

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)

NRS 213.142 Rehearing to be scheduled if parole denied.

1. Upon denying the parole of a prisoner, the Board shall schedule a rehearing. The date on which the rehearing is to be held is within the discretion of the Board, but, except as otherwise provided in subsection 2, the elapsed time between hearings must not exceed 3 years.

2. If the prisoner who is being considered for parole has more than 10 years remaining on the term of his or her sentence, not including any credits which may be allowed against his or her sentence, when the Board denies his or her parole, the elapsed time between hearings must not exceed 5 years.

(Added to NRS by [1973, 190](#); A [1995, 1360](#); [1999, 134](#))