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NEVADA BOARD OF PAROLE COMMISSIONERS

**MINUTES
of the meeting of the
BOARD OF PAROLE COMMISSIONERS**

March 04, 2014

The Board of Parole Commissioners held a public meeting on March 04, 2014 beginning at 3:00 pm at the following locations:

Conference room at the central office of the Board of Parole Commissioners, located at 1677 Old Hot Springs Road, Ste. A, Carson City, NV, video conference to Parole Board Office, 4000 S. Eastern Avenue, Ste. 130, Las Vegas, NV.

I. Open Meeting, Call to order, roll call 3:00 p.m.

The meeting was called to order by Chairman Bisbee. Present in Carson City were Chairman Bisbee, Commissioner Endel, Commissioner Corda, and Commissioner Jackson. Present in Las Vegas were Commissioner Keeler, Commissioner Silva, and Commissioner Gray.

Support staff in attendance:

Darla Foley, Executive Secretary

Members of the public present in Carson City included:

Ernie Richards, Sergeant, Division of Parole and Probation
Lori Story, Deputy Attorney General, Office of the Attorney General
Sheryl Foster, Deputy Director, Programs, Department of Corrections

Members of the public present in Las Vegas included:

Dr. Darcy Edwards, Quality Assurance Manager, Behavioral Services, Department of Corrections
Charles Combs, Lieutenant, Division of Parole and Probation

II. Public Comment. No action may be taken upon a matter raised under this item of the agenda 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.

Chairman Bisbee asked any member of the public that would like to make comments regarding anything other than the items listed on the agenda to come forward and limit their comments to 3 minutes. Chairman Bisbee reminded public that no action can be taken under this item.

Public comment – Carson City, NV

No public comment.

Public comment - Las Vegas

No public comment.

III. For possible action: Review/Approval of minutes from the December 17, 2013 Board meeting.

Motion: Correction to minutes of December 17, 2013 on Item 3 line 2 “on or before January 1st of each numbered year” should read “even numbered year”, motion to approve the minutes with the change.
Made: Commissioner Gray
Seconded by: Commissioner Silva
Votes in Favor: Gray, Silva, Keeler, Corda, Jackson, Endel, Bisbee
Votes Opposed: None

IV. For possible action: Presentation on proposed revised parole agreement and parole violation matrix.

The board was given a NIC grant whose purpose was to help the Board look at the parole agreement and parole violation process and come up with a matrix with decision recommendations. Commissioner Keeler led the group of volunteers in the south consisting of Department of Corrections and Parole and Probation who were tasked with developing a parole violation response matrix.. Commissioner Endel led the group of volunteers in the north consisting of the Department of Corrections and Parole and Probation who were tasked with revising the parole agreement.

Chairman Bisbee went over the different documents.

Document #1 Parole Agreement

Chairman Bisbee thanked everyone that worked on the parole agreement. Chairman Bisbee had a question about the necessity of the “date agreement” section located at the top of the form. Commissioner Endel, Commissioner Keeler, Lieutenant Colms and Sargent Richard felt it might not be needed. Deputy Story did not know of a reason for the date agreement except to indicate the date the agreement was completed and an inmate was off parole but was unsure. Chairman Bisbee made the suggestion to remove the date agreement.

Chairman Bisbee also had a concern about the last bullet point under directives. Commissioners Keeler and Endel explained it was at the request of front line officers. Chairman Bisbee had a question about the “not less than \$50” under the court ordered restitution and inquired if it was by statute. Lieutenant Colms with Parole and Probation explained that it wasn’t by statute, but by practice. Lieutenant suggested that the part be left blank and the board would assign a minimum amount. Chairman Bisbee suggested removing the “less than” portion so it would be consistent with the statute.

Chairman Bisbee requested a new form revision number.

Commissioner Endel discussed the changes in intoxicants. There will be a change with the special condition of “no drinking whatsoever” and “no drinking to excess”. With the new definition of excess defined as a .08 and above. Chairman Bisbee opened the floor to comments. Commissioner Keeler commented about the conditions on “no drinking whatsoever” and “no drinking to excess” and the confusion it caused. Chairman Bisbee talked about adding the projected and maximum expiration dates. Chairman Bisbee opened the floor to comments about the changes. Chairman Bisbee confirmed that she is requesting to remove the “date agreement completed” at the top of the parole agreement form; that under “restitution”, the line “no less than the amount of \$50.00” is removed; DO NOT remove the last bullet line of “You shall follow all the directives of your assigned parole officer”; To add a revision date to the form.

Motion: To pursue adopting the new standard parole agreement form with the noted revisions and submit it to the Attorney Generals office for review and legal test and propose the work sheet be adjusted to address alcohol use on a case by case basis as a special condition.

Made: Commissioner Keeler

Seconded by: Commissioner Corda

Votes in Favor: Gray, Silva, Keeler, Corda, Jackson, Endel, Bisbee

Votes Opposed: None

Chairman Bisbee refers to document #2 ‘Parole Violation Guideline and document

Document #2 Parole Violation Guideline

Document #3 Parole Board Violation Response Guideline Index.

Commissioner Keeler went over the purpose of the parole violation guideline. Commissioner Keeler went over the focus of the guideline and how it would work. He discussed the levels of severity and the relationship to public safety. He explained non-violent and violent/sex offender.

He discussed supervision level as determined by Parole and Probation. Commissioner Keeler gave multiple examples of how the matrix would be utilized. Commissioner Keeler explained that it was based on the new parole agreement not the current one. Commissioner Keeler gave the example of the charge of living off the earnings of a prostitute and how the matrix would be applied. Commissioner Keeler explained the deviation to the guidelines and response level. Commissioner Keeler explained the benefits of the guideline for parole and probation.

Commissioner Keeler opened it for discussion. Commissioner Silva explained that it is a guideline and not a deviation like in the parole hearing. Commissioner Silva explained that it is a guideline and gives the commissioners the ability to have options and do what is appropriate. Chairman Bisbee spoke about the value for the strategic planning for the future. Chairman Bisbee talked about being consistent with the law when it comes to stat time issue and it not being included. Chairman Bisbee spoke about the simplicity of the guideline and value of it. Commissioner Keeler added that the foundation came from a publication from the US Department of Justice. Commissioner Corda expressed his appreciation on the work that was done and asked if there was research done on how other states respond to parole violators. Commissioner Keeler responded by saying that it is all over the board due to how different

organizations are set up. Chairman Bisbee spoke about how complicated the process is within other boards.

Commissioner Corda spoke about how part of the reason for this is to eliminate the disproportionate responses within Parole Violations and if there was some concern about it with this Board. Commissioner Keeler didn't see it but noted some issues to go over and things to refine. Commissioner Keeler express that the guideline was about giving guidance and have written standards that an Officer could look at.

Commissioner Keeler noted issues with absconders and what would be considered an absconder and how to define them. Commissioner Corda said absconders should be evaluated on case by case basis. Commissioner Keeler noted that the Board has to determine that an individual is an absconder. Commissioner Corda noted that the Division can list the person as an absconder. Commissioner Keeler pointed out that just because the Division charged them doesn't mean that the Board will determine that. The Board has the option to better define what an absconder is.

Commissioner Corda asked how flexible the offender level is with regards to violent and non-violent. Corda gave an example. Keeler's response was if you have violence in your history you have violence in your history. That it takes more than just a violent history to get a maximum response.

Commissioner Corda had a question on the NDOC offense severity table to determine if an offense is violent or not. Commission Keeler explained the process. Commissioner Silva commented on the proportion or disproportionate responses.

Commissioner Jackson thanked Commissioner Keeler for his hard work and for the guideline to help establish some standards. Chairman Bisbee thinks it is a good thing to have the matrix and that it establishes a consistency. She thinks this is an excellent direction to go in.

Chairman Bisbee stated that the Board should first adopt it as a trial then revisit it and go forward and make any necessary changes. After the trial the Board can take an action to go forward and make it part of a regulation. Commissioner Keeler responded by saying one of the complicating factors is data collection. He said the data would be manually collected and his thought was to see the Board willing to test it and collect data for three months and revisit it for edit and changes and re-pilot it for another 3 months. Chairman Bisbee stated that NOTIS has a parole violation module and it maybe is something that can be used for data collection. Chairman Bisbee asked for a motion.

Motion:	To have a trial run of the Parole Board Violation Response Guideline Matrix for 3 months initially and after the 3 months meet again and proceed from there.
Made:	Commissioner Silva
Seconded by:	Commissioner Endel
Votes in Favor:	Gray, Silva, Keeler, Corda, Jackson, Endel, Bisbee
Votes Opposed:	None

Chairman Bisbee asked for names and positions of all involved to send letter of appreciation.

V. Public Comment. No action may be taken upon a matter raised under this item of the agenda 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.

VI. For possible action: The Board may act to adjourn the meeting.

Motion: To Adjourn
Made: Commissioner Keeler
Seconded by: Commissioner Silva
Votes in Favor: Gray, Silva, Keeler, Corda, Jackson, Endel, Bisbee
Votes Opposed: None

Meeting adjourned at 4:00 p.m.

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