interpersonal Violence*, 19(7), 778-800.

⁴⁶ Murphy, M.C., M.T. Morrell, D.J. Elliott, and M.N. Neavans (2003). A Prognostic Indicator Scale for the Treatment of Partner Abuse Perpetrators, *Journal of Interpersonal Violence*, 18 (9): 1087-1095.

Tool		Description & Items	Length	Strengths & Limitations
Domestic Violence Risk Assessment Tools	CTS/CTS2 Conflict Tactics Scale	One of the most widely used tools for measuring interpersonal violence between married or co-habiting couples. Each question is asked in terms of both respondent's and partner's behavior. <ul style="list-style-type: none"> CTS2 now includes items to assess for psychological aggression, sexual coercion, and negotiation as well as physical assault and injury. 	39 items	- Widely used research tool for indentifying intimate partner violence but not well-suited for risk assessment purposes.
	KFS Kerry's Femicide Scale	Development of the scale was based on information gathered from men convicted of killing their partner. Scale is unique in that it identifies characteristics of men who kill women with whom they have been in an intimate relationship.		- Scale only takes into account the most extreme violence (murder).
Tool		Description & Items	Length	Strengths & Limitations
General Risk Assessment Tools	STRONG Level of Service Inventory	STRONG is a 4th-generation risk and needs assessment tool delivered through a web-based interface. Two components: <ul style="list-style-type: none"> 26 item static risk assessment 70 item needs assessment 	Variable	+ Developed to take into account risks, needs and responsivity measures.
	LSI-R Level of Service Inventory	This third generation instrument is a valid measure of both general and violent recidivism and has been reliably used to identify more specific domestic violence outcomes. Scale has also been able to predict treatment drop-out.	54 items	+ One of the most widely used and independently validated risk and needs assessment instruments available.
	COMPAS	This fourth generation general risk assessment tool is designed to predict violence, recidivism, failure to appear, and non-compliance with probation conditions. <ul style="list-style-type: none"> Items vary based on which scales an agency selects for offender assessment. 	Variable	+ COMPAS has an automated case management software that can be combined with other tools to help inform criminogenic need targets for specific offender populations. - Multiple versions of the COMPAS have been developed but few independently reviewed validation studies have been conducted.

Appendix A

ODARA Item Summary
Do not use without full scoring instructions.

Name: _____

Case #: _____

Score each item:

1 if present**0 if not present****? if missing**

1. Prior domestic incident of assault in a police or criminal record

2. Prior non-domestic incident of assault in a police or criminal record

3. Prior custodial sentence of 30 days or more

4. Failure on prior conditional release

5. Threat to harm or kill at the index assault

6. Confinement of the victim at the index assault

7. Victim concern about future assaults

8. More than one child

9. Victim's biological child from a previous partner

10. Prior violent incident against a non-domestic victim

11. Two or more indicators of substance abuse

12. Assault on the index victim when she was pregnant

13. Barriers to victim support

Raw Score (sum of items scored 1)

Final score

Appendix B

LS/CMI (Section 1) Coding Worksheet

Database CODE	Question #	Answer Selection	LSCMI Coding Worksheet
	Section 1.1		Criminal History
150	1	YES/NO	Any prior youth dispositions (number __) or adult convictions (number __)?
151	2	YES/NO	Two or more prior youth adult dispositions/convictions?
152	3	YES/NO	Three or more prior youth/adult dispositions/convictions?
153	4	YES/NO	Three or more present offences (number __)?
154	5	YES/NO	Arrested or charged under age 16?
155	6	YES/NO	Ever incarcerated upon conviction?
156	7	YES/NO	Ever punished for institutional misconduct or a behavior report (number __)?
157	8	YES/NO	Charge laid probation breached, or parole suspended during community supervision? Strength? __

	Section 1.2		Education/Employment
			<i>When in the labor market (either in the community or long-term imprisonment with work opportunities):</i>
158	9	YES/NO	Currently unemployed?
159	10	YES/NO	Frequently unemployed?
160	11	YES/NO	Never employed for a full year?
			<i>School or when in school:</i>
161	12	YES/NO	Less than regular grade 10 or equivalent?
162	13	YES/NO	Less than regular grade 12 or equivalent?
163	14	YES/NO	Suspended or expelled at least once.
			<i>For the next three questions, if the offender is a homemaker or pensioner, complete question 15 only. If the offender is in school or working, complete 15, 16, and 17. If the offender is available for the labor market but is unemployed and not in school, rate 0 for 15-17</i>
164	15	3, 2, 1, 0	Participation/Performance.
165	16	3, 2, 1, 0	Peer interactions.
166	17	3, 2, 1, 0	Authority interaction.
			Strengths? __

	Section 1.3		Family/Marital
167	18	3, 2, 1, 0	Dissatisfaction with marital or equivalent situation.
168	19	3, 2, 1, 0	Nonrewarding, parental.
169	20	3, 2, 1, 0	Nonrewarding, other relative.
170	21	YES/NO	Criminal--family/spouse.
			Strength? _____

	Section 1.4		Leisure/Recreation
171	22	YES/NO	Absence of recent participation in an organized activity.
172	23	3, 2, 1, 0	Could make better use of time.
			Strength? _____

	Section 1.5		Companions
173	24	YES/NO	Some criminal acquaintances.
174	25	3, 2, 1, 0	Some criminal friends.
175	26	YES/NO	Few anticriminal acquaintances.
176	27	3, 2, 1, 0	Few anticriminal friends.
			Strength? _____

	Section 1.6		Alcohol/Drug Problems
177	28	YES/NO	Alcohol problem ever.
178	29	YES/NO	Drug problem ever.
179	30	3, 2, 1, 0	Alcohol problem currently.
180	31	3, 2, 1, 0	Drug problem, currently [specify type of drug(s)].
			<i>If a current alcohol/drug abuse problem exists, complete the following.</i>
181	32	YES/NO	Law violations.
182	33	YES/NO	Marital/Family
183	34	YES/NO	School/Work
184	35	YES/NO	Medical or other clinical indicators? Specify _____
			Strength? _____
	Section 1.7		Procriminal Attitude/Orientation
185	36	3, 2, 1, 0	Supportive of crime.
186	37	3, 2, 1, 0	Unfavorable toward convention.
187	38	YES/NO	Poor toward sentence/offence.
188	39	YES/NO	Poor, toward supervision/treatment.
			Strength? _____

Violence risk screening -10 (V-RISK-10)

At admission ☐
 At discharge ☐
 In polyclinic ☐

Patient's name:		Date of birth:
Female <input type="checkbox"/>	Male <input type="checkbox"/>	Patient number:
Date of admittance:	Date of discharge:	Registration number:
Signed in by:		Date:

Scoring instruction:

The rater collects information about each of the ten risk factors on the V-RISK-10 checklist. Some examples of important scoring information are described under each item. Put a check in the box to indicate the degree of likelihood that the risk factor applies to the patient in question:

- **No:** Does not apply to this patient
- **Maybe/moderate:** Maybe applies/present to a moderately severe degree
- **Yes:** Definitely applies to a severe degree
- **Do not know:** Too little information to answer

1. Previous and/or current violence

Severe violence refers to physical attack (including with various weapons) towards another individual with intent to inflict severe physical harm. Yes: The individual in question must have committed at least 3 moderately violent aggressive acts or 1 severe violent act. Moderate or less severe aggressive acts such as kicks, blows and shoving that does not cause severe harm to the victim is rated Maybe/moderate.

No	Maybe/ moderate	Yes	Do not know
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2. Previous and /or current threats (verbal/physical)

*Verbal: Statements, yelling and the like, that involve threat of inflicting other individuals physical harm.
 Physical: Movements and gestures that warn physical attack.*

No	Maybe/ moderate	Yes	Do not know
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

3. Previous and/or current substance abuse

The patient has a history of abusing alcohol, medication and/or other substances (e.g. amphetamine, heroin, cannabis). Abuse of solvents or glue should be included. To rate Yes, the patient must have and/or have had extensive abuse/dependence, with reduced occupational or educational functioning, reduced health and/or reduced participation in leisure activities.

No	Maybe/ moderate	Yes	Do not know
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

4. Previous and/or current major mental illness

*NB: Whether the patient has or has had a psychotic disorder (e.g. schizophrenia, delusional disorder, psychotic affective disorder).
 See item 5 to rate personality disorders.*

No	Maybe/ moderate	Yes	Do not know
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

5. Personality disorder <i>Of interest here are eccentric (schizoid, paranoid) and impulsive, uninhibited (emotionally unstable, antisocial) types.</i>	No <input type="checkbox"/>	Maybe/ moderate <input type="checkbox"/>	Yes <input type="checkbox"/>	Do not know <input type="checkbox"/>
6. Shows lack of insight into illness and/or behaviour <i>This refers to the degree to which the patient lacks insight in his/her mental illness, with regard to for instance need of medication, social consequences or behaviour related to illness or personality disorder.</i>	No <input type="checkbox"/>	Maybe/ moderate <input type="checkbox"/>	Yes <input type="checkbox"/>	Do not know <input type="checkbox"/>
7. Expresses suspicion <i>The patient expresses suspicion towards other individuals either verbally or nonverbally. The person in question appears to be "on guard" towards the environment.</i>	No <input type="checkbox"/>	Maybe/ moderate <input type="checkbox"/>	Yes <input type="checkbox"/>	Do not know <input type="checkbox"/>
8. Shows lack of empathy <i>The patient appears emotionally cold and without sensitivity towards others' thoughts or emotional situation.</i>	No <input type="checkbox"/>	Maybe/ moderate <input type="checkbox"/>	Yes <input type="checkbox"/>	Do not know <input type="checkbox"/>
9. Unrealistic planning <i>This assesses to which degree the patient him/herself has unrealistic plans for the future (inside or outside the inpatient unit). Is for instance the patient him/herself realistic with regard to what he/she can expect of support from family and of professional and social network? It is important to assess whether the patient is cooperative and motivated with regard to following plans.</i>	No <input type="checkbox"/>	Maybe/ moderate <input type="checkbox"/>	Yes <input type="checkbox"/>	Do not know <input type="checkbox"/>
10. Future stress-situations <i>This evaluates the possibility that the patient may be exposed to stress and stressful situations in the future and his/her ability to cope with stress. For example (in and outside inpatient unit): reduced ability to tolerate boundaries, physical proximity to possible victims of violence, substance use, homelessness, spending time in violent environment/association with violent environment, easy access to weapons etc.</i>	No <input type="checkbox"/>	Maybe/ moderate <input type="checkbox"/>	Yes <input type="checkbox"/>	Do not know <input type="checkbox"/>

Overall clinical evaluation

• Based on clinical judgement, other available information and the checklist:

• How great do you think the violence risk is for this patient? *(Put a check in one of the boxes)*

LOW	MODERATE	HIGH
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• Suggestion following overall clinical evaluation:

(Put a check in one of the boxes)

NO MORE DETAILED VIOLENCE RISK ASSESSMENT	MORE DETAILED VIOLENCE RISK ASSESSMENT
--	---

IMPLEMENTATION OF PREVENTIVE MEASURES

Justifications/reasons/arguments should be detailed in patient record and/or discharge summary

Iowa Violence & Victimization Instrument (IVVI)

	Violence Score	Victimization Score
--	-------------------	------------------------

Current Offense

1. Active Offenses Include --

a. Assault, Attempted Murder, Burglary, Robbery, Murder, Theft from a Person, Vandalism or Voluntary Manslaughter	2	2
b. Not as above but <u>most serious offense</u> is Forgery/Fraud	-1	0
c. Not as above	0	0

2. Number of Counts, Current Property Offenses

a. None	0	0
b. One	0	1
c. Two or More	0	2

Criminal History -- Volume and Seriousness

3. Ever Convicted of Murder/Manslaughter, Robbery or Theft from a Person (Priors Only)

a. Yes	1	1
b. No	0	0

For Items 4-5, consider only convictions where date of conviction or sentencing is 10 years or less from the earliest sentence date of the current offense(s).

4. Number of Prior Counts for Violent Crimes Within Last 10 Years (Any Offense Level)

a. None	0	0
b. One to Three	1	1
c. Four or More	2	2

5. Prior Convictions Within the Last 10 Years (check ALL that apply) --

For a through c, count only aggravated misdemeanors, felonies or juvenile commitment offenses:

a. Property Crime	0	1
b. Burglary (include violent and property offense types)	1	1
c. Weapons	1	1
d. Flight/Escape (any offense level)	1	1
e. Not as above	0	0

Criminal History - Recency

For Item 6, consider only convictions where date of conviction or sentencing is 5 years or less from the earliest sentence date of the current offense(s).

6. Prior Conviction for Violent Crime in the Last 5 Years (Any Offense Level)

a. Yes	2	2
b. No	0	0

Violence Score	Victimization Score
-------------------	------------------------

Criminal History - Recency (continued)

For Item 7, count from last release from prison or juvenile commitment to current prison admission date.

7. Released from Prison or Juvenile Commitment in the Last 5 Years for (check ALL that apply) --

a. Violent Crime	2	2
b. Property Crime	0	1
c. Not as above	0	0

Criminal Orientation/Associates

8. Security Threat Group Membership

a. Confirmed Member	3	3
b. Suspected or None	0	0

Current Age

9. Current Age

a. 24 or Younger	2	1
b. Age 25-29	2	0
c. Age 30 - 37	1	0
d. Age 38 - 54	0	0
e. Age 55 or Older	0	-1

Total Scores

Violence Score Categories

Low	-1 to 2
Moderate	3 to 5
High	6 to 9
Very High	10+

Victimization Score Categories

Low	-1 to 1
Low/Moderate	2 to 3
Moderate/High	4 to 7
High	8+

Domestic Violence and Risk Assessment

James Austin

Key Facts

- Domestic violence accounts for about 21 percent of the violent crime experienced by women.
- Violence is highest among women ages 16–24 and women in low-income households.
- The key attributes of the batterers are as follows:
 - Younger age (under age 30)
 - Socio economic deprivation (unemployment and low income)
 - Young children in the home
 - Prior Exposure to violence between parents in the family of origin
 - Prior and current Involvement with aggressive peers – prior arrests/convictions
 - Alcohol abuse – by Offender and Victim
 - Recent Separation/Divorce
 - Violence in and outside of the home

Nevada Domestic Violence Releases 2016

Attribute	Releases	%
Total Releases	5,778	100%
Domestic Battery	82	1%
Offense Type		
Batt Domestic Violence Deadly Weapon	4	5%
Battery/Domestic Violence SBH	13	16%
Domestic Battery 3rd Offense	47	57%
Domestic Battery by Strangulation	16	20%
Age at Admission		
Under age 30	32	39%
31 – 50	44	54%
51 and older	6	7%
Gender		
Male	79	96%
Female	3	4%
Race		
Asian	2	2%
Black	37	45%
Caucasian	33	40%
Hispanic	9	11%
County		
Clark	53	65%
Washoe	18	22%
Other	11	13%
Release Type		
Discharged	67	81%
Mandatory Parole	7	9%
Parole	8	10%
Average Prison Time	620 Days	
Average Jail Time	130 Days	
Total Imprisonment Time	750 Days	

Exhibit 4
Characteristics of Fiscal Year 2008 Cohort

	Current DV offender	Current or prior DV offender	All other offenders (non-DV)
Number	24,698	52,654	102,726
<u>Criminal History (average)</u>			
Total prior and current charges	5.52	8.25	3.92
Felony charges	1.30	2.15	1.02
Felony property charges	0.49	0.88	0.47
Violent felony charges	0.54	0.72	0.21
Misdemeanor charges	4.22	6.09	2.91
Misdemeanor assault charges	2.15	2.51	0.35
Misdemeanor violent charges	2.25	2.68	0.47
<u>Offender Characteristics (average)</u>			
Age at file date	35.6	36.2	34.7
White	78%	79%	77%
Black	9%	10%	9%
Native	2%	3%	2%
<u>Risk classification (average)</u>			
Low	48%	39%	55%
Moderate	20%	20%	23%
High non-violent	5%	11%	8%
High violent	16%	24%	6%

Data source: WSIPP criminal history database

Exhibit 5

Recidivism Rates for the 2008 Cohort

Recidivism Measure			
	Current DV offender	Current or prior DV offender	Non-DV (All other) offenders
1) Charges			
<u>a) All offenses (DV and non DV)</u>			
Any (felony or mis.)	44%	52%	38%
Felony	17%	23%	13%
Violent felony	10%	12%	4%
Misdemeanor	28%	29%	23%
<u>b) DV offenses only</u>			
Any (felony or mis.)	25%	24%	8%
Felony	7%	6%	1%
Violent felony	6%	6%	1%
Misdemeanor	19%	18%	5%

Impact of Supervision on Recidivism

Exhibit 6

Supervision for Adult Offenders: Effect on Crime

Supervision Strategy	Number of Studies	N	Effect Size	p-value	Percentage Change in Crime*
Intensive Supervision Probation/Parole (surveillance only)	14	1,699	+.004	0.951	+0.16%
Intensive Supervision Probation/Parole (with treatment)	17	3,078	-.205	0.004	-10%
Supervision with Risk Responsivity Need model	6	3,024	-.303	0.000	-16%

* We calculate the percentage change in crime as an average reduction over a long-term follow-up of 15 years.
Citations of studies used in these analyses are provided in Exhibits D1, D1, and D3 in the appendix.

Table 2
Dichotomous Variables Used in the Ontario Domestic Assault Risk Assessment and Phi Coefficient for Each Item and Dichotomous Recidivism

Variable	ϕ
Has a prior domestic assault (against a partner or child) in police RMS	.26
Has a prior nondomestic assault (against anyone other than a partner or child) in RMS	.15
Has a prior sentence to a term of 30 days or more	.28
Has a prior failure on conditional release including bail, parole, probation, no-contact order	.25
Threatened to harm or kill anyone during index offense	.12
Unlawful confinement of victim during index offense	.12
Victim fears repetition of violence	.14
Victim and/or offender have more than one child altogether	.24
Offender is in stepfather role in this relationship	.22
Offender is violent outside the home (to people other than a partner or child)	.20
Offender has more than one indicator of substance abuse problem	.27
Offender has ever assaulted victim when she was pregnant	.13
Victim faces at least one barrier to support	.11

Note. All $ps < .01$. Full scoring criteria available from N. Zoe Hilton. RMS = record management system.

DOMESTIC VIOLENCE RISK AND NEEDS ASSESSMENT (DVRNA)

Scoring Manual

Fifth Edition
2016

<i>Scoring Instructions - Domain Risk Items</i>	6
Domain Risk Items	6
Domain A: Prior Domestic Violence Related Incidents.....	6
Domain B: Drug or Alcohol Abuse	7
Domain C: Mental Health Issue	8
Domain D: Suicidal/homicidal	9
Domain E: Use and/or threatened use of weapons in current or past offense or access to firearms .	10
Domain F: Criminal history - nondomestic violence.....	11
Domain G: Obsession with the victim	12
Domain H: Safety concerns	13
Domain I: Violence and/or threatened violence toward family members including child abuse	14
Domain J: Attitudes that support or condone spousal assault.....	15
Domain K: Prior completed or non-completed domestic violence treatment.....	16
Domain L: Victim separated from offender within the previous six (6) months	17
Domain M: Unemployed	18
Domain N: Involvement with people who have pro-criminal influence	19

THIS IS A REQUIRED FORM.
ONLY SCORE INFORMATION RELATED TO THE OFFENDER AS AN ADULT.

<p>A. Prior domestic violence related incidents</p> <p>1. Prior domestic violence conviction: Critical Risk Factor—Level C..... Yes <input type="checkbox"/></p> <p>Any of the following are Significant Risk Factor—Level B (minimum) Yes <input type="checkbox"/></p> <p>2. Violation of an order of protection (documented violation)..... <input type="checkbox"/></p> <p>3. Past or present civil domestic violence related protection orders against offender... <input type="checkbox"/></p> <p>4. Prior arrests for domestic violence..... <input type="checkbox"/></p> <p>5. Prior domestic violence incidents not reported to criminal justice system..... <input type="checkbox"/></p> <p>Information Sources: _____ Domain A—Criteria Met..... <input type="checkbox"/></p> <p style="text-align: right;">Identify Level B or Level C _____</p>	<p>Yes</p> <p><input type="checkbox"/></p>
<p>B. Drug or alcohol abuse</p> <p>Any of the following are Significant Risk Factor—Level B (minimum) Yes <input type="checkbox"/></p> <p>1. Substance abuse/dependence within the past 12 months..... <input type="checkbox"/></p> <p>2. History of substance abuse treatment within the past 12 months or 2 or more prior drug or alcohol treatment episodes during lifetime..... <input type="checkbox"/></p> <p>3. Offender uses illegal drugs or illegal use of drugs..... <input type="checkbox"/></p> <p>Information Sources: _____ Domain B—Criteria Met..... <input type="checkbox"/></p> <p style="text-align: right;">Level B _____</p>	<p>Yes</p> <p><input type="checkbox"/></p>

C. Mental health issue Any of the following are Significant Risk Factor--Level B (minimum)		Yes <input type="checkbox"/>
1. Existing Axis I or II diagnosis (excluding V codes).....	Yes <input type="checkbox"/>	
2. Personality disorder with anger, impulsivity, or behavioral instability.....	<input type="checkbox"/>	
3. Severe psychopathology.....	<input type="checkbox"/>	
4. Recent psychotic and/or manic symptoms.....	<input type="checkbox"/>	
5. Psychological/psychiatric condition currently unmanaged.....	<input type="checkbox"/>	
6. Noncompliance with prescribed medications and mental health treatment.....	<input type="checkbox"/>	
7. Exhibiting symptoms that indicate the need for a mental health evaluation.....	<input type="checkbox"/>	
Information Sources: _____	Domain C--Criteria Met.....	<input type="checkbox"/>
Level B _____		

D. Suicidal/homicidal		Yes <input type="checkbox"/>
1. Serious homicidal or suicidal ideation/intent within the past year: Critical Risk Factor--Level C		<input type="checkbox"/>
2. Ideation within the past 12 months.....		Yes <input type="checkbox"/>
3. Credible threats of death within the past 12 months.....		<input type="checkbox"/>
4. Victim reports offender has made threats of harming/killing her (female victims in heterosexual relationships).....		<input type="checkbox"/>
Information Sources: _____		Domain D--Criteria Met.....
Level C _____		<input type="checkbox"/>

E. Use and/or threatened use of weapons in current or past offense or access to firearms.		Yes <input type="checkbox"/>
1. Gun in the home in violation of a civil or criminal court order Critical Risk Factor--Level C		<input type="checkbox"/>
2. Use and/or threatened use of weapons in current or past offense Critical Risk Factor--Level C		<input type="checkbox"/>
3. Access to firearms.....		Yes <input type="checkbox"/>
Information Sources: _____		Domain E--Criteria Met.....
Level C _____		<input type="checkbox"/>

<p>F. Criminal history-nondomestic violence (both reported and unreported to criminal justice system). This domain applies only to adult criminal history.</p> <p>1. Offender was on community supervision at the time of the offense: Critical Risk Factor--Level C..... <input type="checkbox"/></p> <p>2. Offender has a prior arrest for assault, harassment, or menacing. If there have been two or more: Significant Risk Factor--Level B (minimum)..... <input type="checkbox"/></p> <p>3. Prior nondomestic violence convictions..... <input type="checkbox"/> <u>Yes</u></p> <p>4. Past violations of conditional release or community supervision..... <input type="checkbox"/></p> <p>5. Past assault of strangers, or acquaintances..... <input type="checkbox"/></p> <p>6. Animal cruelty/abuse..... <input type="checkbox"/></p> <p>Information Sources: _____ Domain F--Criteria Met..... <input type="checkbox"/></p> <p>Identify Level B or Level C _____</p>		<p><u>Yes</u></p>
<p>G. Obsession with the victim</p> <p>1. Stalking or monitoring..... <input type="checkbox"/> <u>Yes</u></p> <p>2. Obsessive jealousy with the potential for violence, violently and constantly jealous, morbid jealousy..... <input type="checkbox"/></p> <p>Information Sources: _____ Domain G--Criteria Met..... <input type="checkbox"/></p>		<p><u>Yes</u></p>
<p>H. Safety concerns</p> <p>The ultimate goal in reviewing and utilizing information is to protect the victim. Information shall not be used if it compromises victim safety and confidentiality. (Refer to Standard 5.04 II)</p> <p>1. Victim perception of safety/victim concerned for safety..... <input type="checkbox"/></p> <p>2. Victim (female victim in heterosexual relationship) believes offender is capable of killing her..... <input type="checkbox"/></p> <p>3. Offender controls most of victim's daily activities..... <input type="checkbox"/></p> <p>4. Offender tried to "choke" victim..... <input type="checkbox"/></p> <p>5. Physical violence is increasing in severity..... <input type="checkbox"/></p> <p>6. Victim forced to have sex when not wanted..... <input type="checkbox"/></p> <p>7. Victim was pregnant at the time of the offense and offender knew this..... <input type="checkbox"/></p> <p>8. Victim is pregnant and offender has previously abused her during pregnancy..... <input type="checkbox"/></p> <p>Information Sources: _____ Domain H--Criteria Met..... <input type="checkbox"/></p>		<p><u>Yes</u></p>

<p>I. Violence and/or threatened violence toward family members, including child abuse (does not include intimate partners)</p> <p>1. Current or past social services case(s)..... <u>Yes</u> <input type="checkbox"/></p> <p>2. Past assault of family members..... <input type="checkbox"/></p> <p>3. Children were present during the offense..... <input type="checkbox"/></p> <p>Information Sources: _____ Domain I—Criteria Met..... <input type="checkbox"/></p>	<p>J. Attitudes that support or condone spousal assault</p> <p>1. Explicitly endorses attitudes that support or condone intimate partner assault..... <u>Yes</u> <input type="checkbox"/></p> <p>2. Appears to implicitly endorse attitudes that support or condone intimate partner assault..... <input type="checkbox"/></p> <p>Information Sources: _____ Domain J—Criteria Met..... <input type="checkbox"/></p>
<p>K. Prior completed or noncompleted domestic violence treatment</p> <p>Information Sources: _____ Domain K—Criteria Met..... <u>Yes</u> <input type="checkbox"/></p>	<p>L. Victim separated from offender within the previous six months.</p> <p>Information Sources: _____ Domain L—Criteria Met..... <u>Yes</u> <input type="checkbox"/></p>
<p>M. Unemployed</p> <p>Unemployed is defined as not working at time of offense or at any time during intake or treatment and does not include offenders on public assistance, homemakers, students, or retirees.</p> <p>Information Sources: _____ Domain M—Criteria Met..... <u>Yes</u> <input type="checkbox"/></p>	<p>N. Involvement with people who have pro-criminal influence</p> <p>1. Some criminal acquaintances..... <u>Yes</u> <input type="checkbox"/></p> <p>AND</p> <p>2. Some criminal friends..... <input type="checkbox"/></p> <p>Information Sources: _____ Domain M—Both Criteria Met..... <input type="checkbox"/></p>

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NEVADA BOARD OF PAROLE COMMISSIONERS

June 19, 2017

To: Members of the Board of Parole Commissioners

From: David M. Smith, Hearings Examiner II *DMS*

Subject: NDOC Programs and the Nevada Parole Risk Assessment

RE: Agenda Item III-D – June 19, 2017 Meeting

The NDOC re-implemented many of its programs in the last three years after applying evidence-based research practices to its programs. Each program is assigned a level based on known research and outcomes. Levels 0, 1 and 2 are those programs that do not meet the minimum threshold of being recognized as an evidence-based program. Programs assigned a level of 3, 4 or 5 meet the threshold of being recognized as an evidence-based program with a level 5 being the highest standard. These levels are described as follows:

Level 3 - Evidence-Based Practice: The intervention is based on sound-theory. Experts have reviewed the research and determined the design met the standards of scientific rigor and the results were sufficiently positive. The practice has been modified or adapted on a population or setting that is different from the one in which it was formally developed.

Level 4 – Evidence-based practice: The intervention is based on sound-theory and has some scientific rigor but no random assignment. Studies have determined the intervention generally has positive outcomes. The meta-analysis has been published.

Level 5 – Evidence-based practice: The intervention is based on a highly rigorous research design with a control group and random assignment. It has been studied in multiple places with multiple populations and has been generally shows to have high

credibility and generalizability. It has been determined the intervention generally has positive outcomes.

Attached is a list of evidence-based programs offered by the NDOC that are assigned a level of 4 or 5. Level 3 programs are not included because these programs have been modified or adapted and validation on the affected population has not yet been accomplished.

The programs the Board currently gives credit for on the Nevada Parole Risk Assessment are highlighted in yellow.

The Board has been asked to review the NDOC programs and determine which might be added to the list of programs that successful completion of would be awarded credit on the Nevada Parole Risk Assessment.

Program Name	Facility	# of Hours	Number Credits Assigned	Risk Target	EBP Level Assigned	Effective Date
Anger: Creating New Choices	All	16.5	15	Antisocial Behavior	4 (Crime Solutions.org - Cognitive Behavioral Therapy for Moderate High Risk-Adult Offenders)	3/4/2015
Anger and Agression	All	15	15	Antisocial Behavior	4 (Crime Solutions.org - Cognitive Behavioral Therapy for Moderate High Risk-Adult Offenders)	6/25/2014
Getting Motivated to Change	All	8	5	Antisocial personality, Criminal thinking	5 (NREPP - TCU (Texas Christian University) Mapping-Enhanced Counseling)	4/21/2015
Healthy Steps to Freedom	FMWCC, JCC	24	30	Co-occurring substance abuse and mental health	4	4/24/2014
Commitment to Change (Phase I, II, III)	All	Phase I- 12; Phase II- 10; Phase III- 10	15 per phase	Criminal Thinking	4 (Crime Solutions.org - Cognitive Behavioral Therapy for Moderate High Risk-Adult Offenders)	4/24/2014
Getting it Right	All	37.5	30	Criminal Thinking	5 (NREPP - Interactive Journaling)	4/21/2015
Good Intentions, Bad Choices	All	22.5	15	Criminal Thinking	4 (Crime Solutions.org - Cognitive Behavioral Therapy for Moderate High Risk-Adult Offenders)	3/4/2015
Transition Skills	All	13.5	15	Criminal thinking	5 (NREPP - Interactive Journaling)	4/24/2014
Anger Management for Slubstance Abuse and Mental Health Clients	All	18	15	Criminal Thinking, Antisocial Behavior	4 (Crime Solutions.org - Cognitive Behavioral Therapy for Moderate High Risk-Adult Offenders)	10/6/2016
Challenge	All	54	30	Criminal thinking, Substance abuse (non-tx)	5 (NREPP - Interactive Journaling)	7/14/2015
Forward Thinking (Correctional Youth only)	All	54	30	Criminal Thinking, Substance Abuse (non-tx)	5 (NREPP - Interactive Journaling)	7/15/2015
Clark County Parenting Program	FMWCC, JCC, HDSP, SDCC	36	30	Dysfunctional Family	5 (NREPP - Nurturing Parents & Triple P)	10/6/2015
InsideOut Dad	All	24	30	Dysfunctional Family	4 (NREPP)	11/21/2013
Employment Skills	CGTH, FMWCC, HDSP, NNRC, SDCC, WSCC	7.5	5	Lack of education, Lack of job skills, Negative attitude about work	5 (NREPP - Interactive Journaling)	7/15/2015
Seeking Safety, Phases I, II	All	24 per phase	30 per phase	Mental Health/Substance Abuse (non-tx)	5 (NREPP - both genders; CrimeSolutions.gov - women)	6/25/2014
Way Safe: Mapping Your Way to a Healthy Future	All	6	5	Substance abuse	5 (NREPP - TCU (Texas Christian University) Mapping-Enhanced Counseling)	3/31/2015
Straight Ahead: Transition Skills for Recovery	All	20	30	Substance Abuse (Non-tx)	5 (NREPP - TCU (Texas Christian University) Mapping-Enhanced Counseling)	6/24/2015
Therapeutic Community, Phases I, II, III	FMWCC (STARS), SDCC (TRUST), WSCC (Phoenix)	Phase I, 220.5 Phase II, 226.5 Phase III, 251	60 per phase	Substance Abuse (Tx)	5 (NREPP - Correctional Therapeutic Community for Substance Abusers; CrimeSolutions.gov- Incarceration-based Therapeutic Communitis for Adults)	7/16/2014
New Light	FMWCC	350.5	60	Substance Abuse (tx)	4 (Crime Solutions.org - Cognitive Behavioral Therapy for Moderate High Risk-Adult Offenders)	6/24/2015
Therapeutic Community, Aftercare	FMWCC (STARS), SDCC (TRUST), WSCC (Phoenix)	233	60	Substance Abuse (Tx)	5 (NREPP - Correctional Therapeutic Community for Substance Abusers; CrimeSolutions.gov- Incarceration-based Therapeutic Communitis for Adults)	7/16/2014
Stepping Stones	CGTH	70	30	Substance Abuse (Tx)	4 (Crime Solutions.org - Cognitive Behavioral Therapy for Moderate High Risk-Adult Offenders)	12/17/2013
Turning Point, Phase I	CGTH/NNRC	40	30	Unemployment/Education	5 (NREPP - Interactive Journaling)	2/17/2016

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NEVADA BOARD OF PAROLE COMMISSIONERS

June 19, 2017

To: Members of the Board of Parole Commissioners

From: David M. Smith, Hearings Examiner II *DMS*

Subject: NDOC Vocational and Educational Programs

RE: Agenda Item III-D – June 19, 2017 Meeting

Attached is an updated list of vocational and educational programs available to inmates at the NDOC. The Board has generally given credit on the Nevada Parole Risk Assessment for the successful completion of any of these programs.

The Board may review these programs and determine which should appear on the list of programs that successful completion of will be awarded credit on the Nevada Parole Risk Assessment.

VOCATIONAL PROGRAMS

Program Name	Facility	# of Hours	Number Credits Assigned	Risk Target	Facilitator Requirements	Effective Date
Advanced Computers	All	N/A meets NDE requirements	60	Unemployment/education	NDE Certification	06/14/16
Air Conditioning and Heating	All	N/A meets NDE requirements	60	Unemployment/education	NDE Certification	06/14/16
Auto Mechanics/ Auto Shop	All	N/A meets NDE requirements	60	Unemployment/education	NDE Certification	6/14/2016
Automotive Technology	All	N/A meets NDE requirements	60	Unemployment/education	NDE Certification	6/14/2016
Business	All	N/A meets NDE requirements	60	Unemployment/education	NDE Certification	6/14/2016
Certified Screen Printer	NNCC	186	60	Unemployment/education	NDOC Prison Industry Staff	8/8/2016
College Certificate	All	N/A meets NDE requirements	60	Unemployment/education	NDE Certification	6/14/2016
Collision Repair	All	N/A meets NDE requirements	60	Unemployment/education	NDE Certification	6/14/2016
Computers	All	N/A meets NDE requirements	60	Unemployment/education	NDE Certification	6/14/2016
Construction	All	N/A meets NDE requirements	60	Unemployment/education	NDE Certification	6/14/2016
Culinary	All	N/A meets NDE requirements	60	Unemployment/education	NDE Certification	6/14/2016
Entrepreneurship	All	N/A meets NDE requirements	60	Unemployment/education	NDE Certification	6/14/2016
Green Technology	All	N/A meets NDE requirements	60	Unemployment/education	NDE Certification	6/15/2016
Janitorial/OSHA	All	N/A meets NDE requirements	60	Unemployment/education	NDE Certification	9/19/2016
New Paths	FMWCC	1800	60	Vocational.Educational	Volunteer staff only	3/9/2015
Plant Science and Horticulture	All	N/A meets NDE requirements	60	Unemployment/education	NDE Certification	6/14/2016
Respect	All	N/A meets NDE requirements	60	Unemployment/education	NDE Certification	8/18/2016
Small Engine Repair Technology	NNCC	N/A meets NDE requirements	60	Unemployment/education	NDE Certification	6/14/2016
Welding	All	N/A meets NDE requirements	60	Unemployment/education	NDE Certification	6/14/2016

EDUCATIONAL PROGRAMS

Program Name	Facility	# of Hours	Number Credits Assigned	Risk Target	EBP Level Assigned	Effective Date
High School Diploma	All	N/A	NRS 209.446 (60) NRS 209.4465 (90)	Education	Nevada Department of Education Certified Class	10/1/2015
High School Equivalency	All	N/A	NRS 209.446 (30) NRS 209.4465 (60)	Education	Nevada Department of Education Certified Class	10/1/2015
Associate's (AA or AS) Degree	All	N/A	NRS 209.446 (90) NRS 209.4465 (120)	Education	Nevada Department of Education Certified Class	10/1/2015
Bachelor's (BA or BS) Degree	All	N/A	NRS 209.446 (0) NRS 209.4465 (90)	Education	Nevada Department of Education Certified Class	10/1/2015
Master's (MA or MS) Degree	All	N/A	NRS 209.446 (0) NRS 209.4465 (90)	Education	Nevada Department of Education Certified Class	10/1/2015

JOB SKILLS PROGRAMS

Program Name	Facility	# of Hours	Number Credits Assigned	Risk Target	EBP Level Assigned	Effective Date
Braille I (Braille); Braille II (Nemeth Code- for mathematics); Braille III (Music Braille); Braille IV (Literacy Proofreading)	All	N/A	NRS 209.446 (30)	Vocational	Nevada Department of Education Certified Class	10/1/2015
Financial Literacy	All	N/A	NRS 209.446 (30)	Vocational	Nevada Department of Education Certified Class	10/1/2015
Forklift Operator Training	All	N/A	NRS 209.446 (15)	Vocational	Nevada Department of Education Certified and OSHA Certified Class	10/1/2015
OSHA 10- Construction Safety and Health Outreach Course	All	N/A	NRS 209.446 (5)	Vocational	Nevada Department of Education Certified and OSHA Certified Class	10/1/2015
Photovoltaic	All	N/A	NRS 209.446 (15)	Vocational	Nevada Department of Education Certified Class	10/1/2015
ServSafe	All	N/A	NRS 209.446 (30)	Vocational	Nevada Department of Education Certified Class	10/1/2015
ServeSafe Manager	All	N/A	NRS 209.446 (30)	Vocational	Nevada Department of Education Certified Class	10/1/2015

Nevada Department of Corrections

Proposal for an Evidence-Based Correctional Program/Class

(Please submit a completed DOC 2060 AND DOC 2061 via e-mail to: ndocprogramreviewcommittee@doc.nv.gov).
Prior to completing this form, please see DOC 2061-Instructions

1. Name of proposed correctional program/class ("intervention"):

a) Date proposal submitted:

2. Proposer's Information:

a) Name:

b) Position:

c) Phone:

d) Email:

3. Proposer's **Program Area**

- ☐ Case Work
- ☐ Education
- ☐ Mental Health
- ☐ Re-Entry
- ☐ Substance Abuse
- ☐ Transitional Center
- ☐ Vocation
- ☐ Other (specify):

4. Which **crime-producing risk** factor(s) does this intervention address?

Check all that apply, but you only need one:

- ☐ Antisocial behavior
- ☐ Antisocial personality
- ☐ Criminal associates
- ☐ Criminal thinking
- ☐ Dysfunctional family
- ☐ Leisure and recreation
- ☐ Mental health issues
- ☐ Substance abuse
- ☐ Unemployment and education
- ☐ None (*If none, the intervention does not qualify as an evidence-based practice for offenders*)

5. a) Is the intervention listed on **Substance Abuse and Mental Health Services Administration** (SAMHSA's) National Registry of Evidence-Based Programs and Practices?

(See: www.nrepp.samhsa.gov/)

- ☐ Yes
- ☐ No

<p>5. b) Does the National Institute of Corrections (NIC) recognize the intervention as an evidence-based practice? (See: http://nicic.gov/)</p>	<p> <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown </p>
<p>6. What criminal-risk area(s) does the intervention target?</p>	<p>Check only the area(s) that apply, as listed in the curriculum or manual):</p> <p> <input type="checkbox"/> Anger/hostility/aggression <input type="checkbox"/> Antisocial peers <input type="checkbox"/> Co-occurring substance abuse and mental health issues <input type="checkbox"/> Criminal thinking/behavior <input type="checkbox"/> Domestic violence <input type="checkbox"/> Family issues <input type="checkbox"/> Gang involvement <input type="checkbox"/> Interpersonal conflict <input type="checkbox"/> Lack of constructive use of leisure time <input type="checkbox"/> Lack of education <input type="checkbox"/> Lack of emotion regulation <input type="checkbox"/> Lack of healthy life skills <input type="checkbox"/> Lack of marketable job skills <input type="checkbox"/> Lack of reliable re-entry plan <input type="checkbox"/> Lack of social skills <input type="checkbox"/> Lack of victim awareness/empathy <input type="checkbox"/> Mental health issues (including abuse history, trauma) <input type="checkbox"/> Negative attitude about work or school <input checked="" type="checkbox"/> Parenting issues <input type="checkbox"/> Risk of relapse <input type="checkbox"/> Self-control, self-management, problem solving <input type="checkbox"/> Sexual deviancy <input type="checkbox"/> Substance abuse <input type="checkbox"/> Unhealthy communications <input type="checkbox"/> Other (specify): </p>
<p>7. Briefly, list the primary intervention goals, per the curriculum or manual.</p> <p>If more than six, attach on a separate page.</p>	<p>1.</p> <p>2.</p> <p>3.</p> <p>4.</p> <p>5.</p> <p>6.</p>
<p>8. a) What performance indicator(s) will be used to</p>	<p>Check only the indicator(s) that <i>specifically</i> relate to the intervention goals (as identified in section 7 above):</p>

determine whether the intervention is having the desired effect?

8. b) As applicable, for each performance indicator you check, please **identify an objective instrument, such as a pre-and post test**, which will be used to evaluate the inmates' targeted behavior.

8. c) **Attach performance indicator instrument(s).**

☐ Percentage of inmates who demonstrate a positive attitude about school and increased pro-social values, as evidenced by earning **High School Equivalency (HSE)**.

☐ Percentage of inmates who demonstrate positive attitudes about school and pro-social values, as evidenced by earning **High School Diplomas**

☐ Percentage of inmates who demonstrate positive attitudes about work and pro-social values, as evidenced by earning **Vocational Certificates**

☐ Percentage of mentally ill inmates whose mental health conditions stabilize, as evidenced by compliance with prescribed **psychiatric medications**

☐ Percentage of mentally ill inmates who have better symptom management, as evidenced by a reduction in the number of **psychiatric appointments**

☐ Percentage of inmates who increase their problem solving skills and ameliorate their high risk situations, as evidenced by **role playing** increasingly difficult situations and completion of staff-approved **relapse prevention plans**

☐ Percentage of inmates who demonstrate an increase in prosocial attitudes; values; and motivation to change, as evidenced by negative **urinalysis tests**

☐ Percentage of inmates who demonstrate an increase in prosocial attitudes and values, as evidenced by successful completion of the **program or class**

☐ Percentage of inmates who demonstrate a reduction in criminal thinking, as evidenced by scores on standardized **pre- post tests (Attach copy of performance indicator instrument)**

☐ Percentage of inmates who demonstrate a decrease in anger; hostility; and aggression, as evidenced by scores on standardized **pre-post tests (Attach copy of performance indicator instrument)**

☐ Percentage of inmates who demonstrate increased motivation for change, as evidenced by scores on standardized **pre- post tests (Attach copy of performance indicator instrument)**

☐ Percentage of inmates who demonstrate improved social functioning, as evidenced by scores on standardized **pre- post tests**

	<p>(Attach copy of performance indicator instrument)</p> <p><input type="checkbox"/> Percentage of inmates who increase prosocial peer associations and prosocial values, as evidenced by participation in volunteer-sponsored groups, organized peer-support meetings, and religious activities (e.g., Veterans, Pups on Parole, Toast Masters, Alcoholics Anonymous and God Behind Bars).</p> <p><input type="checkbox"/> Percentage of inmates who improve parenting skills, as evidenced by role plays and scores on a standardized pre- post test (Attach copy of performance indicator instrument)</p> <p><input type="checkbox"/> Percentage of inmates who demonstrate improved pro-social attitudes and values, as evidenced by Parole Board approving re-entry plans</p> <p><input type="checkbox"/> Percentage of inmates who demonstrate positive attitudes about work and pro-social values, as evidenced by obtaining and maintaining employment</p> <p><input type="checkbox"/> Other (specify):</p>
<p>9. How will the facilitator's supervisor evaluate whether the facilitator is maintaining fidelity to the practice?</p>	<p><input type="checkbox"/> Record/chart reviews</p> <p><input type="checkbox"/> Inmate feedback on surveys/interviews</p> <p><input type="checkbox"/> Group/class/session observation</p> <p><input type="checkbox"/> Other (specify):</p>
<p>10. How will inmates be prioritized for this intervention?</p>	<p><input type="checkbox"/> Risk and needs assessment</p> <p><input type="checkbox"/> NOTIS Secondary Education Services Eligibility Report</p> <p><input type="checkbox"/> Mental Health assessment</p> <p><input type="checkbox"/> Release date eligibility</p> <p><input type="checkbox"/> Sex offender assessment</p> <p><input type="checkbox"/> Other (specify):</p>
<p>11.a) Is this intervention a treatment program?</p>	<p><input type="checkbox"/> Yes</p> <p><input type="checkbox"/> No</p>
<p>11.b) If this is a treatment program, which discipline is addressed?</p>	<p><input type="checkbox"/> Co-occurring (a substance related disorder(s) with a mental health disorder(s))</p> <p><input type="checkbox"/> Mental health</p> <p><input type="checkbox"/> Sex offender</p> <p><input type="checkbox"/> Substance related disorder</p> <p><input type="checkbox"/> Not Applicable</p>
<p>12. Do the facilitators need a certain educational level in order to deliver this intervention?</p>	<p><input type="checkbox"/> Yes (If yes, what level?):</p> <p><input type="checkbox"/> No</p>

13. Do the facilitators need to be licensed or certified in a particular field in order to deliver this intervention?	<input type="checkbox"/> Yes (If yes, list field and credential): <input type="checkbox"/> No
14. Can a volunteer facilitate this intervention? (A volunteer is someone other than DOC staff)	<input type="checkbox"/> Yes <input type="checkbox"/> No
15. a) Do the facilitators need to be trained by the developer in order to deliver this intervention?	<input type="checkbox"/> Yes <input type="checkbox"/> No
15. b) If the facilitators need to be trained by the developer , how will the training be obtained?	<input type="checkbox"/> Will be obtained by (list): <input type="checkbox"/> Not applicable
16. a) Does this intervention include facilitator and participant manuals?	<input type="checkbox"/> Yes <input type="checkbox"/> No
16. b) Are the manuals available free of charge in the public domain ?	<input type="checkbox"/> Yes, with no restrictions <input type="checkbox"/> Yes, with restrictions (list): <input type="checkbox"/> No <input type="checkbox"/> Not applicable
16. c) If the manuals are not available free of charge in the public domain, how will funding for the materials be obtained?	<input type="checkbox"/> Will be obtained by (list): <input type="checkbox"/> Not applicable
17. Which evidenced-based practice (EBP) level are you requesting for this intervention? (See this page below and on page 7) (Attach documentation that supports the practice level you are requesting)	<input type="checkbox"/> Level 5 (EBP) <input type="checkbox"/> Level 4 (EBP) <input type="checkbox"/> Level 3 (EBP) <input type="checkbox"/> Level 2 (Not EBP - Promising practice) <input type="checkbox"/> Level 1 (Not EBP – Anecdotal with public recognition) <input type="checkbox"/> Level 0 (Not EBP – Anecdotal only)

Definitions for Evidence-Based Practice levels

Evidence-Based Practices: Program, practice, or intervention that is based on scientific research and has been shown to improve outcomes **for offenders**.

Non-refereed professional publication: Trade journals or magazines that use less rigorous standards of screening prior to publication.

Peer-reviewed journal: Journal in which the articles it contains have been examined by people with credentials in the article's field of study before it was published.

Refereed, professional journal: A professional or literary journal in which articles or papers are selected for publication by a panel of referees who are experts in the field.

Evidence-Based Practice Levels

LEVEL 5 – Evidence-Based Practice

Experimental

The intervention is based on a highly rigorous research design with a control group and random assignment. It has been studied in multiple places with multiple populations and has been generally shown to have high credibility and generalizability. It has been determined the intervention generally has positive outcomes. Replication of the intervention has been documented in several refereed, professional journals.

- Attach articles from at least two refereed professional journals.

LEVEL 4 – Evidence-Based Practice

Quasi-Experimental

The intervention is based on sound-theory and has some scientific rigor but no random assignment. The research design used multiple groups or multiple measurement points. A trained biostatistician has conducted a statistical review of many studies (meta-analysis) and determined the intervention generally has positive outcomes. The meta-analysis has been published in several refereed, professional journals.

- Attach articles from at least two refereed, professional journals.

LEVEL 3 – Evidence-Based Practice

Some aspects of research, some scientific merit:

The intervention is based on sound-theory and multiple experts, usually individuals with doctorates and extensive research experience in the corrections or social services field, have reviewed the research and determined the designs met the standards of scientific rigor and the results were sufficiently positive. The practice has been modified or adapted for a population or setting that is different from the one in which it was formally developed and documented.

A key indicator would be the research was published in a peer-reviewed journal.

- Attach a copy of an article that was published in a peer-reviewed journal, or
- Cite relevant published research (author, article title, name of journal, etc.)

THE THREE LEVELS BELOW ARE NOT EVIDENCE-BASED PRACTICES:

LEVEL 2 – Not an Evidence-Based Practice

Promising practice, but no scientific merit:

The intervention is based on sound theory and has received some sort of recognition from a group of experts in the corrections or social services fields. The recognition should be in the form of acknowledgement in a non-refereed professional publication or trade journal.

- Attach a description of the intervention, including an identification of the theory
- Attach a copy of the article(s), or
- Cite relevant published research (author, article title, name of journal, etc.).

LEVEL 1 – Not an Evidence-Based Practice

Anecdotal with public recognition; becoming a promising practice; no scientific merit:

The intervention has not been sufficiently documented and replicated through scientifically sound research procedures. However, the intervention is building evidence through documentation of procedures and outcomes, and it fills a gap in the service system. It has also been recognized publicly and has received awards, honors, or mentions.

- Attach a copy of the award, honor, article, or other method of recognition.

LEVEL 0 - Not an Evidence-Based Practice

Anecdotal only, no scientific merit:

- The intervention is based solely on clinical opinion.

Distribution: DOC 2060 as well as this DOC 2061 should be submitted via e-mail to: ndocprogramreviewcommittee@doc.nv.gov

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June 19, 2017
Agenda Item III B
Agenda Item III D
Agenda Item IV

Brian Sandoval
Governor

James Dzurenda
Director

State of Nevada
Department of Corrections

Date: June 12, 2017

To: Connie Bisbee, Chairman, Board of Parole Commissioners
Via email: cbisbee@parole.nv.gov

From: James E. Dzurenda, Director

CC: Parole Hearing Examiner II, David Smith
Deputy Director Programs, David Tristan
Acting Deputy Director Operations, Harold Wickham
Management Analyst IV, Sheila Lambert

RE: June 19, 2017 Parole Board Meeting – NDOC Initiatives

I have reviewed your memorandum regarding the meeting on NDOC Initiatives and while I am not going to be able to attend, NDOC staff members, who are subject matter experts in the areas outlined in your memorandum, will be in attendance. They are as follows:

1. **Sex Offender Assessments** – Dr. Roy Hookham will be present to address this issue. My staff has worked on improving the quality and consistency of our reports. The NDOC identified funds this time last year to provide our psychologists the updated training. In an effort to be responsive to the Parole Board's concerns, Dr. Hookham is responding directly to any issues that Mr. Michael Keeler identifies in his review process.
 - NDOC's economist, Alejandra Livingston, has advised me that NDOC does not track the recidivism rates specific to sex offenders and therefore, we cannot provide the Board with this data.
2. **NRAS** – Dr. Hoover will be present to address any questions regarding NRAS. NDOC is now testing the automation of the NRAS in NOTIS. Once the testing is completed the NDOC will begin to use the automated NRAS at Intake. Caseworkers will be trained on the use of the automated NRAS and this will enable NDOC caseworkers to create case plans for each inmate that are specific to the inmate's identified risk factors.
 - The NDOC recommends that the Board recognize NDOC's evidence-based re-entry programs as part of an inmate's overall parole readiness.
3. **NDOC Programs** – NDOC will provide the Board with an updated list of evidence-based programs.
 - The NDOC has revamped its re-entry programs so that each of NDOC's re-entry programs is providing inmates the same classes. This includes the use of the Moral Recognition Training (MRT) for the Veteran's programs at HDSP and Warm Springs. The Veteran's Administration uses MRT for veterans. The use of MRT will, in NDOC's opinion, provide a smoother transition from NDOC into the community for veterans that need this type of program.
 - NDOC has been developing a statewide resource manual that will be completed this year, by county. This comprehensive resource manual will be utilized by case workers, program officers, re-entry staff and parole officers to identify programs in the community from housing, job skills development, medical, mental or

behavioral health to transportation. Inmates will be able to utilize this manual as well. It is anticipated that the use of this manual will assist in the development of more realistic parole plans and thereby reduce the backlog of unapproved parole plans.

- NDOC developed a comprehensive program of wrap around services in Northern Nevada to include working with Ridge House and the Division of Health Care Financing and Policy (DHCFP). NDOC is identifying the Managed Care Network partners and developing an agreement to support substance abuse programming through the State's Medicated Assisted Treatment (MAT) Vivitrol pilot project; as well as the Project RISE as funded in the grant. All four Managed Care Organizations (MCO's) are scheduling activities to bring information about programs, counseling and services to the inmate population.
- NDOC has established a new data collection system for re-entry, which will be implemented on July 1, 2017 to focus on the eligible criteria, demographics, and follow up fields to determine what programming, if any, was successful. NDOC will be including case management training in the 2nd year of the grant. This training, in conjunction with an automated NRAS and a standardized intake process, will facilitate a more effective case management system.

4. Program Initiatives - In addition to the above:

- The NDOC has revised Inmate Discipline and the Inmate Disciplinary Administrative Regulations to come more into line with the American Correctional Association standards. These revisions have been approved by the Prison Board of Commissioners. The changes include due process protections for the mentally ill inmates. They also provide reduced sanctions for rule infractions. This will hopefully reduce the need for segregation cells and increase an inmate's ability to return to credit earning status assignments.
- The NDOC is in the process of revising the Classification Administrative Regulation in an effort to provide better direction and descriptors for each custody level.
- The NDOC is also in the process of hiring a Director of Mental Health and will begin to revise its mental health delivery system. The effort will include better and more consistent delivery of services and a standardized approach to diagnosing mental illness and a standardized method for case planning to include caseload standards and transitioning the mentally ill into the community once they are paroled.
- NDOC has an agreement with the Clark County School District and the Trades Union for the pre-apprenticeship program. The Trades Union includes the major trades of electrician, glacier, plumber, etc. Upon completion, those individual who complete the required courses, including OSHA, will be eligible for the apprenticeship program. Currently, NDOC applied for and was awarded almost \$300,000 in simulators to develop a job skills program for heavy equipment operators.
- NDOC is continuing to identify direct services inside and outside of the prisons to reduce recidivism as both education and job skills training are expected to impact the rate of recidivism. NDOC is utilizing the Labor Market Information (LMI) with community partners to continue to identify job skills, training and programs for sustainable employment.

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MICHAEL KEELER, *Member*
LUCILLE MONTERDE, *Member*

NEVADA BOARD OF PAROLE COMMISSIONERS

June 19, 2017

To: Members of the Board of Parole Commissioners

From: David M. Smith, Hearings Examiner II *DMS*

Subject: Update on the Status of the Implementation of the Parole Grant Order Layout and Conditions and Consideration of a Requested Change to the Parole Agreement Template by the Division of Parole and Probation (P&P).

RE: Agenda Item VI – June 19, 2017 Meeting

On May 1, 2017, the parole grant order templates in the Nevada Offender Tracking Information System (NOTIS) were replaced with new templates. The new templates are designed to print all applicable parole conditions imposed by the Board rather than listing only the special conditions of parole on each order.

P&P's new database is designed to electronically receive the parole conditions assigned in NOTIS. Since P&P's new database has not yet been deployed, I worked with NDOC to create an integrated word processing document for the pre-release staff at P&P to electronically pull the conditions from NOTIS so they can be imported into the parole agreement templates.

During a review of the new parole agreement template, P&P asked for a change in the "Agreement by Parolee" paragraph. The requested change is worded to specifically include technological devices such as cell phones, computers and external hard drives, etc., as being subject to search.

The current wording and the requested wording appear on the following page.

The current paragraph (with the sentence to be changed underlined) reads:

AGREEMENT BY PAROLEE

I do hereby waive extradition to the State of Nevada from any state in the United States, and from any territory or country outside the continental United States, and also agree that I will not contest any effort to return me to the United States or the State of Nevada. I shall submit my person, property, place of residence, vehicle, or areas under my control to search at any time of the day or night, with or without a search warrant or with or without cause, for evidence of a crime or violation of parole by a Parole Officer or any other Peace Officer. I have read or had read to me, the conditions of my parole, and I fully understand them and I agree to abide by and strictly follow them. I fully understand the penalties involved should I, in any manner, violate the foregoing conditions.

Proposed Change (change to language underlined):

AGREEMENT BY PAROLEE

I do hereby waive extradition to the State of Nevada from any state in the United States, and from any territory or country outside the continental United States, and also agree that I will not contest any effort to return me to the United States or the State of Nevada. I shall submit my person; property: technological devices, peripherals and their contents; place of residence; vehicle; or areas under my control, to search at any time of the day or night, with or without a search warrant or with or without cause, for evidence of a crime or violation of parole by a Parole Officer or any other Peace Officer. I have read or had read to me, the conditions of my parole, and I fully understand them and I agree to abide by and strictly follow them. I fully understand the penalties involved should I, in any manner, violate the foregoing conditions.

State of Nevada
Board of Parole Commissioners
PAROLE AGREEMENT

NDOC No. _____
File No. _____
CC No. _____
Counts. _____

_____ was sentenced in the State of Nevada to imprisonment in the Nevada Department of Corrections for the crime of _____. The Board of Parole Commissioners, by virtue of the authority vested in it by the laws of the State of Nevada, hereby authorizes the Director of the Department of Corrections to allow said _____ on the _____ day of _____, _____, or as soon thereafter as a satisfactory program can be arranged and approved by the Division of Parole and Probation, to go upon parole outside the prison buildings and enclosure, subject to the following conditions:

[[Conditions of Parole as stated on the Order Granting Parole]]

Credits: You shall receive no credit on this sentence during any period of time that you are absent from supervision and deemed to be an absconder. The projected parole expiration date is based upon the assumption that you will earn the maximum number of credits available to be earned while on parole. If you fail to work and/or program diligently, fail to keep current with any payments toward restitution and supervision fees or fail to comply with the terms of parole, you may not receive the additional credits off your sentence that have been projected on this document. The Nevada Department of Corrections (NDOC) is responsible for calculating and applying credits to the sentences of inmates and parolees. The projected parole expiration date on this document is subject to change based on credit earnings and/or adjustments as determined by the NDOC. Credits for good time earned on parole may be forfeited if you are found guilty of a violation. Pursuant to NRS 213.15185, all good time credits previously earned to reduce your sentence are forfeited upon revocation of parole.

This parole is granted to and accepted by you, subject to the conditions stated herein, and with the knowledge that the Board of Parole Commissioners has the power, at any time, in case of violation of the conditions of parole to cause your detention and/or return to prison.

Your Projected Parole Expiration Date based on maximum credit earning is:
Your maximum Parole Expiration Date based upon not earning any credits is:

Chief Parole Officer

Dated:

AGREEMENT BY PAROLEE

I do hereby waive extradition to the State of Nevada from any state in the United States, and from any territory or country outside the continental United States, and also agree that I will not contest any effort to return me to the United States or the State of Nevada. I shall submit my person, property, place of residence, vehicle, or areas under my control to search at any time of the day or night, with or without a search warrant or with or without cause, for evidence of a crime or violation of parole by a Parole Officer or any other Peace Officer. I have read or had read to me, the conditions of my parole, and I fully understand them and I agree to abide by and strictly follow them. I fully understand the penalties involved should I, in any manner, violate the foregoing conditions.

Parolee: _____ Date: _____ Witness: _____ Date: _____

The form design, content and conditions specified herein are approved by the Board of Parole Commissioners in accordance with the Parole Order which includes the parole conditions and authorizes release to parole. Information specific to the individual named on this form including sentence details, restitution owed, case number and projected expiration dates have been compiled by the Division of Parole and Probation, and do not necessarily reflect the approval of the Board of Parole Commissioners. Inquiries related to suspected errors in projected expiration dates or case/sentencing information should be addressed to the Department of Corrections or the Division of Parole and Probation.

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NEVADA BOARD OF PAROLE COMMISSIONERS

June 19, 2017

To: Members of the Board of Parole Commissioners

From: Connie S. Bisbee, Chairman *CSB*

Subject: Lifetime Supervision Order

RE: Agenda Item VII – June 19, 2017 Meeting

The Nevada Supreme Court issued an Opinion last year (*McNeill v. State*, 132 Nev. ___, 375 P.3d 1022 (2016)) regarding conditions that may be set upon persons serving lifetime supervision.

The McNeill Opinion stated that only those conditions listed in statute may be imposed by the Parole Board. The applicability of each statutory condition is affected by a number of factors including:

1. How and when the condition may be applied as set forth by the Legislature when the law requiring the imposition of the condition was enacted.
2. The U.S. District Court's order in Case No. 2:08-cv-008722-JCM-PAL clarifying the injunction as to Senate Bill 471 of the 2007 Legislative Session which established certain conditions of Lifetime Supervision.
3. The offenses that the enhanced conditions for Tier III offenders apply to.

Each legislative bill includes an instruction as to when a change becomes effective, and how it is to be applied. The statutory conditions of Lifetime Supervision contain different instructions as to when and how conditions should be applied.

The U.S. District Court also provided that certain conditions could only be imposed prospectively while others could be imposed based on the legislative intent at the time of the effective date of the bill.

Lastly, the Lifetime Supervision conditions imposed upon a Tier III offender convicted of a sexual offense against a child under the age of 14 do not apply to all persons who are serving lifetime supervision. And the applicability of the Tier III conditions is affected by the sentence the offender received by the Court.

We have been working to amend the previous Orders setting Lifetime Supervision Conditions, but because of a number of reasons we have only been able to set them on a fraction of the cases.

Additionally, after reviewing answers to some legal questions, we discovered that some of the amended orders we have issued since the McNeill Opinion may have included Tier III conditions on offenders convicted of offenses that may not be applicable.

This agenda item is a request for the issuance of a General Order Amending the Conditions of Lifetime Supervision for the purpose of correcting any potential errors on amended orders issued after McNeill, and to set the conditions on active Lifetime Supervision cases we have not yet issued amended orders on.

This Order does not affect future offenders being released to Lifetime Supervision. The Board could continue to set those conditions based on the criteria set within the General Order.

**STATE OF NEVADA
BOARD OF PAROLE COMMISSIONERS
CERTIFICATION OF ACTION**

ORDER AMENDING CONDITIONS OF LIFETIME SUPERVISION

1. This General Order is being issued for the purpose of ensuring compliance with the provisions of the Nevada Supreme Court Opinion *McNeill v. State*, 132 Nev. ___, 375 P.3d 1022 (2016).
2. This Order amends and supersedes all currently issued and active Orders of the Nevada Board of Parole Commissioners ("Board") issued on, before or after July 28, 2016, which set the conditions of Lifetime Supervision upon a person under the supervision of the Nevada Department of Public Safety, Division of Parole and Probation ("the Division"), or a designated authority in accordance with NRS 213.1243(2)(b).
3. This Order does not apply to nor does it set the conditions of Lifetime Supervision upon a person who is currently incarcerated or has not yet had the conditions of Lifetime Supervision set upon them by the Board. Persons subject to Lifetime Supervision who have not completed a term of probation, parole or prison term will receive separate, individual orders setting the conditions of Lifetime Supervision upon notice to the Board in accordance with section 213.290 of the Nevada Administrative Code, or its successor.
4. This Order does not apply to a person who has been released from Lifetime Supervision in accordance with NRS 176.0931.

CONDITIONS OF LIFETIME SUPERVISION

- A. The following conditions #1 and #2 apply to an offender ordered to serve a special sentence of Lifetime Supervision pursuant to NRS 176.0931.**

Condition #1 - FEES¹

You shall pay the Division of Parole and Probation a supervision fee of at least \$30 per month, unless the fee has been waived by the Chief of the Division of Parole and Probation due to economic hardship.

¹ NRS 213.1243(2)(a) – Lifetime supervision is deemed a form a parole for the limited purposes of the applicability of (in part) NRS 213.1076. NRS 213.1076(3) states the payment of a supervision fee is a condition of parole.

Condition #2 - RESIDENCE²

You shall reside at a location only if:

- a) The residence has been approved by the Parole and Probation officer assigned to you.
- b) If the residence is a facility that houses more than three persons who have been released from prison, the facility is a facility for transitional living for released offenders that is licensed pursuant to chapter 449 of NRS.
- c) You shall keep the Parole and Probation officer informed of your current address.

B. In addition to any other required condition(s) contained in sections A through E of this Order, the following condition #3 applies to an offender convicted on or after October 1, 2009 who is ordered to serve a special sentence of Lifetime Supervision pursuant to NRS 176.0931:

Condition #3 - NO CONTACT³

You shall not have contact or communicate with a victim of the sexual offense or a witness who testified against you, or solicit another person to engage in such contact or communication on your behalf unless approved by the Chief of the Division of Parole and Probation or his or her designee and a written agreement is entered into and signed.

C. In addition to any other required condition(s) contained in sections A through E of this Order, the following condition #4 applies to an offender convicted on or after February 8, 2013 who is ordered to serve a special sentence of Lifetime Supervision pursuant to NRS 176.0931, during any period in which the offender is classified as a Tier 3 offender.

Condition #4 - 500 Foot Restriction for Tier 3 Offender⁴

Unless approved by the Parole and Probation officer assigned to you and by your treating psychiatrist, psychologist or counselor (if any), you may not knowingly be within 500 feet of any place, or if the place is a structure, within 500 feet of the actual structure, that is designed primarily for use by or for children, including, without limitation, a public or private school, a school bus stop, a center or facility that provides day care services, a video arcade, an amusement park, a playground, a park, an athletic field or a facility for youth sports, or a motion picture theater.

D. In addition to any other required condition(s) contained in sections A through E of this Order, the following condition #5 applies to an offender convicted on or after February 8, 2013 of an

² NRS 213.1243(3) - established by section 5 of Senate Bill 354 of the 2007 Legislative Session applies to any person placed under a program of lifetime supervision before, on, or after October 1, 2007.

³ NRS 213.1243(10) – established by section 2 of Assembly Bill 325 of the 2009 Legislative Session applies to any person who is convicted on or after October 1, 2009.

⁴ NRS 213.1243(4) – established by section 8 of Senate Bill 471 of the 2007 Legislative Session and was initially stayed by the US District Court of Nevada in case no. 2:08-CV-00822-JCM-PAL and was subsequently Ordered by the US District Court of Nevada to be applied only to convictions occurring on or after February 8, 2013.

offense listed in subsection 6 of NRS 213.1255 against a child under the age of 14 years, who is ordered to serve a special sentence of Lifetime Supervision pursuant to NRS 176.0931, during any period in which the offender is classified as a Tier 3 offender.

Condition # 5 - RESIDENCE 1000 FT Tier 3 Offender⁵

You may reside at a location only if the residence is not located within 1,000 feet of any place, or if the place is a structure, within 1,000 feet of the actual structure, that is designed primarily for use by or for children, including, without limitation, a public or private school, a school bus stop, a center or facility that provides day care services, a video arcade, an amusement park, a playground, a park, an athletic field or a facility for youth sports, or a motion picture theater.

E. In addition to any other required condition(s) contained in sections A through E of this Order, the following condition #6 applies to an offender convicted of an offense listed in subsection 6 of NRS 213.1255 against a child under the age of 14 years, who is ordered to serve a special sentence of Lifetime Supervision pursuant to NRS 176.0931, during any period in which the offender is classified as a Tier 3 offender.

Condition #6 - ELECTRONIC MONITORING Tier 3 Offender⁶

You shall, as deemed appropriate by the Chief of the Division of Parole and Probation, be placed under a system of active electronic monitoring that is capable of identifying your location and producing, upon request, reports or records of your presence near or within a crime scene or prohibited area or your departure from a specified geographic location and pay any costs associated with your participation under the system of active monitoring, to the extent of your ability to pay.

Pursuant to subsection 6 of NRS 213.1243, an offender placed under a system of active electronic monitoring in accordance with the provisions of this condition shall:

- a) Follow the instructions provided by the Division of Parole and Probation to maintain the electronic monitoring device in working order.
- b) Report any incidental damage or defacement of the electronic monitoring device to the Division of Parole and Probation within 2 hours after the occurrence of the damage or defacement.

⁵ NRS 213.1243(5)(a) – established by section 8 of Senate Bill 471 of the 2007 Legislative Session, was stayed by the US District Court of Nevada in case no. 2:08-CV-00822-JCM-PAL and was Ordered by the US District Court of Nevada to be applied only to convictions occurring on or after on February 8, 2013.

⁶ Subparagraphs 5b, 5c, and 6 of NRS 213.1243 – established by section 8 of Senate Bill 471 of the 2007 Legislative Session and was initially stayed by the US District Court of Nevada in case no. 2:08-CV-00822-JCM-PAL. The US District Court of Nevada lifted the stay February 8, 2013 and stated that subparagraphs 5b, 5c, and 6 of NRS 213.1243 were in full force and effect as of the effective date of the Bill (October 1, 2007). Section 16 of Senate Bill 471 provides that section 8 applies to a person who is placed under a program of lifetime supervision before, on, or after October 1, 2007.

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c) Abide by any other conditions set forth by the Division of Parole and Probation with regard to your participation under the system of active electronic monitoring.

F. Convictions for sexual offenses subject to conditions of Lifetime Supervision include (see subsection 5 of NRS 176.0931):

- A. Sexual Assault (NRS 200.366);
- B. Battery with intent to commit sexual assault (subsection 4 of NRS 200.400);
- C. Use of minor in producing pornography or as subject of sexual portrayal in performance (NRS 200.710);
- D. Promotion of sexual performance of a minor (NRS 200.720);
- E. Category A felony of Possession of visual presentation depicting sexual conduct of person under 16 years of age (subsection 2 of NRS 200.730);
- F. Incest (NRS 201.180);
- G. Lewdness with child under 16 years of age (NRS 201.230);
- H. Sexual penetration on the dead body of a human being (NRS 201.450);
- I. Sexual conduct between certain employees of school or volunteers at school and pupil (NRS 201.540);
- J. Sexual conduct between certain employees of college or university and student (NRS 201.550);
- K. Luring a child, person believed to be a child, or person with mental illness (paragraph (a) or (b) of subsection 4 or paragraph (a) or (b) of subsection 5 of NRS 201.560);
- L. An attempt to commit any offense listed in paragraphs A through K; and
- M. An act of murder in the first or second degree, kidnapping in the first or second degree, false imprisonment, burglary or invasion of the home if the act is determined to be sexually motivated at a hearing conducted pursuant to NRS 175.547.

G. Convictions for sexual offenses against a child under the age of 14 enumerated in subsection 6 of NRS 213.1255 that are subject to conditions #5 and #6 include:

- A. Sexual assault pursuant to paragraph (c) of subsection 3 of NRS 200.366 in which a sentence of life with the possibility of parole with eligibility for parole beginning when a minimum of 35 years has been served;
- B. Abuse or neglect of a child with substantial bodily or mental harm resulting from sexual abuse or exploitation pursuant to subparagraph (1) of paragraph (a) of subsection 1 of NRS 200.508 in which a sentence of life with the possibility of parole with eligibility for parole beginning when a minimum of 15 years has been served;
- C. Abuse or neglect of a child with substantial bodily or mental harm resulting from sexual abuse or exploitation pursuant to subparagraph (1) of paragraph (a) of subsection 2 of NRS 200.508 in which a sentence of life with the possibility of parole with eligibility for parole beginning when a minimum of 10 years has been served;

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- D. Use of minor in producing pornography or as subject of sexual portrayal in performance (NRS 200.710) or Promotion of sexual performance of a minor (NRS 200.720), which are punishable pursuant to NRS 200.750;
- E. Lewdness with a child under the age of 14 pursuant to NRS 201.230;
- F. Luring or attempting to lure a child or a person with mental illness pursuant to NRS 201.560, if punished as a felony; or
- G. Any combination of the crimes listed in A through F.

5. The conditions of Lifetime Supervision do not apply to an offender convicted of an offense listed in Section F of this Order unless the Court included in sentencing a special sentence of Lifetime Supervision, in addition to any other penalties provided by law, in accordance with NRS 176.0931.

6. A person serving a sentence of Lifetime Supervision, who believes that a condition listed in subsections 3, 4 and 5 of NRS 213.1243 should not be imposed upon them, may petition⁷ the Board in writing detailing any extraordinary circumstances that may warrant its removal. No applicable condition of Lifetime Supervision may be removed unless the Board finds that extraordinary circumstances are present and the Board states those extraordinary circumstances in writing.

7. If this Order is furnished to a person by the Division in lieu of a separate document listing the applicable conditions based on an offender's conviction type and date, the Division will obtain written acknowledgement from the offender of receipt of this Order, or other written proof that this Order was served upon the offender.

Dated this 19th day of June, 2017.

SIGNED:

Connie S. Bisbee, Chairman

Michael Keeler, Commissioner

Tony Corda, Commissioner

Ed Gray, Commissioner

Susan Jackson, Commissioner

Lucille Monterde, Commissioner

Adam Endel, Commissioner

⁷ See subsection 9 of NRS 213.1243.