

Red = Remove

Green = Suggested changes/corrections/additions

Blue = Katie's review/suggestions

MANDATORY PAROLE RELEASE (NRS 213.1215):

1. The Board does not determine who is eligible for a mandatory release hearing (MPR) but will take the appropriate action based on the eligibility list and other information provided each month by the NDOC.

2. ~~Prisoners~~ ~~Inmates~~ with sentences of three or more years, excluding life sentences, are subject to MPR consideration which mandates the release of the ~~prisoner inmate~~ unless they ~~meet the following criteria:~~

- a. Have a consecutive Nevada sentence,
- b. ~~Have been revoked on the sentence that is currently being served.~~ Have been released on parole previously for that sentence,
- c. ~~Are~~ Is considered by the Board to be a danger to public safety while on parole. ~~if released on parole.~~

3. As is the case with discretionary parole grants, MPR grants to ~~prisoners inmates~~ with active holds can only be to the hold.

4. ~~In determining whether to release an prisoner inmate on parole pursuant to NRS 213.1099 (discretionary), the Board shall not consider whether the prisoner inmate will soon be eligible for release pursuant to NRS 213.1215 (mandatory).~~

5. If an ~~prisoner inmate~~ is eligible for release under MPR within 150 days of the date of the hearing, the ~~prisoner inmate~~ shall be considered for release under MPR. ~~However, if~~ If the panel determines that release under MPR may be appropriate, the panel may recommend an earlier release under discretionary parole, if appropriate.

6. In accordance with NRS 213.1215(2), if an ~~prisoner inmate~~ serving a sentence of life with the possibility of parole was under the age of 16 when the crime was committed, the Board must grant parole if the ~~prisoner inmate~~ has a consecutive sentence to be served.

7. In accordance with NRS 213.1215(2), if an inmate serving a sentence of life with the possibility of parole was under the age of 16 when the crime was committed, the Board must grant parole to the community if the prisoner:

- a. Has served the minimum term imposed by the judge,
- b. Has completed a program of general education or an industrial or vocational program,

- c. Has not been identified by the NDOC as a member of a security threat group, and
- d. Has not committed a major disciplinary or has been housed in Disciplinary Segregation within the last 24 months.

However, if a prisoner who meets the criteria set forth in subsection 2 is determined to be a high risk to reoffend in a sexual manner pursuant to [NRS 213.1214](#), the Board is not required to release the prisoner on parole pursuant to this section. If the prisoner is not granted parole, a rehearing date must be scheduled pursuant to [NRS 213.142](#).

8. If a prisoner who meets the eligibility criteria for consideration of parole set forth in NRS 213.1215(2) does not meet the mandatory release criteria for mandatory parole in accordance with NRS 213.1215(3), the Board may grant release under discretionary parole or deny parole. If a prisoner is denied parole, the Board must state its reasons for denial in writing.

9. If a prisoner meets the requirements for MPR, and there are no victims requiring notification, the Board may grant parole to the prisoner without a meeting. (Note: Updated in last session and highlighted below in statute.)

NRS 213.1215 Mandatory release of certain prisoners; exceptions. [Effective July 1, 2020.]

1. Except as otherwise provided in this section and in cases where a consecutive sentence is still to be served, if a prisoner sentenced to imprisonment for a term of 3 years or more:

- (a) Has not been released on parole previously for that sentence; and
- (b) Is not otherwise ineligible for parole,

↳ the prisoner must be released on parole 12 months before the end of his or her maximum term or maximum aggregate term, as applicable, as reduced by any credits the prisoner has earned to reduce his or her sentence pursuant to [chapter 209](#) of NRS.

2. Except as otherwise provided in this section, a prisoner who was sentenced to life imprisonment with the possibility of parole and who was less than 16 years of age at the time that the prisoner committed the offense for which the prisoner was imprisoned must, if the prisoner still has a consecutive sentence to be served, be granted parole from his or her current term of imprisonment to his or her subsequent term of imprisonment or must, if the prisoner does not still have a consecutive sentence to be served, be released on parole, if:

- (a) The prisoner has served the minimum term or the minimum aggregate term of imprisonment imposed by the court, as applicable;
- (b) The prisoner has completed a program of general education or an industrial or vocational training program;
- (c) The prisoner has not been identified as a member of a group that poses a security threat pursuant to the procedures for identifying security threats established by the Department of Corrections; and
- (d) The prisoner has not, within the immediately preceding 24 months:
 - (1) Committed a major violation of the regulations of the Department of Corrections; or
 - (2) Been housed in disciplinary segregation.

3. If a prisoner who meets the criteria set forth in subsection 2 is determined to be a high risk to reoffend in a sexual manner pursuant to [NRS 213.1214](#), the Board is not required to release the prisoner on parole pursuant to this section. If the prisoner is not granted parole, a rehearing date must be scheduled pursuant to [NRS 213.142](#).

4. The Board shall prescribe any conditions necessary for the orderly conduct of the parolee upon his or her release.

5. Each parolee so released must be supervised closely by the Division, in accordance with the plan for supervision developed by the Chief pursuant to [NRS 213.122](#).

6. If a prisoner meets the criteria set forth in subsection 1 and there are no current requests for notification of hearings made in accordance with subsection 4 of [NRS 213.131](#) or, if the Board is not required to provide notification of hearings pursuant to [NRS 213.10915](#), the Board has not been notified by the automated victim notification system that a victim of the prisoner has registered with the system to receive notification of hearings, the Board may grant parole to the prisoner without a meeting. If the Board finds that there is a reasonable probability that a prisoner considered for release on parole pursuant to subsection 1 will be a danger to public safety while on parole, the Board may require the prisoner to serve the balance of his or her sentence and not grant the parole. If, pursuant to this subsection, the Board does not grant the parole provided for in subsection 1, the Board shall provide to the prisoner a written statement of its reasons for denying parole.

7. If the Board finds that there is a reasonable probability that a prisoner considered for release on parole pursuant to subsection 2 will be a danger to public safety while on parole, the Board is not required to grant the parole and shall schedule a rehearing pursuant to [NRS 213.142](#). Except as otherwise provided in subsection 3 of [NRS 213.1519](#), if a prisoner is not granted parole pursuant to this subsection, the criteria set forth in subsection 2 must be applied at each subsequent hearing until the prisoner is granted parole or expires his or her sentence. If, pursuant to this subsection, the Board does not grant the parole provided for in subsection 2, the Board shall provide to the prisoner a written statement of its reasons for denying parole, along with specific recommendations of the Board, if any, to improve the possibility of granting parole the next time the prisoner may be considered for parole.

8. If the prisoner is the subject of a lawful request from another law enforcement agency that the prisoner be held or detained for release to that agency, the prisoner must not be released on parole, but released to that agency.

9. If the Division has not completed its establishment of a program for the prisoner's activities during his or her parole pursuant to this section, the prisoner must be released on parole as soon as practicable after the prisoner's program is established.

10. For the purposes of this section, the determination of the 12-month period before the end of a prisoner's term must be calculated without consideration of any credits the prisoner may have earned to reduce his or her sentence had the prisoner not been paroled.

(Added to NRS by [1987, 945](#); A [1991, 702](#); [1993, 1526](#); [1995, 1260](#); [2007, 3183](#); [2009, 1547](#); [2013, 231](#); [2019, 4453](#), effective July 1, 2020)