



DIVISION OF PAROLE AND PROBATION

Waiver of Hearing to Modify Conditions of Parole

Offender Name: _____

BIN: _____

Criminal Case #: _____

NDOC: _____

- Check Box to verify offender is not currently serving a sentence for a conviction related to Battery Domestic Violence.

I, _____, acknowledge that I have been advised and understand that I am entitled by law to a hearing, to confront and question my accusers, and assistance of counsel before any unfavorable change may be made in my conditions of parole. By 'assistance of counsel,' I understand that I may be represented at the hearing by counsel of my own choosing if I am able to retain or secure appointed counsel. I hereby voluntarily waive my statutory right to a hearing, to confront and question my accusers, and to the assistance of counsel.

I, _____, hereby admit to violating the aforementioned conditions of my parole as stated in the attached "Request for Modification of Conditions."

I also agree to the following modification of my conditions of parole:

1. (Enter requested conditions here) _____ (initial here) (*delete if not necessary*).
2. (Enter requested conditions here) _____ (initial here) (*delete if not necessary*).
3. To a term of residential confinement, as provided for in NRS Chapter 213, for a term not to exceed 180 days and, in no case, to exceed the unexpired maximum term of the original sentence of parole. _____ (initial here) (*delete if not necessary*).
4. This term of residential confinement may include:
 - A requirement that I be confined to my residence during the time that I am away from my employment, community service or other activity authorized by the Division. _____ (initial here) (*delete if not necessary*).
 - A requirement of intensive supervision including, without limitation, unannounced visits to my residence or other locations where I am expected to be to determine whether I am complying with the terms of my confinement. _____ (initial here) (*delete if not necessary*).
 - An electronic device approved by the Division may be used to supervise me. The device may be capable of using the Global Positioning System (GPS) and will be capable of recording or transmitting information concerning my location, including, without

limitation, the transmission of still visual images and producing, upon request, reports or records of my presence near or within a crime scene or prohibited area or my departure from a specified geographic location. _____ (initial here) (*delete if not necessary*).

- The electronic device may also be capable of alcohol monitoring and detection. _____ (initial here) (*delete if not necessary*).

If the Board does not accept this request, the Board will request alternative action; such as, requesting that the Division schedule a formal violation hearing, or requesting the issuance of a warrant. If the Board wants you taken into custody, or brought before the Board in a non-custodial manner, the Division will either prepare a warrant for Board signature or arrange for you to be scheduled for a non-custodial violation hearing. If either of these scenarios occurs, this admission will be considered null and void and will not be considered by the Board at a violation hearing. _____ (initial here)

I acknowledge that I have not relied on any representations, promises, or agreements of any kind made to me in connection with my decision to accept this agreement for modification of conditions and waiver of board appearance, except for those set forth in this agreement. _____ (initial here)

I represent that I have completely and carefully read the terms of this agreement. _____ (initial here)

I acknowledge that the terms of this agreement are understood by me and I understand that I have the right to review the terms of this agreement with the counsel of my choosing. I fully understand the terms as outlined above and I voluntarily accept the terms for the purpose of agreeing to the modification of parole conditions and waiver of board appearance. _____ (initial here)

Signed: _____

Date: _____

Witness: _____

.....
(PAROLE BOARD USE ONLY)

Based on the attached admission, the Nevada Board of Parole Commissioners finds that:

_____ **Modification:** You have violated your condition(s) of parole as provided for in the attached Request for Modification of Conditions. Having considered the criminal record and the seriousness of the crime, the Board hereby orders **the modification as stated herein.**

_____ **Warrant:** A hearing is necessary. The Parole Board hereby requests that the Division prepare a **warrant** for Board signature. The admission will be considered null and void and will not be considered by the Board at a violation hearing.

_____ **Non-custodial hearing:** A hearing is necessary. The Parole Board hereby requests that the Division schedule a formal **non-custodial** violation hearing. The admission will be considered null and void and will not be considered by the Board at a violation hearing.

_____ **No Action:** No action should be taken at this time.

Signed: _____

Printed name: _____

Date: _____

NRS 213.152 Residential confinement of violator of parole: Authority of Board; confinement to residence, facility or institution of Department of Corrections; requirements; electronic supervision.

1. Except as otherwise provided in subsection 7, if a parolee violates a condition of his or her parole, the Board may order the parolee to a term of residential confinement in lieu of suspending his or her parole and returning the parolee to confinement. In making this determination, the Board shall consider the criminal record of the parolee and the seriousness of the crime committed.

2. In ordering the parolee to a term of residential confinement, the Board shall:

(a) Require:

(1) The parolee to be confined to his or her residence during the time the parolee is away from his or her employment, community service or other activity authorized by the Division; and

(2) Intensive supervision of the parolee, including, without limitation, unannounced visits to his or her residence or other locations where the parolee is expected to be in order to determine whether the parolee is complying with the terms of his or her confinement; or

(b) Require the parolee to be confined to a facility or institution of the Department of Corrections for a period not to exceed 6 months. The Department may select the facility or institution in which to place the parolee.

3. An electronic device approved by the Division may be used to supervise a parolee ordered to a term of residential confinement. The device may be capable of using the Global Positioning System, but must be minimally intrusive and limited in capability to recording or transmitting information concerning the location of the parolee, including, but not limited to, the transmission of still visual images which do not concern the activities of the parolee, and producing, upon request, reports or records of the parolee's presence near or within a crime scene or prohibited area or his or her departure from a specified geographic location. A device which is capable of recording or transmitting:

(a) Oral or wire communications or any auditory sound; or

(b) Information concerning the activities of the parolee,

↪ must not be used.

4. A parolee who is confined to a facility or institution of the Department of Corrections pursuant to paragraph (b) of subsection 2:

(a) May earn credits to reduce his or her sentence pursuant to [chapter 209](#) of NRS; and

(b) Shall not be deemed to be released on parole for purposes of [NRS 209.447](#) or [209.4475](#) during the period of that confinement.

5. The Board shall not order a parolee to a term of residential confinement unless the parolee agrees to the order.

6. A term of residential confinement may not be longer than the unexpired maximum term of the original sentence of the parolee.

7. The Board shall not order a parolee who is serving a sentence for committing a battery which constitutes domestic violence pursuant to [NRS 33.018](#) to a term of residential confinement unless the Board makes a finding that the parolee is not likely to pose a threat to the victim of the battery.

8. As used in this section:

(a) "Facility" has the meaning ascribed to it in [NRS 209.065](#).

(b) "Institution" has the meaning ascribed to it in [NRS 209.071](#).

(Added to NRS by [1987, 2232](#); A [1991, 58](#); [1993, 1529](#); [1995, 1261](#); [1997, 1817](#); [2001 Special Session, 139](#); [2007, 3183](#); [2009, 2511](#); [2015, 354](#))