

22 April 2022

TO: Nevada Board of Parole Commissioners

From: Paul G. Corrado, 4100 Meadow Wood Road, Carson City, NV 89703

RE: Meeting of the Board April 27, 2022 Public Comment

Dear Members of the Board,

Whereas your "Operation of the Board" document, has had no input from the very people whose lives are directly affected by your actions, is it always necessary to have the Legislature direct your every move and action? From your Item IV on the agenda, on this agenda of April 27, 2022 and previously agendas, the answer would clearly be a resounding, "NO"!

*"The Board will discuss and may take action to update, modify or approve the 'Operation of the Board' document that outlines the procedural functioning of the Board. This document may be updated and modified in the future as needed."*

Again, I believe it is not necessary to go to the Legislature for statutory authority to institute the following:

1. Provide an inmate a plainly written guideline as to what to expect at his/her Parole hearing, and suggestions on how to prepare for it. See attached as an example.
2. Have inmate representatives review all changes you propose to the Operation of the Board document. How this is fairly and impartially organized would be left up to you in conjunction with inmate reps and Correctional staff representatives.
3. Keeping in mind the goals and objectives of the practice of parole, where are these articulated for inmates and their families to know and understand? Have the inmates state how their release will fulfill these clearly identified goals and objectives? Make sure the Parole Officer has a copy of this statement.

Please amend your document to facilitate not only the operation of the Board, but to include implementation of the issues elucidated above.

Very truly yours,



Paul G. Corrado

# Nevada Parole: Your Next Job Interview

**Preface** The Nevada Parole Board is made up of a seven members. A parole board hearing is generally attended by 2 or 3 members of the board who recommend to the other board members if a person should be paroled. There is a considerable amount of research that is done by Parole Board staff prior to the hearing. Primary among the information developed is a risk assessment. There is also research associated with prior arrests, including those as a juvenile, if any.

The following is an impression of the process by a volunteer. It was review for accuracy by two of the Parole Board members, and changed to reflect their corrections.

## Nevada Parole Board Meeting Notes

**Background.** The Nevada Parole Board meetings are open to the public. The reason for the visit was requested by the two Commissioners in attendance at the hearing. The reason given was to assist inmates with preparation for their parole hearing. These observations are considered typical, since all nine parole hearings that afternoon were similar in format and administration. These notes are not to be considered complete and representative of all issues that can be raised, they are meant to help the process and ultimately the inmate to keep from returning to prison.

**Process.** Two hearing Commissioners or a Commissioner and a Hearing Representative are in attendance in matters other than the most serious crimes, like murder. For those crimes, three Commissioner are in attendance. The Commissioner(s) in attendance make recommendations to the full Board, which in turn makes the final ruling on the case. The hearings are conducted via closed circuit TV, with Commissioner(s) in attendance in Parole Board Offices, located in Carson City and Las Vegas, with the inmates in attendance from their individual institutions. There are a total of 7 Commissioners including the Chair, 3 in Las Vegas, and 4 in Carson City. (Please see Attachment 1)

**Meeting.** Inmates are greeted, and asked to verify their signature on a document that was presented to the Board, namely, the Notice of Hearing. It states the date and time of the hearing, and lists certain rights the offender has in regards to the scheduled hearing. A risk assessment, an instrument that chronicles their arrest record and convictions, with a score is also part of the information given to the Parole Commissioners. (See Attachments 2 & #) This document includes crimes committed prior to an inmate's 18<sup>th</sup> birthday. One inmate acknowledged that he was first arrested when he was 13 years old. The Commissioners go over the issues identified on the Risk Assessment and ask questions related to it. This is a critically important document. The Commissioners will go over it with the inmate to validate its accuracy. Listen carefully and make sure it is accurate. For most hearings, the inmate is then asked if they wish to make an opening statement. (See Attachment 4)

**Opportunity.** This is critical. Your opening statement is an opportunity, in a succinct and summary manner, to make your case, acknowledge past mistakes, identify what you learned from them, how you have taken advantage of educational/personnel

development opportunities afforded you during your incarceration, without write-ups, if possible.

Also, refer the Hearing Officials to documents in your packet that:

- Identifies your life goals and the objectives needed to attain them,
- Presents them with a work resume, identifying your talents, skills and abilities
- Contains a step-by-step plan of what you intend to do upon leaving the institution. This later plan can be developed using the "who, what, when, where, why" approach to your intentions upon release, as well as checklists from the NDOC and/or the US Bureau of Prisons.

**Caution.** Make sure you have kept your write-ups to an absolute minimum, none would be the target. It is up to you to make sure all of the previously identified documents are part of the packet of information given to the Parole Board.

**Questions and Issues.** The Commissioners will then ask you questions associated with your record and how you intend to conduct yourself in the future. Questions could include, "Why did you commit the offense?" Responses would best be thought out, accurate, and having had time to consider them and their consequences to others, and " I am truly sorry for what I have put my victim through, and I acknowledge their long suffering and lingering effects." Gang affiliation will be brought up, together with your employment record in the year prior to your crime(s). Anger management, victim empathy, how you intend to break the cycle of incarceration, if there is one, how you intend succeed when you leave, and how you will keep away from bad company. The Commissioners may point out that if you have a number of felony convictions on your record, if there is a next felony, the judge could target you as a habitual offender, with significant and dire consequences.

You will be graded on the risk assessment with a point system, work hard at the time it is prepared to keep the score as low as possible. After the hearing, deliberation by the Board is confidential, so important information was left out of what can be reported herein.

**Opportunity.** Suffice to say, before the hearing ended, the inmate was given another opportunity to make a statement. This opportunity should NOT be missed. Have a statement prepared. Thank them for their time, acknowledge they have an important decision to make, and if they decide in your favor, you have not only every intention not to reoffend, but to make something of your life by finding a career that uses all of the talents, skills and abilities that you have to offer, recognizing that you may have to start in a less than ideal situation in order to work your way up, with education, the support of family and dedication to becoming a productive member of your community and society.

**Rules of the Road.** When you come to the Parole Board meeting, treat it as a job interview. Identify what you have to offer, and give the Board a level of comfort about your ability and dedication to making your life better, and how you intend to do it. Remember they may do over 20 hearings that day, so you need to pay close attention. Acknowledge your mistakes and characterize them as significant and a life long

learning experience. Show maturity, honesty, and make it easy for them to say YES!

**Outsider Notes.** Observing some of the inmates' behavior was shocking. Answers to questions from the Board were a mumbled, yea. . . If you treat others, especially the Board Members, with dignity and respect, you will get it back. Know their names, address them as Commissioner (their name). Sit up straight, look them in the eye, come with prepared statements, both opening and closing along with copies of your Goals and Objectives, resume, and a plan for your future, and ask them if they have any questions about those documents. Take a couple of seconds to organize your thoughts prior to responding to their questions. Give a careful, measured and clear response to the question asked. That means you have to listen very carefully. IF necessary, ask them to repeat the question, and answer THAT question to the very best of your ability.

In your opening and closing statements, if you are allowed to make them, remember the "sandwich". Just as an interview on the outside, when the topic of your crime comes up, tell the good that you did before you made the mistake(s), tell them the particulars of the crime in no more than 10-15 seconds, then tell them what you have been doing since then to improve. What programs you have attended, certificates earned, and what you learned since you have been incarcerated. Use the word incarcerated, it is perceived more positively than prison.

**Major Issues:** There are two major issues for Parole Board Members.

First and foremost, protection of the public and society as a whole is considered paramount. You have to address this and be convincing by stating why and what you intend to do when released is going to work, especially if there is a history of recidivism. Tell them why it is going to be different this time.

Second, know that how you present yourself and what you say matters. Parole will be granted if there is a reasonable likelihood that you will be successful post incarceration. They will listen carefully to your answers to their questions, sometimes tough questions.

For example, how do you intend to keep off drugs? What are you addicted to? Why did you commit the crime? Practice the answers, get your goals/objectives, resume and work- life plan for after you leave completed in the very best manner. Get help developing these. Practice, out loud, the answers to questions you can anticipate. Preparation will give you confidence. Do your best, you can do no more. Do not accept less than your best effort from yourself for yourself. Thank them for their efforts on your behalf.

**Summary.** Prepare, Practice, Perform.

1. Make the experience a win-win by treating it as a job interview.
2. The Sandwich- tell them the good you did before you got in trouble, what went wrong, then tell them what good you have done since being incarcerated, classes, certificates, GED, whatever is applicable, do not be humble.

3. Seal the deal – be sincere what you say you are sorry for what you did to your victim, and your family. Mean every word of it. Take responsibility for your actions. If you don't have remorse, do not expect a favorable outcome from the Hearing.
4. What will be your response to the Board's Decision? Make it a learning exercise.
5. Mock Hearings – Before you go to your hearing, have several practice hearings. Even if it costs you 2 soups each. . .
6. Make sure you take advantage of your opportunity to make an opening statement and a closing statement.
7. Have family there, if you can, to show the Board you have family and community support, and that they are willing and ready to provide a path to success for you by taking care of your housing, food, transportation and emotional needs, so you can concentrate on finding and keeping good work.
8. Make sure you understand that the minds of the Commissioners are **NOT** made up prior to the Parole Board Meeting. YOU can affect the outcome. BE Prepared!
9. The Risk Assessment is key. Make sure it is correct before you attend. For example, have employment verified, especially for the year before you were arrested.
10. Posture, how you answer, Yes or Yes Sir or Yes 'Mam, never "yea", remember their names.
11. Treat this as a job interview.
12. If you are a repeat offender, what will be different this time? Be specific. For example, I have a job waiting for me at my last employer, I'll live with my Mom at (address) or name of the half-way house, be clear and decisive and specific.
13. Tell the Board why you scored high on several of the measurers, what mitigating circumstances lead to that high score on your risk assessment.
14. If battery or assault has been an issue for you in a domestic situation, tell how this situation has and will change. For example, when was the last contact with that individual? What classes did you attend, and graduate from, like Anger Management, The Phoenix Program, etc.
15. Come prepared. Practice, practice, practice. Write down questions you may be asked associated with gang affiliation, number of domestic violence cases, parole violation. Be contrite, specific, and forward thinking with your responses.

### **Exercise.**

Role Play. Taking turns at different positions, for the first exercise, there will be 3 Parole Board members asking questions of a parolee. Each of you are to:

1. Prepare/write 4 questions based on the information contained in this report, to use to question a prospective parolee.
2. Prepare/write answers to each of these questions.
3. Prepare/write an opening and closing statement you wish to make at your Parole Hearing.
4. Prepare a "sandwich" answer to two questions of your choosing.

## References

1. Attachment 1. Photo of the Nevada Board of Parole Commissioners
2. Attachment 2. Nevada Parole Guidelines Aggravating and Mitigating Factors Definitions
3. Attachment 3. Nevada Parole Risk Assessment
4. Attachment 4. A Brief Guide to Parole Board Hearings

## **Nevada Parole Guidelines Aggravating and Mitigating Factors Definitions**

### **Aggravating Factors**

#### **Prior Prison term did not deter future criminal activity:**

Indicate this factor if the inmate served a separate period of incarceration not related to the current period of incarceration. 'Prior prison term' does not include periods of incarceration as a result of parole violations on the current period of incarceration. A 'period of incarceration' includes sentences that are served consecutively.

#### **Prior Sex conviction:**

Indicate this factor if the prisoner has a prior sexual conviction. If the prisoner has a combination of violent and sex convictions, apply this factor and do not apply the factor related to prior violent convictions.

#### **Prior violent conviction:**

Indicate this factor if the prisoner has a prior violent conviction. If the prisoner has a combination of sex and violent convictions, apply the factor related to prior sex convictions, and do not indicate this factor.

#### **Repetitive Similar Criminal Conduct**

Indicate this factor if there are two or more prior convictions resulting from separate periods of similar criminal conduct. The prior repetitive conduct need not be similar to the instant offense. Do not count the instant offense as one of the prior convictions. Count misdemeanor and felony convictions. I.e., Multiple property convictions, multiple drug convictions.

#### **Significant prior criminal history**

Significant prior criminal history is defined as two or more prior felony convictions related to separate periods of criminal activity. For example, three prior property convictions related to the same crime spree should be counted as one event.

#### **Commission of a crime while incarcerated, on bail, eluding, on escape status, or while under parole or probation supervision.**

Indicate this factor if the prisoner has ever been convicted of a crime while incarcerated, on bail, on escape status, or while under felony parole or probation supervision. Indicate this factor if the prisoner eluded or attempted to elude capture during a prior or current offense. Count misdemeanors and felony convictions.

#### **Disruptive institutional Behavior**

Indicate this factor if the prisoner has engaged in disruptive institutional behavior within 36 months of the hearing month as defined as follows:

- Aggravated Escape
- Use of Weapon in Custody
- Propelling of Bodily Fluid
- Rioting
- Assault

#### **Refuse to participate in, or terminated for cause from treatment**

Indicate this factor if there is evidence that the prisoner refused to participate in appropriate treatment, or was terminated for cause from treatment. Termination from treatment due to medical issues, housing change or determination by a counselor that the treatment was not necessary or not appropriate is not considered cause.

**5. History of Drug/Alcohol Abuse**

This factor is based on any historical use/abuse of drugs or alcohol including arrests and convictions.

- 2 Points: Frequent abuse, or serious disruption of functioning. I.E., Evidence of frequent abuse or disruption, and/or the person has been arrested for a crime involving drugs or alcohol (including possession, even if the person denies use), or indication that criminal behavior is based on the use of drugs or alcohol.
- 1 point: There is evidence that the person has used drugs or abused alcohol, but no evidence that the use/abuse has resulted in other criminal behavior.
- 0 points: No evidence of prior use of drugs, and limited or social use of alcohol.

Notes entries: Common entries for frequent abuse include "prior drug conviction" or "serving a sentence for drug conviction." Others include "inmate was under the influence at time of offense" or "inmate admits to committing crime to obtain drugs." For answers related to some use or no use, generally this will be stated in the PSI and the note can simply be "per PSI."

**6. Gender (at birth) - Notes entries: No note is necessary, unless to indicate a transgender issue.**

- 1 point: Male
- 0 points: Female

**Dynamic Factors:**

**7. Current Age**

Age at month of hearing.

- 1 point: Age 41 or older at month of hearing
- 0 points: Age 31 through 40 at month of hearing
- 1 point: Age 21 through 30 at month of hearing
- 2 points: Under age 21 at month of hearing

Notes entries: No note is necessary.

**8. Active Gang Membership**

Street or Prison Gang, based on NDOC validation or indication in the Pre-Sentence Investigation.

- 0 points: No gang affiliation or validation at time of hearing, or the person is participating in a program to disassociate with gang involvement. Validated as a suspect should be scored as "0" points.
- 2 points: Any validated prison or street gang association or membership. Do not count "suspect."

Notes entries: When the PSI indicates involvement with a gang, but they are not NDOC validated, indicate that information in the notes section.



**The following is the list of achievements which qualify for the points reduction under programming.** These achievements must be completed on the current term of incarceration. "The current term of incarceration" means that period of time since the inmate was received into the DOC after sentencing for a felony conviction. If the inmate was released on parole and convicted of a new felony, credit would be awarded only if the program achievement occurred after return to the DOC subsequent to sentencing on the new felony.

1. Receiving a GED, High School Diploma or College Degree.
2. Completion of STARS, PHOENIX and TRUST programs.
3. Completion of a formal ESL program.
4. Completing a certified vocational program. The approved vocational programs are as follows:
  - a. Automotive Technology I, II & III
  - b. Construction Technology I - 8550
  - c. Welding
  - d. Air Conditioning/Refrigeration Technician - 8130
  - e. Building Maintenance Service - 8610
  - f. Culinary Arts - 9600
  - g. Welding
  - h. Information Technology Skill Standards
  - i. Braille I, II, III
  - j. Dry Cleaning
  - k. Photovoltaic Systems

## NEVADA PAROLE RISK ASSESSMENT

Name \_\_\_\_\_ ID Number \_\_\_\_\_ Location \_\_\_\_\_ Date \_\_\_\_\_

Static Risk Factors	Pts	Dynamic Risk Factors	Pts
<b>1. Age at First Arrest (juvenile or adult)</b>		<b>7. Current Age</b>	
24 years or older	0	41 and above	-1
20-23 years	1	31 - 40	0
19 years or younger	2	21 - 30	1
<b>2. Prior Prob/Parole Revocation (juv. or adult)</b>		Under 21	2
No parole or probation revocations	0	<b>8. Active Gang Membership</b>	
One or more (including gross misdemeanors)	2	No (none or suspect)	0
<b>3. Employment History (prior to arrest)</b>		Yes (member or associate)	2
Satisfactory full-time employment >1 year	0	<b>9. DOC certified edu/voc/treat program</b>	
Employed less than full-time/full-time < 1 year	1	Yes (during current term of incarceration)	-1
Unsatisfactory employment/unemployed/unemployable	2	No	0
<b>4. Offense for Current or Prior Convictions</b>		<b>10. Disciplinary Conduct - Past Year</b>	
All others	0	No Misconduct of any Kind	-1
Any Property Offense, Robbery, Forgery, etc.	2	One Misconduct of any Kind	0
<b>5. History of Drug/Alcohol Abuse</b>		Two Misconducts of any Kind	1
None	0	Three or More Misconducts of any Kind	2
Some use, no severe disruption of functioning	1	<b>11. Current Custody Level</b>	
Frequent abuse, serious disruption of functioning	2	Minimum	-1
<b>6. Gender</b>		Medium	0
Male	1	Maximum or Disciplinary Segregation	2
Female	0	<b>Total Dynamic Risk Score</b>	
<b>Total Static Risk Score</b>		<b>Total Score (Static+Dynamic Score)</b>	

\_\_\_\_\_ Low Risk = 0-5 points      \_\_\_\_\_ Medium Risk = 6-11 points      \_\_\_\_\_ High Risk = 12+ points or 8 points on Dynamic factors

The risk assessment is based on the static and dynamic factors that are applicable at the time of a parole hearing. A change in status following the hearing that may impact the risk factors shall not be the basis for an appeal for re-computation. A prisoner will only be granted a re-hearing if a factor is misapplied at the time of the hearing, and a correction would cause a deviation from the guideline recommendation.