PROPOSED REGULATION OF THE STATE BOARD OF PAROLE COMMISSIONERS

LCB FILE NO. R066-20I

The following document is the initial draft regulation proposed by the agency submitted on 06/05/2020

DRAFT REGULATION OF THE BOARD OF PAROLE COMMISSIONERS

LCB	File	No.	

EXPLANATION - Matter in *italics* is new.

AUTHORITY: Assembly Bill 236, Section 93.3 as codified in NRS 213.12155

A REGULATION relating to geriatric parole by the Board to qualified prisoners 65 years of age and older; and providing other matters properly relating thereto.

CONSIDERATION OF GERIATRIC PAROLE

Section 1: Chapter 213 of NAC is hereby amended by adding thereto a new section to read as follows:

- 1. The Board shall make a form to be used as an application for Geriatric Parole containing the following information:
 - a. The inmate's name,
 - b. The inmate's Case number(s),
 - c. The inmate's NDOC Identification number,
 - d. The inmate's Date of Birth,
 - e. The inmate's Offense(s),
 - f. The reason for the request,
 - g. A suggested list of supporting documents, and
 - h. The name, address, and contact information of the person submitting the form.
- 2. The application form for geriatric parole will be available on the Parole Board website or by contacting the Parole Board in writing.
- 3. Within 15 days of receipt of an application, the Board shall request verification from the Department of the inmate's eligibility for Geriatric Parole under the requirements of NRS 213.1255(1).
- 4. Upon receipt of a determination made by the Department:
 - a. If the inmate meets the criteria of Geriatric Parole contained in NRS 213.1255(1) and the Department places the inmate on the next available list of persons eligible for parole pursuant to NRS 209.254:
 - i. The Board shall place the eligible inmates on an agenda and schedule them for a hearing in the same manner as other parole hearings.
 - ii. The Board shall give notification of the date, time and location of the hearing to:
 - 1. The inmate;
 - 2. The person submitting the application (if different than the inmate); and

- 3. Any victims or interested parties requesting notification of hearings;
- b. If the inmate does not meet the criteria of Geriatric Parole:
 - i. The Board will notify the inmate and the person submitting the application in writing of the determination.
- 5. The Board shall conduct the geriatric parole hearing in the same general manner as other parole hearings, however, when determining whether to grant geriatric parole they must also consider the considerations contained in NRS 213.12155(7).
- 6. Upon the final decision being ratified by the Board, the Board shall issue a written order granting or denying geriatric parole in accordance with subsection 11 of NRS 213.131.
- 7. *If Geriatric Parole is granted, the Board shall set the terms and conditions of parole.*
- 8. As defined:
 - a. "Board" means State Board of Parole Commissioners;
 - b. "Department" means Department of Corrections.