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CONNIE S. BISBEE, *Chairman*  
ED GRAY, JR., *Member*  
MICHAEL KEELER, *Member*  
MAURICE SILVA, *Member*

**NEVADA BOARD OF PAROLE COMMISSIONERS**

**MINUTES  
of the meeting of the  
BOARD OF PAROLE COMMISSIONERS**

**October 29, 2013**

The Board of Parole Commissioners held a public meeting on Tuesday, October 29, 2013, beginning at 3:00 pm at the following locations:

Conference room at the central office of the Board of Parole Commissioners, located at 1677 Old Hot Springs Road, Ste. A, Carson City, NV, video conference to Parole Board Office, 4000 S. Eastern Avenue, Ste. 130, Las Vegas, NV.

**I. Open Meeting, Call to order, roll call 3:00 p.m.**

The meeting was called to order by Chairman Bisbee. Present in Carson City were Commissioner Endel, Commissioner Corda, and Commissioner Jackson. Present in Las Vegas were Commissioner Keeler, Commissioner Gray, Commissioner Silva and Chairman Bisbee.

Support staff in attendance:  
Denise Davis, Executive Secretary

Members of the public present in Carson City included:  
Alicia Lerud, Deputy Attorney General, Office of the Attorney General  
Lori M. Story, Deputy Attorney General, Office of the Attorney General

Members of the public present in Las Vegas included:  
Charles C Combs, Lieutenant, Division of Parole and Probation  
Garrick Strong, Officer, Division of Parole and Probation  
Kenneth Traver, Applicant for modification of Sentence  
Arthur Emmert, Applicant for modification of Sentence

**II. Public Comment. No action may be taken upon a matter raised under this item of the agenda until the matter itself has been specifically included on an agenda as an item upon which action may be taken pursuant to subparagraph (2) of NRS 241.020.**

Chairman Bisbee asked any member of the public that would like to make comments regarding anything other than the items listed on the agenda to come forward and limit their comments to 3 minutes. Chairman Bisbee reminded public that no action can be taken under this item.

Public comment – Carson City, NV

No public comment.

Public comment - Las Vegas

No public comment.

- III. For possible action: The Board will consider a recommendation by the Division of Parole and Probation to modify the sentence of the following parolees in accordance with subsection 2 of NRS 176.033:**
- 1) Kenneth Traver, NDOC #20595**
  - 2) Arthur Emmert, NDOC #29474**
- The Board may take no action, deny the request or accept the recommendation and act to petition the court of original jurisdiction to modify the sentence. Pursuant to subsection 5(c)(3) of NRS 241.020, all of the supporting documents are confidential and will not be provided to members of the public (see NRS 213.1075).**

Chairman Bisbee introduced Parolee Kenneth Traver #20595.

Chairman Bisbee asked Mr. Traver what he would like to say to the Board. Mr. Traver stated that most information he wanted to give was in the letter he wrote to the Parole Board. He stated he would be 70 years old in April and plans on working for another five years. After that he would like to move back to Kansas to be with his family and take care of his parents. He also has a hobby he would like to pursue of building Hot Rods after he retires.

Chairman Bisbee asked about his current relationship with his daughter (victim), his wife at the time and his natural children.

Mr. Traver stated that he has had no contact since the crime with the daughter that was the victim and his wife passed away two years after the crime. He also stated he had contacted his oldest child from a previous marriage but is no longer in contact with her. He has not had any contact with any of his other natural children.

Chairman Bisbee asked Mr. Traver to discuss any sex offender treatment he has participated in and is currently in.

Mr. Traver stated that he has been seeing Marcia Lee for three years and has completed the program with her. Periodically he goes back to her. Currently he is not in any treatment.

Chairman Bisbee asked the Board if they had any questions for Mr. Traver.

Commissioner Tony asked Mr. Traver about any contact he has had with his grandchildren.

Mr. Traver stated that he does have contact with two of his grandchildren and he had a chaperone agreement to have contact with them. Any other grandchildren he has contact with are all over the age of 18.

Commissioner Tony asked Mr. Traver if there were any family members present at his hearing today.

Mr. Traver stated that there is not.

Commissioner Jackson stated that records show he has two victims that were minors and asked Mr. Traver about what kind of impact he feels his crime has had on the victims.

Mr. Traver stated he had contact with one victim but is no longer in contact with her. He stated that although he doesn't speak to either victim he is sure that they have struggled and have problems.

Chairmen Bisbee excused Mr. Traver and asked the division of Parole and Probation for comment.

Officer Garrick Strong, Mr. Traver's supervisor, was present from the Division of Parole and Probation. He stated that he stands by the recommendation from Parole and Probation. He also stated that Mr. Traver has been on parole since 1998 and in that time he has had no violations, has completed his required programming, has remained current on his fees, has maintained stable employment and has passed all polygraph exams.

Chairman Bisbee asked the Board if they had any questions for Officer Strong.

The Board had no questions.

Chairman Bisbee stated that Mr. Traver meets the statutory requirement for modification of Parole and to pursue a recommendation by the Parole Board. She also asked the Board if anyone had any comments they would like to make.

No comments were made.

Chairman Bisbee asked if anyone would like to make a motion.

Motion: To accept the recommendation and act to petition the court of original jurisdiction to modify the sentence.

Made by: Commissioner Gray

Seconded by: Commissioner Silva

Votes in Favor: Gray, Keeler, Bisbee, Endel, Jackson, Silva and Corda

Votes Opposed: None

Chairman Bisbee explained to Mr. Traver that the Board will submit the required paperwork to the Attorney Generals office for review and then forwarded on to the Courts..

Mr. Traver asked for a timeframe for the process and was told by chairman Bisbee that the previous spring two parolees were approved and still waiting on the Court.

Chairman Bisbee introduced Parolee Arthur Emmert #29474

Chairman Bisbee asked Mr. Emmert if there was anything he would like to say to the Board. Mr. Emmert stated that he has been on parole over 14 years, has never been in trouble, has done everything that he was supposed to do and would just like the chance to get off parole.

Chairmen Bisbee questioned Mr. Emmert on the crime and how it happened.

Mr. Emmert explained that the crime occurred due to a fight he had with his brother in law (victim) over money Mr. Emmert felt that he was owed by the victim. Mr. Emmert panicked and shot the victim.

Chairmen Bisbee asked about the ages of Mr. Emmert and the victim at the time the crime occurred. She also stated that Mr. Emmert had no previous criminal history. Chairman Bisbee questioned Mr. Emmert about his current relationship with his family.

Mr. Emmert explained that at the time of the shooting he was 22 and the victim was 24. He stated he has a good relationship with his sister (victims wife) and her children and that he even lived with them for a while. His mother has passed away. He has minimal contact with his other sister.

Commissioner Bisbee confirmed for the record that indeed Mr. Emmert's sister (victim's wife) was present at his previous Parole Board hearing and in support of Mr. Emmert's parole to the streets.

Commissioner Jackson stated that the PSI indicates that Mr. Emmert originally tried to minimize responsibility by stating that the gun had accidentally discharged during a struggle. She asked Mr. Emmert if he still felt that it is what happened.

Mr. Emmert stated that from his first hearing with the Parole Board he admitted that he was responsible for shooting the victim because he had panicked.

Commissioner Jackson asked Mr. Emmert why he had a weapon, if he owned the weapon and why the Board should trust that Mr. Emmert won't find himself in the same type of situation and panic again.

Mr. Emmert stated that he doesn't know why he had a weapon and it was his but not registered. He stated that he is older now, does not own a weapon and has learned a lot about life since the crime occurred.

Commissioner Jackson asked Mr. Emmert to tell the Board why he would like a release from parole.

Mr. Emmert stated that he has been employed with the same company for over 14 1/2 years. He would like to move to upper management but that would involve traveling whenever they needed him to and as a parolee he cannot do that. He doesn't want to be in the situation that whenever something occurs he has the risk of getting into trouble because he is a parolee.

Commissioner Corda asked if Mr. Emmert had any children. He also asked Mr. Emmert what he felt would be an appropriate punishment for someone that murdered his father.

Mr. Emmert stated that he had no children. He also stated that if it was his father that had been murdered, he initially would say an eye for an eye. But if he could see that the person had changed maybe he would feel differently as time went on. He also stated that he is not a bad person, he just panicked.

Commissioner Silva asked Mr. Emmert why he decided to dispose of the body on the side of the road.

Mr. Emmert stated that it was his brother that disposed of the body and hid the weapon and that he was not aware where the body had been dumped.

Chairman Bisbee excused Mr. Emmert and asked the division of Parole and Probation for comment.

Lieutenant Charles Combs was present from the Division of Parole and Probation. He stated that he stands by the recommendation given by Chief Curtis of Parole and Probation. He also stated that Mr. Emmert has been on parole for almost 15 years, has maintained employment, is current on fees and has had no violations of his parole.

Chairman Bisbee referenced the memorandum submitted by Chief Curtis from the Division of Parole and Probation. She stated that she believes that Chief Curtis does not take lately a positive recommendation on a case that involves the death of a person.

Chairman Bisbee asked the Board if anyone had any comments they would like to make.

Commissioner Corda asked if the victim's wife was in support of this modification.

Chairman Bisbee stated that the victim's wife was in support of Mr. Emmert's parole and had forgiven him.

Commissioner Gray confirmed that the support of parole was 15 years ago.

Chairman Bisbee answered yes and also stated that the victims are notified of the modification hearing and no victims are present.

Commissioner Jackson questioned the bruising found on the victim.

Mr. Emmert stated the bruising was caused by the fight prior to the shooting.

Commissioner Jackson stated that she is very hesitant to recommend Mr. Emmert's release from parole and feels that he should serve more time on his parole and approach the Board again at a later date.

Commissioner Corda suggests that maybe they could grant the modification for a later date, perhaps in 5 years.

Chairman Bisbee stated she does not think the Board can make that decision for a future Parole Board.

Commissioner Keeler stated that although it is hard to release a person from parole for this type of horrific crime, statistically, Mr. Emmert's likelihood to reoffend in the future is very low. The victim's sister has shown support in the past and Commissioner Keeler doesn't see the benefit of Mr. Emmert serving another 5 years on parole.

Motion: The Board accepts recommendation and act to petition the court of original jurisdiction to modify the sentence as requested by Mr. Emmert.

Made by: Commissioner Silva

Seconded by: Commissioner Gray

Votes in Favor: Gray, Keeler, Bisbee, Endel, Silva

Votes Opposed: Jackson, Corda

Chairman Bisbee explained to Mr. Emmert that the process is the same as described to Mr. Traver and that once the Board submits their recommendation to the Office of the Attorney General the process is out of the Boards jurisdiction .

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Chairman Bisbee asked any member of the public that would like to make comments regarding anything other than the items listed on the agenda to come forward and limit their comments to 3 minutes. Chairman Bisbee reminded public that no action can be taken under this item.

Public comment – Carson City, NV

No public comment.

Public comment - Las Vegas

No public comment.

**V. For possible action: The Board may act to adjourn the meeting.**

Motion: To adjourn the meeting of October 29, 2013

Made by: Commissioner Gray

Seconded by: Commissioner Silva

Votes in Favor: Gray, Keeler, Bisbee, Endel, Jackson, Corda

Votes Opposed: None

**Meeting adjourned at 3:31 p.m.**

DRAFT