

## INSTITUTIONAL PAROLE REVOCATION HEARINGS:

1. **Inmates Prisoners** who are serving institutional paroles remain subject to the jurisdiction of the Board. Major violations of **Administrative Regulation 707 (AR707)**; and Inmate Disciplinary **Process Procedure**, may result in an institutional parole revocation hearing.
2. The **Nevada Department of Corrections (NDOC)** will coordinate with **the Division of Parole and Probation (Division) P&P** to secure the proper documents needed to begin the revocation hearing process and schedule a **Review Previous Order (RPO)** hearing with the assistance of **the Division P&P** or the Parole Board's Executive Secretary.
3. The Board operates under the Attorney General's **Opinion opinion (AGO) 82-17** stating that no preliminary hearing is required when the parole violator is **not already** in custody ~~solely pending revocation hearing proceedings~~. **The AGO provides that "a preliminary inquiry is not required if a parolee/probationer is not arrested or detained on a parole/probation violation. Due process requires that an informal preliminary inquiry be conducted to determine whether probable cause exists to justify the loss of liberty occasioned by arrest or detention of an alleged parole/probation violator pending final revocation proceedings. Where no liberty is lost, a preliminary inquiry as to probable cause to 'hold' is not required."** 1982 Nev. Op. Att'y Gen. 64 (1982). ~~An offender that has been granted parole to a consecutive sentence is not being deprived of their liberty because of parole violation charges, therefore, no preliminary inquiry hearing is required.~~
4. The results of a **NDOC** disciplinary hearing has the same result ~~of~~ **as** a judgment of conviction in that the **inmate prisoner** had the opportunity to confront and cross examine adverse witnesses and **present** testimony ~~at the disciplinary hearing~~. **At the RPO hearing, the** ~~The inmate prisoner~~ may not present or confront witnesses or offer evidence to re-litigate ~~the parolees~~ **the parolees** guilt or innocence regarding the guilty finding at the **NDOC** disciplinary hearing. The **inmate offender** may, however, offer testimony or documents which may mitigate against revocation or **may affect** the duration of the revocation.