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NEVADA BOARD OF PAROLE COMMISSIONERS

MINUTES

**Meeting of the
Board of Parole Commissioners**

September 27, 2023

MINUTES APPROVED ON JANUARY 31, 2024

NOTE: The following minutes have not been approved and are subject to revision at the next meeting of the Board.

The Board of Parole Commissioners held a public meeting on September 27, 2023, beginning at 1:00 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, and video conference at the Parole Board Office, 4000 S. Eastern Avenue, Ste. 130, Las Vegas, NV.

I. Open Meeting, call to order, roll call 1:00 PM.

The meeting was called to order by Chairman DeRicco. Present in the Carson City office were Commissioner Jackson, Commissioner Baker, and Commissioner Weisenthal. Present in the Las Vegas office were Commissioner Christiansen, Commissioner Bailey, Commissioner Schmitt, and Chairman DeRicco.

Support staff in attendance:

- Alena Thurston, Administrative Assistant III
- Kelly Mellinger, Hearings Examiner II
- Mary Flores, Administrative Assistant III

Members of the public present in Carson City included:

None.

Members of the public present in Las Vegas included:

- Jaclyn Winter, District Court, MAT Court
- Samantha Gowette, District Court
- Adam Honey, Deputy Attorney General

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.

Public comment – Carson City, NV
No public comment.

Public comment – Las Vegas, NV
No public comment.

III. For possible action: Review/Approval of minutes from the July 20, 2023, Board meeting.

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| Motion: | Approve the minutes from the August 30, 2023, Board meeting as distributed. |
| Made: | Commissioner Bailey |
| Seconded By: | Commissioner Christiansen |
| Votes in Favor: | DeRicco, Jackson, Baker, Weisenthal, Christiansen, Bailey, Schmitt |
| Votes Opposed: | None |
| Results: | Motion passed |

IV. For discussion: Presentation by Samantha Gowette, Specialty Courts Specialist, Eighth Judicial Court. This presentation and discussion will encompass how this program works with parolees in the community by using court and parole supervision to ensure parolees receive appropriate mental health and substance abuse treatment as a part of their Re-entry program.

Chairman DeRicco opened this agenda item by stating that Samantha Gowette, Specialty Courts Specialist, 8th Judicial District Court, was present to speak with the Board about the Re-entry Court program which houses and treats community inmates and parolees. He proceeded to invite Ms. Gowette to begin her presentation.

Samantha Gowette began her presentation by stating that the MAT Re-Entry Court program has changed and evolved in the last several years. She stated that she has been with the Re-Entry Court and 8th Judicial Court since June 2022. She stated that prior to this job, she worked as a Clinical Supervisor with the Nevada Department of Corrections (NDOC), and she oversaw all the applications that were submitted to the MAT Re-Entry Court. She explained that she has seen both sides and has a unique perspective. Ms. Gowette stated that the court is overseen by Hearing Master Claudia Romney and under Chief Judge Wiese, and Jaclyn Winter is the Specialty Court Administrator.

Ms. Gowette stated that the purpose of MAT Re-Entry court is for successful reintegration and increasing public safety. She stated that the MAT Re-Entry court is a supervised treatment program that houses parolees and 184 participants. She explained that the program addresses substance use and mental health needs, and all participants are supervised continuously by specified Parole and Probation (P&P) officers. She stated that successful completion results in the individual having sustainability in the community.

Ms. Gowette continued by stating that the court provides a plethora of resources, including but not limited to, substance abuse counseling, housing for up to six months, case management services for every individual, and multiple levels of care. She stated that most importantly the court offers medication assisted treatment (MAT) for anyone who has an opioid use or alcohol use disorder. She stated there is a great cost reduction in housing an inmate as opposed to housing them in the court's

transitional housing program. She explained that it costs \$79.34 per day to house and inmate and \$63.00 per day for transitional housing that includes all-encompassing case management services. She also stated that participants have regular judicial oversight which provides additional accountability by having to come into court and check-in.

Ms. Gowette then proceeded to speak about MAT specifically. She stated that each participant is required to attend a MAT assessment. She stated that they do not have to be on MAT medication, but rather they must go to the Behavioral Health Group and do an assessment with the doctor. She continued that MAT has changed significantly by having a more comprehensive approach. This includes having dedicated P&P officers, working with community partners for free tattoo removal for formerly incarcerated individuals, gang affiliated individuals, and sex trafficked individuals, and by having contracted counsel for MAT participants.

Ms. Gowette then explained the eligibility criteria. She stated that an individual must have a minimum of 6 – 9 months supervision time once released, either on parole or through the 184 program. She also stated they must have an identified opioid use disorder or stimulant use disorder. She stated the program cannot accept offenders that have a sexual offense in their past or present, and that violent or trafficking offenders are staffed on a case-by-case basis. She stated that offenders must be moderate to high risk to reoffend to be eligible, and that low-risk offenders do not meet the eligibility requirements, per the Nevada Risk Assessment Tool (NRAS).

Ms. Gowette continued her presentation by speaking about the acceptance procedure for Re-Entry Court. She stated that she receives the application from Offender Management (OMD), reviews the application and staffs it with the rest of the team. She stated that an approval or denial letter is sent within two weeks. If approved, the application then gets sent to P&P for their review. She stated that once she receives approval from P&P (if they are a 184 participant), then it takes approximately one and a half to two weeks to receive a court order for release. She stated that the whole process takes approximately 30 – 45 days.

Ms. Gowette stated that the specialty court uses effective evidence-based interventions for criminal justice-involved individuals. She stated these include the NRAS, and the court aims to target the three primary criminogenic risk needs; antisocial personality patterns, antisocial attitudes, values and beliefs, and history of antisocial behavior. She stated that they recently implemented the Texas Christian University (TCU) criminogenic thinking tool which assesses the participants antisocial personality patterns. She stated each participant is assessed and the results are given to their treatment provider. She continued that they focus on substance use and they try to target each person's dosage of treatment needed per their risk assessment. She stated that they recently implemented effective curriculum, including gender responsive curriculum. She stated they offer Healthy Steps to Freedom which is required for all female participants and Moral Reconciliation Therapy (MRT) which is required for all participants.

Ms. Gowette stated that approximately one year ago, the court introduced phases which are outlined based on best practices and the eight principles of criminogenic risk and needs. She explained that each phase has a series of tasks that helps remove barriers that most justice involved individuals face when reintegrating. She stated an individual cannot 'phase up' until they have completed the series of tasks. She continued that these tasks include obtaining vital documents, stable employment, stable housing, obtaining prosocial engagement with the community, and maintaining abstinence. The tasks focus on

distal and proximal goals. She stated that participants cannot complete the program until all four phases are complete.

Ms. Gowette then gave some statistics about the program. She stated that since inception in 2018, Re-Entry court has served 284 participants. As of September 1, 2023, there are 70 active participants with one suspended who was remanded back to the Nevada Department of Corrections (NDOC). Of these participants, 100% receive substance use and/or mental health counseling, have access to case management services, and submit to random urinalysis. She continued that 77% of participants are employed, 3% have job apprenticeship, 3% are enrolled in college or job training programs, 1% receives disability benefits, and 16% are unemployed. She continued that 41% are in supportive housing provided through the court and 58% are in independent living or self-pay. She stated that of the 204 discharges the program has had, 128 have been successful completions and 76 have been unsuccessful terminations. She concluded that they currently have a 63% success rate which is huge for these types of programs. She then turned the presentation over to Jaclyn Winter.

Jaclyn Winter, Specialty Court Administrator, introduced herself and stated that she oversees the funding for MAT Re-Entry Court and oversees the grants for the various programs. She stated that currently, MAT Re-Entry has been given an allotment of \$900,000 to facilitate the program for fiscal year 2024. She stated these funds fund the staff, partner community agencies that they contract with to provide treatment, housing, drug testing, or other ancillary services that the participant may need. She stated this amount is less than what the program was awarded last year. Last year the program was awarded \$931,624.78 and an additional \$169,229.27, totaling \$1,100,854.05. This allowed the program to serve 142 participants with 33 participants pending. She stated that the decrease in funds means that they may have to transition participants to self-pay housing quicker or find other options.

Ms. Winter stated that specialty courts work, and that treatment is what most people need. She stated that according to the National Association for Drug Court Professionals that if a person is connected to treatment, they are 70% more likely to sustain and not recidivate. She states that the program is focused on treatment and all participants must be in treatment for the entirety of the program. She stated they also allow and accommodate for spouses and family members to participate in treatment.

Ms. Gowette concluded the presentation by sharing quotes from past MAT Re-Entry Court participants.

Chairman DeRicco asked if an inmate was on the 184 program and in the community, why they would need 6 – 9 months of supervision remaining. Ms. Gowette explained that the time indicated is total supervised time, whether they are a 184 inmate or on parole supervision.

Chairman DeRicco asked if this program was for probationary cases as well or if there were different specialty courts for probation. Ms. Gowette affirmed that there are different specialty court programs for probation.

Chairman DeRicco asked if through her discussions with Chris Franklin at the NDOC, they had discussed incorporating whether an inmate has been screened and accepted into Re-Entry Court on the Parole Board Report. He stated this would be helpful information for the Board to have when they are determining whether to grant or deny parole. Ms. Gowette stated that she believed that when an inmate was paroling to Re-Entry Court, that would be listed as their primary release plan on their board report. She stated that for 184 inmates, she thought they used to include that information but did not know if that was still included. Chairman DeRicco confirmed that there was a time that he remembered seeing it

but then asked the other commissioners if they currently see MAT as a parole plan. The commissioners responded that they do not recall seeing that information. Commissioner Baker stated that she recalled seeing in the narrative portion of the board report an offender stating that he was in the MAT program. She stated with this information the Board can set a condition that an offender must remain in the program until completion.

Chairman DeRicco stated that he recalled a time that the information was included but seems that it has not been included recently. He stated this information is helpful to the Board and requested that Ms. Gowette pass this along to the NDOC and urge them to include it on the board report.

Ms. Gowette stated that she had seen an increase in parole denials for 184 participants and she was wondering if part of the reason was that an offender's Re-Entry Court involvement was not being included on the board report. She stated she will be in contact with P&P and OMD to ensure that this information be included.

Chairman DeRicco stated that this would be one piece that the Board considers when making their decision, and that there will be parole denials. Ms. Gowette understood.

Commissioner Baker stated that at last month's Board meeting, Chris Franklin with the NDOC stated that inmates were not provided MAT in the institution. She asked if an inmate had been without medication assisted treatment, if there was a benefit to them going on medication assisted treatment once they get into this program. Ms. Gowette stated that typically this is up to the participant and their doctor. She stated that they will look at getting the participant onto Vivitrol, a non-narcotic treatment. She continued that if they were to get on Suboxone or Methadone, that would be determined by the participant and their doctor.

Commissioner Bailey asked how long the program is. Ms. Gowette stated that the program is designed to be six months long. Ms. Winter stated that if a participant is struggling, they will not discharge them at six months, and the court can extend the program and work with each participant individually on their needs. She stated that some participants may be in the program for over a year. She stated this occurs when an individual may be self-paying for treatment and has not hit all the milestones to feel comfortable leaving the program. Commissioner Bailey asked if the whole program was self-pay and requested clarification. Ms. Winter stated that the program is grant funded and is paid for six months. She stated once a participant is employed and wants to transition out of the grant-funded housing, then they become a self-pay participant. Ms. Gowette stated that most participants transition out of grant-funded housing within 90 days to four months, and that the participant's insurance will cover treatment. She stated if their insurance does not cover treatment, the court will pay for their treatment for the entirety of their program. She gave the example that if a 184-program participant has two years until their parole eligibility date, they remain in the program for the entirety of those two years. She stated they would not graduate them from the program until they have been granted their parole.

Commissioner Bailey asked what are some reasons that a participant does not complete the program. Ms. Gowette stated there are numerous reasons. She said that a participant will abscond from the program or have excessive non-compliance. She continued that they use progressive disciplinary actions and progressive sanctioning. She stated their last resort is to send a participant back to prison.

Commissioner Christiansen stated that the Board conducts hearings based on a timeframe. He stated that mandatory parole hearings are conducted when an offender will have approximately six months left on their sentence. He asked if Ms. Gowette saw any problems with mandatory parole and whether a person

would not have time to complete the program. Ms. Gowette stated they do not get very many parolees into the program and if they do, they are coming out on a discretionary parole date.

Commissioner Christiansen asked why the program was not incorporated into the pre-trial phase of the criminal justice system. He stated that he thought it would behoove the defendant to enter the program before they went to court to present themselves before the judge and show that they were in compliance with a program. Ms. Winter stated that they run 14 other specialty courts along with MAT Re-Entry. She stated they run adult drug court, a transitional age program (drug court for 18 – 26-year-olds), the diversion program, veteran’s court, mental health court, and family court. She stated they do try to offer many different types of services. She stated this is a unique court specifically for people re-entering the community.

Chairman DeRicco thanked Ms. Gowette and Ms. Winter for the presentation and information and stated that this information is helpful for the Board.

- 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.

Public comment – Carson City, NV
No public comment.

Public comment – Las Vegas, NV
No public comment.

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

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| Motion: | To adjourn the September 27, 2023, meeting of the Nevada Board of Parole Commissioners. |
| Made: | Commissioner Schmitt |
| Seconded By: | Commissioner Bailey |
| Votes in Favor: | DeRicco, Jackson, Weisenthal, Baker, Christiansen, Bailey, Schmitt |
| Votes Opposed: | None |
| Results: | Motion passed |