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Carson City NV 89

09/08/2021

Parole Commissioners
1677 Old Hot Springs Rd Ste A
CC NV 89206

Re: Comment for 09/29/2021 Workshop
To Be Placed into the Record

Greetings:

Please consider the following comments and proposed Amendments:

1) The word "will" is the helping verb similar to shall; will this mandatoryness ascribed to "shall" in definitions section be applied to "will"?

2) NRS 213.10885 (1) ~~uses~~ uses word "standards" is this word synonymous with "factors" for the purpose of parole consideration?

3) NRS 213.10885 (1)(F) states that the standard created by regulation "must be based on objective criteria for determining probability of success on parole."

Has the Board researched, and established the "objective criteria" which would be the justifying cause to invoke any mitigating or aggravating

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factors listing under NAC 213.518 (2) + (3)?
If affirmed are these objective criteria published?

4. In practice DOC makes a parole report and includes a crime related risk assessment that is derived from the cumulative weighted score of measurement criteria; then the Board does its own predictive weighted risk assessment, the scores of which fluctuate in relation to actuarial studies that tabulate the recidivism rates of occurrence, such that 16 year olds recidivism rates are higher than 65 year olds, correct?

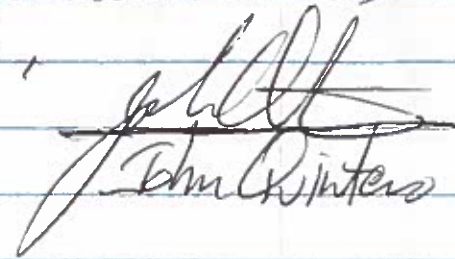
This question assumes facts not in evidence except by omission in the Regulation 213.518. Why does the Board deviate from the statutory command to be based on objective criteria by placing objective values on each factor listed under aggravating and mitigator in section (2) and (3) of 213.518?

Does not leaving these factors up to the CLINICAL JUDGMENT OF THE BOARD defeat the very purpose of the legislative mandate to use objective criteria to determine probability of success on parole?

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5. Based on anecdotal first hand experience the parole applicants are not given a copy of the Parole Board's additional risk assessment and guideline prior to the parole hearing. This official non-disclosure does not allow the inmate applicant any fair notice or opportunity to prepare for the hearing to improve his chances to be granted parole. Based on this what governmental interest exists that would outweigh the individual's fundamental right to notice of the assessment and opportunity to improve his chances at parole by addressing that report. Any concerning language could be redacted from text.

I wish to present formal requests to modify proposed language per NRS 233B.100 and these will be forthcoming due to current services interruptions due to lockdown COVID protocols. ~~Respectfully,~~ Respectfully,


John Winters

cc NV DAG 535 Wright Way CC

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