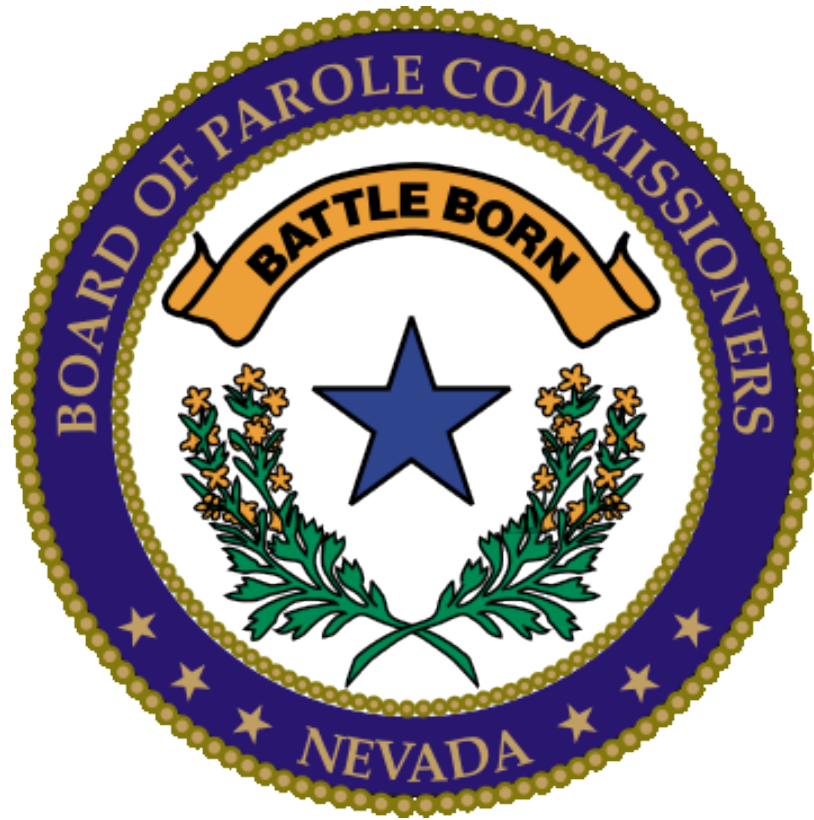


2020 Presentation of the Nevada Board of Parole Commissioners



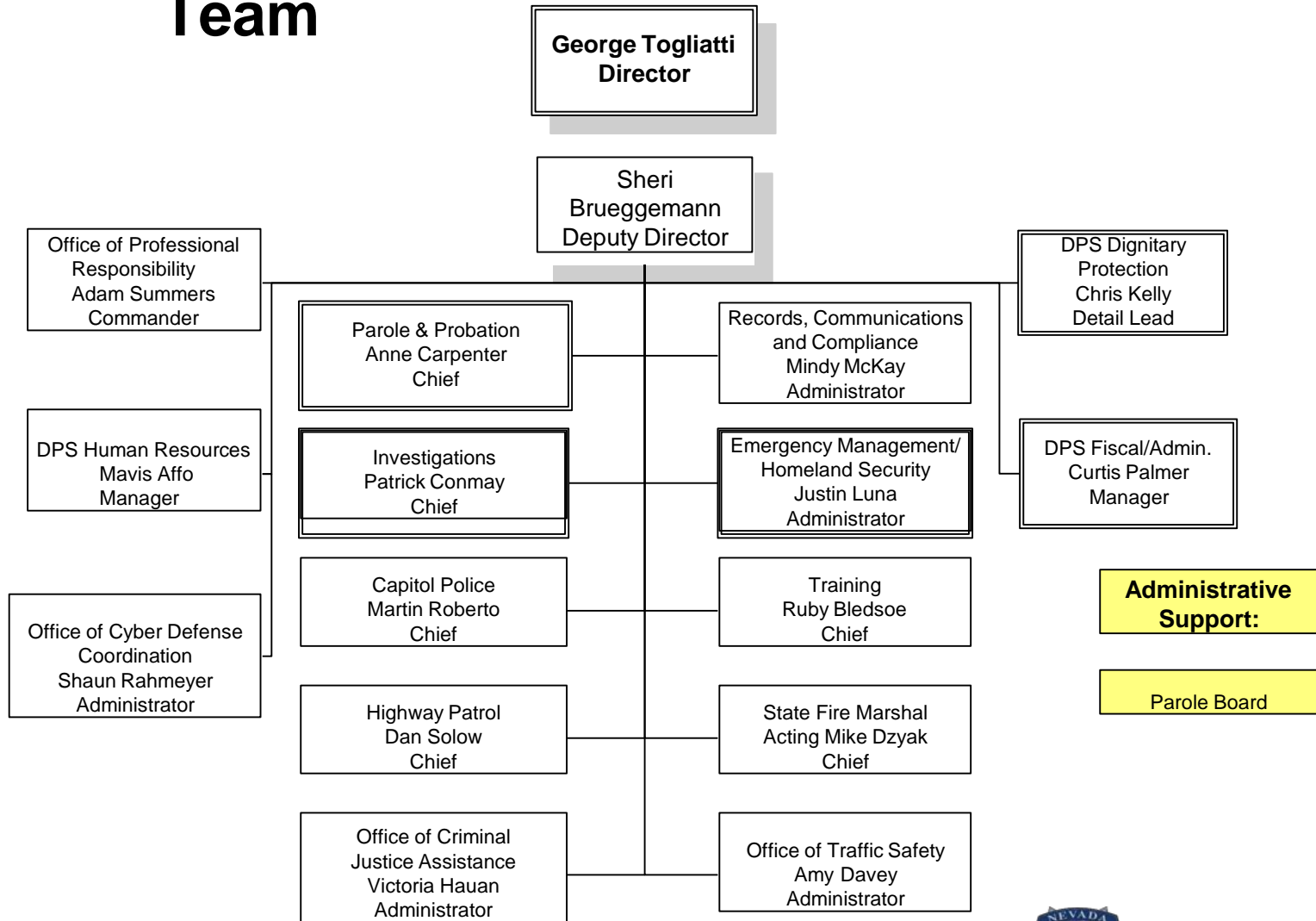
Board of Parole Commissioners

□ One Chairman and six Commissioners appointed by the Governor.

- Christopher P. DeRicco, Chairman
- Susan Jackson, Commissioner
- Tony Corda, Commissioner
- Mary Baker, Commissioner
- Michael Keeler, Commissioner
- Eric Christiansen, Commissioner
- Minerva De La Torre, Commissioner

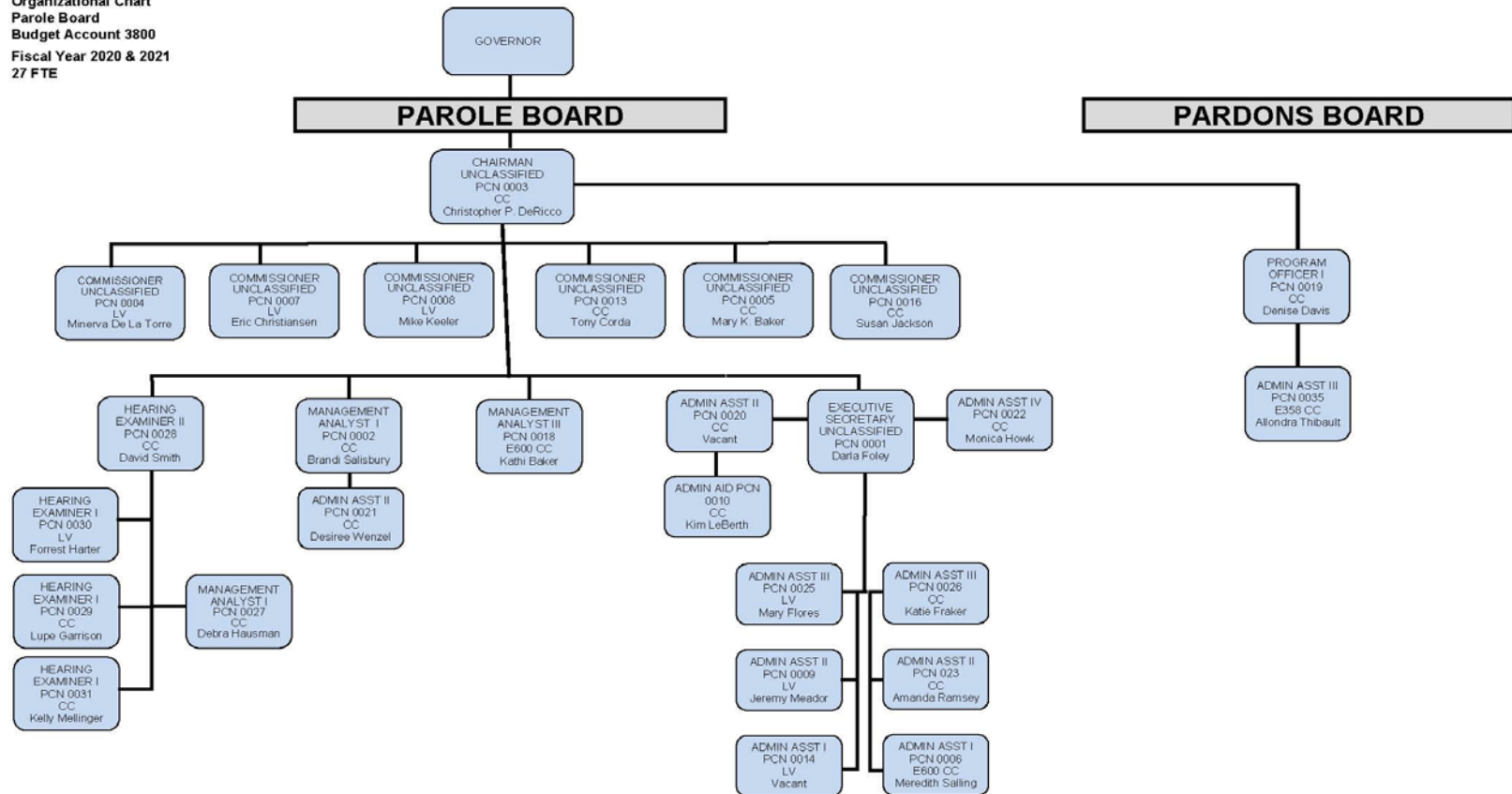


Public Safety Management Team



Nevada Department of
Public Safety
DEDICATION PRIDE SERVICE

Organizational Chart
Parole Board
Budget Account 3800
Fiscal Year 2020 & 2021
27 FTE



What is the Parole Board and what do we do?

- ☐ Independent body
- ☐ Responsible for making decisions to either grant or deny parole.
- ☐ Returns offenders to prison whenever community safety is threatened.



What is Parole?

- ❑ Parole is the release from prison during which an offender continues to serve a sentence in the community.
- ❑ Parole is not a right. The Legislature has declared that no person should expect to be released on parole (NRS 213.10705).
- ❑ Initial parole eligibility is based on the minimum sentence imposed by the Court, less good time credits (when applicable).



Parole & the Judicial System

- ❑ Legal framework that empowers judges, prison officials and parole boards.
- ❑ A flexible system for punishing offenders and protecting the public.



Parole Hearings Types

- ☐ Discretionary Parole Hearings.
- ☐ Mandatory Parole Hearings (MPR).
- ☐ Parole Violation Hearings (PV).
- ☐ Lifetime Supervision Hearings.
- ☐ Reconsideration Hearings.

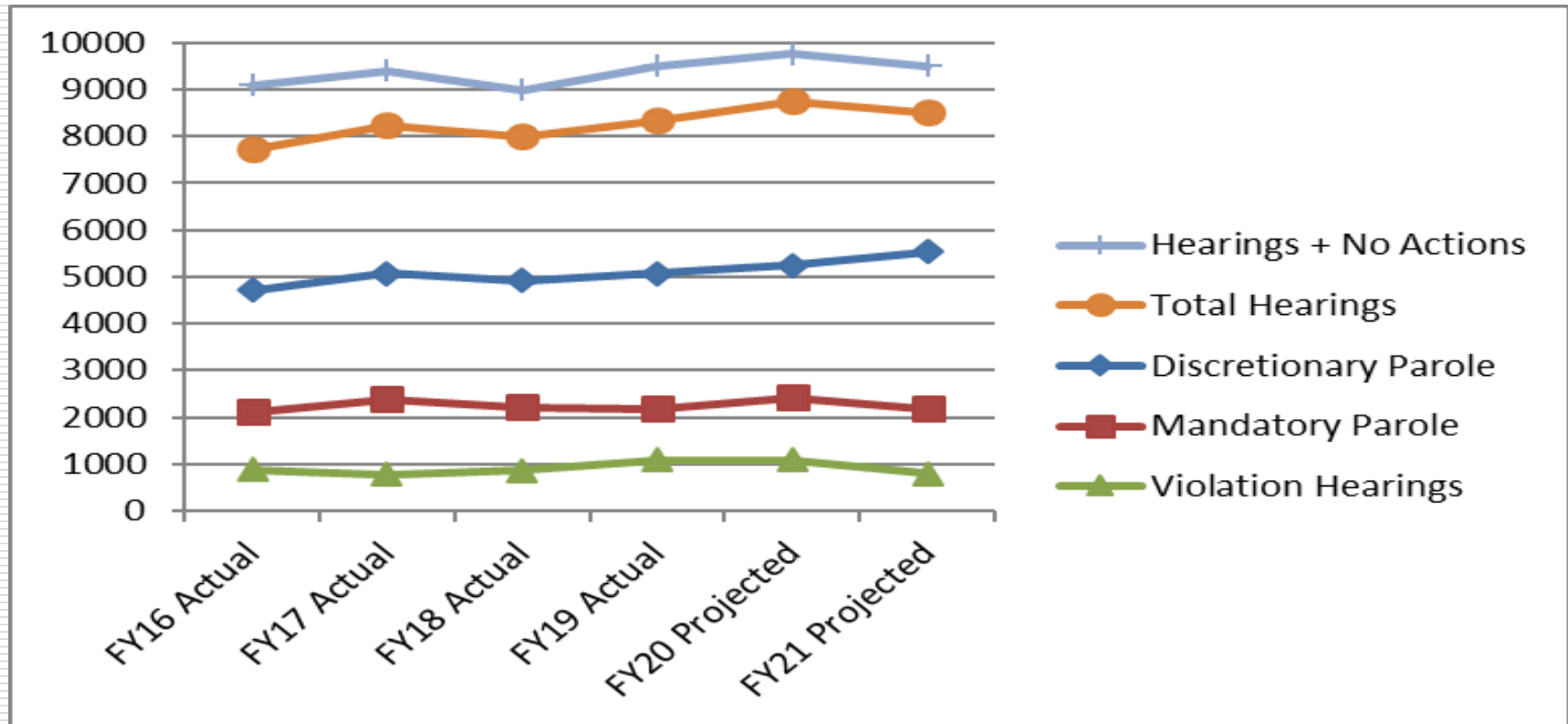


The Nevada Parole Board FY2019 Caseload

- ❑ Between July 2018, and June 2019, the Board made 8,331 final decisions.
- ❑ Each decision requires at least 4 votes, and this equates to over 33,324 total votes, and approximately 4,100 cases that are reviewed per year by each Commissioner.
- ❑ When including hearings that did not result in a final parole decision, the board held over 9,400 hearings during FY 2019.



Caseload FY16 – FY21



Actual caseload includes discretionary and mandatory parole hearings, violation hearings, continuances and hearings resulting in no action but does not include the lifetime supervision hearing caseload. Projected caseload does not include lifetime supervision hearings, continuances and hearings which may result in no action.



Comparison of Parole Cases by Offense Type

	Sex	Violent	Drug	Property	DUI	Other	Total
FY15	475	1978	1182	2252	255	576	6718
FY16	472	2122	1171	2150	248	669	6832
FY17	550	2179	1264	2434	250	769	7446
FY18	449	2272	1325	2131	245	733	6988
FY19	546	2471	1169	2020	243	800	7249

Numbers are final discretionary and mandatory parole actions. These actions do not include parole violation hearings, continuances or hearings Resulting in no action.



Comparison of Parole Hearings by Offense Type - % Granted

FY	Sex	Violent	Drug	Property	DUI	Other	Total
FY15	34%	42%	76%	65%	57%	54%	57%
FY16	33%	39%	69%	52%	56%	46%	49%
FY17	38%	43%	76%	62%	68%	55%	56%
FY18	44%	49%	82%	71%	78%	60%	63%
FY 19	45%	51%	83%	75%	81%	64%	65%



Parole Board Statutory Duties

- ❑ The Board shall adopt standards for granting or revocation of parole NRS 213.10885:
 - Risk Assessment/Crime Severity = Initial Guideline Recommendation
 - Mitigating/Aggravating Factors
 - Comprehensive Review of adopted standards
 - Report to each regular Legislative session
- ❑ Parole Board shall compile and maintain detailed information concerning all decisions regarding parole. NRS 213.10887
 - Publish information on the Internet website.



Parole Board Statutory Duties

- ☐ Limitations on Parole Board's power to release prisoners on parole NRS 213.1099
- ☐ When a prisoner becomes eligible for parole NRS 213.120
- ☐ Aggregated Sentences NRS 213.1212
- ☐ Guidelines for Mandatory Parole NRS 213.1215:
 - Effective Through June 30, 2020
 - Effective July 1, 2020
- ☐ Geriatric Parole NRS 213.12155
- ☐ Release of Sex Offender – Program of Lifetime Supervision NRS 213.1243



Parole Board Regulatory Procedures

- ☐ Granting parole; Assignment of severity level NAC 213.512
- ☐ Assignment of risk level NAC 213.514
- ☐ Initial assessment NAC 213.516
- ☐ Consideration of additional aggravating and mitigating factors NAC 213.518
- ☐ Mandatory parole NAC 213.532



Table 3. 2013 Releases Static Scoring Items with Return Rate

	Points	Prison Releases	% of Total	% Returned to Prison
Baseline	NA	5,036		32.0%
Age at First Arrest*				
24 years or older	0	855	17.0%	20.5%
20-23 years	1	932	18.5%	26.1%
19 years or younger	2	3,244	64.5%	37.1%
Prior Revocation*				
None	0	1,732	34.7%	22.6%
One or more	2	3,264	65.3%	37.4%
Employment History*				
Satisfactory full time > 1 year	0	1,192	24.1%	26.7%
Employed less than full time < 1 year	1	1,542	31.1%	34.8%
Unsatisfactory	2	2,219	44.8%	33.5%
Offense for Current or Prior Convictions*				
All others	0	1,304	25.9%	19.8%
Any property, robbery, forgery	2	3,732	74.1%	36.7%
History of Drug/Alcohol Abuse*				
None	0	202	4.0%	18.8%
Some use	1	333	6.6%	22.8%
Frequent abuse	2	4,488	89.3%	33.7%
Gender**				
Female	0	722	14.3%	27.6%
Male	1	4,326	85.7%	33.0%

*Significant at the .05 level or greater. ** Significant at the .10 level

Table 4. 2013 Releases Dynamic Scoring Items with Return Rate

	Points	Prison Releases	% of Total	% Returned to Prison
Current Age*				
41 and above	-1	1,693	33.3%	26.8%
31-40	0	1,465	28.8%	31.8%
21-30	1	1,829	35.9%	36.7%
Under 21	2	101	2.0%	46.5%
Active Gang*				
No	0	3,845	78.5%	30.8%
Yes	2	1,053	21.5%	38.0%
DOC certified edu/voc/treat program				
Yes	-1	908	18.1%	32.3%
No	0	4,113	81.9%	32.2%
Disciplinary Conduct - Past Year**				
None	-1	3,582	71.6%	31.1%
One	0	872	17.4%	32.7%
Two	1	348	7.0%	36.2%
Three or more	2	202	4.0%	40.6%
Current Prison Custody Level				
Minimum	-1	2,085	41.5%	32.8%
Medium	0	2,678	53.3%	31.2%
Maximum or Disciplinary Segregation	2	257	5.1%	35.0%

*Significant at the .05 level or greater. ** Significant at the .10 level

Grant Rates by Guideline Recommendation

Discretionary Parole Grants – Fiscal Year 2019

Guideline Recommendation	Granted	Denied	% Granted
Parole at Initial	675	74	90%
Parole at 1st or 2nd	1443	560	72%
Consider Factors	1046	940	53%
Deny Parole	18	307	6%

Mandatory Parole Grants – Fiscal Year 2019

Guideline Recommendation	Granted	Denied	% Granted
Parole at Initial	160	24	87%
Parole at 1st or 2nd	730	132	85%
Consider Factors	589	321	65%
Deny Parole	19	207	8%



Impact of 2019 Enacted Legislation

- ❑ AB236
 - Section 93.3 – Geriatric Parole
 - Section 93.7 – Early Discharge
 - Section 97 – In Absentia Mandatory Parole Hearings
 - Section 99 – Parole recommendation to deny, must have a hearing.
 - Section 101 – Parole Violations
- ❑ SB8 NRS 213.1243



STAFFING AND BUDGETARY ISSUES

- ☐ Audiovisual Technician II/IT Technician II
- ☐ Reclassify Administrative Assistant II to a Records Analyst I
- ☐ Deputy Administrator or Administrative Services Officer
- ☐ Executive Secretary Salary Adjustment



Nevada Board of Pardons Commissioners

- ☐ Make up of the State Board of Pardons Commissioners
- ☐ What is a pardon?
- ☐ What isn't a pardon?



Types of Pardons Hearings

- ☐ Community Cases
- ☐ Inmate Cases
- ☐ Consent Agendas



Pardons Board Statutory Duties

- ☐ State Board of Pardons Commissioners: Members; notice of meetings to victims. NRS 213.010
- ☐ Secretary of Board: Appointment; qualifications; duties. NRS 213.017
- ☐ Notice of application for remission, commutation, pardon or restoration of civil rights: Contents; service. NRS 213.020
- ☐ Restoration of civil rights expedited by Board under certain conditions. NRS 213.035
- ☐ District attorneys to furnish Board with statement upon receipt of notice of application for remission, commutation or pardon; notice of application to victim. NRS 213.040



Pardons Board Statutory Duties

- ❑ Procedure when death penalty is commuted. NRS 213.080
- ❑ Board prohibited from commuting sentence of death or imprisonment for life without possibility of parole to a sentence that would allow parole; exception. NRS 213.085
- ❑ Pardon: Restoration of civil rights; relieved of disabilities; limitations. NRS 213.090
- ❑ Notice by Board to victim if clemency granted. NRS 213.095



Pardons Board Regulatory Procedures

- ☐ Meetings. NAC 213.020
- ☐ Chair. NAC 213.030
- ☐ Availability and submission; time limit. NAC 213.040
- ☐ Contents: applicability. NAC 213.050
- ☐ Procedures and criteria for selection of applications for consideration by Board; additional selections. NAC 213.055
- ☐ Pardons: Waiting period for eligibility to submit application; waiver NAC 213.065
- ☐ Pardons: Investigation of applicant; rejection of application; list of rejected applications; written recommendation. NAC 213.073



Pardons Board Regulatory Procedures

- ☐ Restoration of civil rights without Board meeting. NAC 213.077
- ☐ Prisoners eligible for or denied paroled. NAC 213.080
- ☐ Persons required to register as offender convicted of offense against child or sex offender. NAC 213.103
- ☐ Availability of judicial or administrative relief. NAC 213.107
- ☐ Commutation of sentence of life without possibility of parole. NAC 213.110
- ☐ Death penalty. NAC 213.120
- ☐ Requirements for reapplication. NAC 213.125



Pardons Board Regulatory Procedures

- ☐ Recommendation of Director to accompany application; approval of Secretary NAC 213.183
- ☐ Notice to certain persons of meeting to consider application; request for recommendations. NAC 213.185
- ☐ Notice to victim of meeting for consideration of clemency. NAC 213.187
- ☐ Hearings to be informal. NAC 213.190
- ☐ Testimony; presence of applicant; affidavits and depositions. NAC 213.200
- ☐ Preparation of official documents for clemency. NAC 213.205



Number of Community & Inmate Cases

FY 2019 –	Community Cases	Inmate Cases			
Applications Received	97	1577			
Cases on Agendas	25	15			
Pardons Granted	22	2			



Impact of 2019 Enacted Legislation

☐ SJR1 of the 79th (2017) Session



STAFFING AND BUDGETARY ISSUES

- ☐ Pardons Board additional administrative staff may be needed



Questions?

QUESTIONS?

