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NEVADA BOARD OF PAROLE COMMISSIONERS

January 11, 2012

To: Lorne Malkiewich, Director, Legislative Counsel Bureau

From: Connie S. Bisbee, Chairman

RE: Parole Board Quarterly Report of Actions January 1, 2011 through March 31, 2011.

Please find attached the Quarterly Report of Parole Board Actions for the period January 1, 2011 through March 31, 2011. This report is prepared in accordance with NRS 213.10887: "Board to compile, maintain, organize and tabulate information concerning decisions regarding parole."

This report is organized by sections as follows:

- Section 1: Summary of all parole decisions during the reporting period. Parole actions are categorized by discretionary parole decisions, mandatory parole decisions (MPR), and parole violation decisions.
- Section 2: Summary of parole actions based on the parole guideline recommendation.
- Section 3: Summary of parole actions that deviate from the guideline recommendation.
- Section 4: Summary of parole actions by offense group.
- Section 5: Summary of the reasons for parole actions, including reasons for deviating from the parole guideline recommendation. Reasons for actions on individual cases are on file at the Carson City Office of the Parole Board and are available upon request.

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Section 1. Summary of all parole decisions during the reporting period

Parole actions are categorized by discretionary parole decisions, mandatory parole decisions (MPR), and parole violation decisions. Hearings that resulted in 'No Action' being taken, and hearings resulting in the rescission of a parole as a result of ineligibility, are also displayed in the following table.

Quarterly Totals

	Male	Female	Total
Discretionary Parole Hearings	1168	170	1338
Discretionary Granted	698	132	830
Discretionary Denied	470	38	508
MPR Hearings	427	27	454
MPR Granted	277	22	299
MPR Denied	150	5	155
Disc Rev Hearings	194	25	219
Disc Reinstated	50	6	56
Disc Revoked	144	19	163
MPR Revo Hearings	4	0	4
MPR Reinstated	0	0	0
MPR Revoked	4	0	4
Total Decisions	1793	222	2015
Total Favorable Action	1025	160	1185
Total Denials	768	62	830
Hearings with No Action	111	8	119
Rescissions (not eligible)	8	3	11

Percentage of Action by Gender

Percent of Action by Gender	Male	Female	Total
Percent of Discretionary Parole Granted	60%	78%	62%
Percent of Mandatory Parole Granted	65%	81%	66%
Total Discretionary/MPR Grant Rate	61%	78%	63%

Section 2: Statistics of parole actions based on the parole guideline recommendation

The following charts represent discretionary and mandatory parole actions based on the discretionary parole guideline. The MPR actions appear as reference only. The guideline for consideration for release under NRS 213.1215 (Mandatory Parole) is whether there is a reasonable probability that the prisoner would be a danger to public safety. When an inmate being considered for release under Mandatory Parole is denied, the underlying reason is the determination that there is a reasonable probability that the prisoner would be a danger to public safety if released on parole.

Discretionary Parole Actions by Guideline Recommendation			
	Granted	Denied	% Granted
Parole at Initial	157	12	93%
Parole at 1st or 2nd Hearing	404	89	82%
Consider Factors	260	235	53%
Deny Parole	9	169	5%

	Granted	Denied	% Granted
Parole at Initial	23	3	88%
Parole at 1st or 2nd Hearing	124	26	83%
Consider Factors	123	46	73%
Deny Parole	29	78	27%

Section 3: Summary of parole actions that deviated from the discretionary parole guideline

The following represents the number of inmates who were denied parole when the guideline recommended parole should be granted (denials when the guideline recommends parole be granted at 1st or 2nd hearing would become a deviation when parole is denied at the 2nd hearing):

# of Actions to Deny Parole that Deviated:	12
Total Number of Denials:	508
Percent of Deviation:	2.4%

The following represents the number of inmates who were granted parole when the guideline recommended parole should be denied:

# of Actions to Grant Parole that Deviated:	8
Total Number of Grants:	830
Percent of Deviation:	1.0%

Section 4: Summary of parole actions by offense group

The following charts represent parole actions by offense group as defined by the Department of Corrections. Offenses appearing in the "Sex" category include offenses such as "Prostitution with HIV," "Pandering" and "Failure to Register as a Sex Offender." Offenses that involved violence during the commission of the offense, but with an actual conviction title that would not by itself appear to be violent will not appear in the "Violence" offense group (i.e., a Burglary conviction that included striking a resident would appear in the "Property" offense group). Offenses appearing in the "Other" offense group includes offenses that can not be readily categorized into one of the other offense groups (i.e., Habitual Criminals, gaming related offenses and Victim Over 65 Enhancement which could be a property or violent offense).

	Sex	Violence	Drug	Property	DUI	Other	Total
Discretionary Parole	134	395	262	416	58	73	1338
Discretionary Parole Granted	57	174	212	299	42	46	830
Percent Favorable	43%	44%	81%	72%	72%	63%	62%
MPR Hearings	34	187	51	116	31	35	454
MPR Granted	14	112	42	81	24	26	299
Percent Favorable	41%	60%	82%	70%	77%	74%	66%
Total Parole Hearings	168	582	313	532	89	108	1792
Total Parole Grants	71	286	254	380	66	72	1129
Percent Favorable	42%	49%	81%	71%	74%	67%	63%
PV Hearings	9	34	51	100	4	25	223
PV's Reinstated	3	8	10	26	0	9	56
Percent Favorable	33%	24%	20%	26%	0%	36%	25%
Total	177	616	364	632	93	133	2015
Total Favorable	74	294	264	406	66	81	1185
Percent Favorable	42%	48%	73%	64%	71%	61%	59%

Section 5: Reasons for each parole action

The following provides a summary of the reasons for each decision to grant, deny, continue or revoke parole, including reasons for deviating from the parole guideline recommendation.

When acting to grant or deny parole, more than one reason may be selected. Reasons for each specific case are available upon request in the Carson City office of the Board of Parole Commissioners.

When the "Other" reason is selected, written comments are manually entered. Those comments are also available upon request at the Carson City office of the Parole Board.

Reasons for Denying Mandatory Parole Release (NRS 213.1215)

Frequency	Reason
89	The parole guidelines indicate the prisoner is a high risk to re-offend.
19	The prisoner was evaluated in accordance with NRS 213.1214 (psych panel) and was determined to be a high risk to re-offend.
10	The prisoner has made statements indicating he/she will refuse to comply with the terms and conditions of parole
34	The prisoner has a history of convictions for violent crimes.
3	The prisoner has engaged in violent behavior while incarcerated.
5	The prisoner has been convicted of multiple felony offenses of driving under the influence of intoxicating liquor or a controlled substance.
6	The prisoner has previously committed crimes while on community supervision.
4	The criminal conduct of the prisoner has increased in severity over time.
5	The prisoner has demonstrated an attitude or behavior which indicates that the prisoner favors a criminal lifestyle (i.e., gang activities, planning escapes or other criminal activity, etc)
13	Other:
188	Total

Reasons for Denying Discretionary Parole Release

Frequency	Reason
194	Prior prison term did not deter future criminal activity.
29	Prior conviction for a sexual offense.
183	Prior conviction for a violent offense.
142	Repetitive criminal conduct.
117	Significant prior criminal history.
36	Disruptive institutional behavior, or poor disciplinary record.
33	The prisoner was evaluated in accordance with NRS 213.1214 (psych panel) and was determined to be a high risk to re-offend.
29	Multiple prior parole/probation revocations.
98	Nature of criminal record is increasingly more serious.
55	Crime was targeted against a child or person at greater vulnerability because of age/disability.
212	Impact on victim(s) and/or community.
4	The extreme or abnormal aspects of the crime.
5	Inmate has indicated an unwillingness to comply with the terms of parole.
186	Risk factors indicate the inmate is a high risk to commit a new felony.
1	Refusal to participate in a treatment program.
7	Removal from community supervision program.
117	Parole Guideline recommends parole denial and other factors do not indicate the Board should deviate from the guideline.
3	Other:
11	Inmate refused to participate in the hearing process.
15	Inmate does not want parole, and requested to expire sentence.
24	Inmate was convicted of a new felony while serving a prior period of community supervision.
1,501	Total

Reasons for Granting Discretionary Parole Release

Frequency	Reason
528	The parole guideline recommends that parole be granted, and there are no serious reasons to deviate from the guideline recommendation.
149	The inmate has no prior or minimal criminal conviction history.
93	The inmate has a positive institutional record.
219	The inmate has participated in programs specific to addressing behavior that led to incarceration.
24	The inmate has adjusted in a positive manner to a work release program or other assignment as community trustee.
84	The inmate has successfully completed a prior period of parole or probation.
246	The inmate has stable release plans.
136	There is a detainer lodged by other jurisdiction.
111	The inmate must serve a consecutive sentence.
49	Case factors suggest parole may be appropriate at this time.
378	There is community and/or family support.
6	Other:
2,023	Total

Reasons for Denying Parole when the Guideline Suggest Parole Should Be Granted

Frequency	Reason
8	Prior prison term did not deter future criminal activity.
1	Prior conviction for a sexual offense.
6	Prior conviction for a violent offense.
5	Repetitive criminal conduct.
6	Significant prior criminal history.
3	Multiple prior parole/probation revocations.
1	Crime was targeted against a child or person at greater vulnerability because of age/disability.
1	Impact on victim(s) and/or community.
1	Inmate has indicated an unwillingness to comply with the terms of parole.
2	Other:
1	Inmate refused to participate in the hearing process.
2	Inmate requested to expire sentence.
37	Total

Reasons for Taking No Action

4	Inmate was moved after hearing date was set. Will be rescheduled upon publication of new eligibility list.
11	Inmate not eligible due to new felony conviction. Inmate will be re-scheduled when eligible.
14	Inmate was not available at the time of the hearing.
3	No action taken due to lack of information needed to make a recommendation.
2	The inmate has been convicted of an offense listed in NRS 213.1214(8), or has a current/past conviction for an offense listed in NRS 213.1214(11)(c). The Parole Board has requested that an evaluation be conducted in accordance with NRS the Board is in receipt of the evaluation. 213.1214. A parole hearing will be re-scheduled and conducted once.
1	Prior action to deny parole.
2	Prior action to grant parole.
5	Inmate not eligible due to change or correction in sentence structure or credits earned/lost per NDOC Records.
37	The inmate is pending new criminal charges. Will be rescheduled once the new charges have been adjudicated.
6	The attorney appointed to represent the inmate during parole revocation proceedings was not present at the scheduled time.
15	Inmate not given proper notice of the hearing.
3	Inmate not eligible for parole for reasons other than new sentence or credit adjustment
1	Inmate expired prior to eligibility.
19	Inmate or inmate's counsel requested a continuance
2	Inmate needs to be considered by three commissioners, and three were not available at the hearing.
5	Hearing continued until a psychological panel is conducted in accordance with NRS 213.1214.
2	Inmate expired after being scheduled, but before the hearing took place.
4	Other:
136	Total

***Reasons for Granting Discretionary Parole Release when the
Guideline Recommends Denial***

Frequency	Reason
3	The inmate has no prior or a minimal criminal conviction history.
1	The inmate has been infraction free for two years or more to hearing month.
2	The inmate has participated in programs specific to addressing the behavior that led to incarceration.
5	Community and/or family support
3	Stable release plans.
1	Pending CS sentence or detainer
1	The case history demonstrates remorse on the part of the inmate.
3	Other Factors:
19	Total

Reasons for Revoking and Reinstating Parole are on file at the Carson City office of the Board of Parole Commissioners

cc: Mark Teska, Department of Public Safety
Julie Strandberg, Department of Administration