Exhibit L

PAT HINES 21 Shirley Lane Yeriugton NY 89447

TO: Members of the ACR 17 Interim Study Committee

RE: Reference List of suggested Criminal Justice Reform Changes Needed

These suggestions have been compiled from information gleaned from testimonies during the three prior meetings plus concerns and solutions expressed to me from inmates, their families, some professional service providers and members of the general public. Its intent is for your quick reference prior to and during your work session.

I do not plan to speak to all of the listings but I do plan to read suggestions from portions of a couple of the 50 letters I have received from inmates in the past three months. The work is out that Interim Study is a reality and means to voice their concerns. Rationale for most suggestions herein has been previously brought before this committee. Those suggestions with an asterisk behind denotes that this speaker perceives the issue as one requiring legislative change in the 2007 session.

Respectfully submitted.

Pai Hines 775 463-48

775 463-4884 jphines854@aol.com

RE: Pardons Board

Mandate that a minimum (10-20%) of all applicants for appearance at a parole board hearing be put on the agenda for the forthcoming meeting. 5% must be inmates currently incarcerated, 5% from parolees and 5% upon recommendation of the NDOC Director, or members of the Pardons Board.

Mandate a screening criteria be developed and final selections shall be done by a committee consisting of the Executive Secretary of the Pardons Board, and a designee from the NDOC and attorney General's Office. The Executive Secretary shall, negatively or positively respond to all who apply. See Attachment "A"

The last revision date of the Application Form shall be noted on the form.

See "B" attachment for the newest application form and a past one for comparison. It is interesting to note that the statement found on the old form "IF YOU HAVE AN APPEAL PENDING - YOUR APPLICATION WILL BE AUTOMATICALLY DENIED" has been removed from the new version. 3 but one of the statements ask is

EXHIBIT L Pardons

Document consists of 26 pages

☑ Entire document provided.

☐ Due to size limitations, pages _____ provided.

A copy of the complete document is available through the Research Library (775/684-6827 or e-mail library@lcb.state.nv.us). Meeting Date: April 27, 2006

"your case under appeal in a Nevada or Federal Court or do you have plans to appeal your case in the future? WHY?

RE: SENTENCING

Devise a procedure for getting a defendant a copy of the PSI a minimum of 7 days before sentencing which includes a method for s/he to document and request errors be corrected. This document if used in evaluating an offender from the time of sentencing to release and should be factual and approved in writing by the person in question.

Evaluate the enhancement policy of doubling the original sentence, particularly where the original sentence is life.

Devise a plan to review and adjust case of inmates with several stacked sentences and enhancements, some numbering to 8 or more for one offense. The worst I have seen has six life sentences, 1 7 year and 1 4 year sentence.

RE: PROBATION and PAROLE

Return the duties of compiling pre sentence reports and community notification Tier Levels for those with sexual assaults to sworn staff of Probation and Parole who are the ones who have had training and experience and do the community supervision duties. Return sworn P&P staff to work on pre release plans for a designated time and date(s) within each DOC facility. The current procedure is fragmented with no time limitations on staff to do the needed coordination to accomplish the offender's parole release on the parole eligibility date. There seems to be no tracking system on status. At least inmates site and wonder what is happening where. These three changes would require an increase in P &) budget funding for more sworn staff*. The past few legislative sessions there has been a reluctance on the part of P&P to ask for additional funding from the beginning of the budget process.

These recommendations do not include desired releases of more offenders from other means such as doing a reconsideration/ evaluation for release of inmates incarcerated over 15-20 years, from compassionate released, and from rectification of enhancements doubling the sentence for the original crime. The there is the questionable factoring of AAthe parole board in figuring GMS, gross months to serve because the methodology

based on guidelines in place yesterday versus those that were in place when the offender was sentenced for the crime(s) See Attachment "B" letter from then parole board chairman to an inmate

Revize theMandate* (NRS 213.1096.4) that <u>Parole Officer duties include more case</u> worker type duties such as help with securing housing, jobs, identification, making referrals to available social services, and being more accessible for advice and permission or leaving the name of a staff team member who can be reached in his/her absence. Time for timely telephone responses to clients should be factored in to the duty schedule.

Mandate in 213.1096, the detailed records kept updated on computers in a manner that can be accessed easily for temporary P.O.s who need to clarify such things as a parolees current limitations, time for next meeting, any positive as well as negative facts regarding the individual. *

Mandate that parole violation tapes be kept a minimum of three years*.

Clarify whether all parolees must be specific in telling employers of the category nature of their crime, or is this a consistent stipulation for those with sexual assault convictions?

Revise the statute 209.481.(d) most legislators do not know of its existence) to remove the limitation that those convicted of a sexual assault cannot be sent to minimum security facilities like camps and Casa Grande as a transitional opportunity. This is the only criminal class so designated.*

Make specific requests as to statistics provided in biennial reports such as to the number of parole plans that are denied annually and the reasons for denial. Also provide statistics on parole violations versus new crimes by criminal class

NRS 213.145 <u>triple this revolving fund</u> from the current \$1500 which is used for losns to parolees for help with rent, food, o tools. Transportation.*

Increase the funding for more sworn staff to lower case loads and take over duties listed above and contracted out to non-sworn staff.

RE: PAROLE BOARD

It is obvious from the lengthy discussion on this area at the March 21st meeting that the operation of the parole board needs to be changed. Rationale is offered here as a perspective from a group of involved but seldom ask for advice group, the friends and families of incarcerated persons.

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7024862810

Have the <u>four designees for parole board hearing days in one place</u> to communicate via videoconferencing with the inmate in question: these decision makers having <u>reviewed records and paperwork</u> prior to the hearing (eliminate after hearing closed deliberations and decisions.) A decision for or against release will be announced on that date.

This is done in other states: perhaps a little information would be helpful. If the decision is favorable the inmate understands the time frame for a release date which will be sent him with the paperwork within a specified time and a date for release established. If the decision is negative the inmate will be given a minimum of two areas needing improvement before the next hearing. An approximate time for the next hearing is projected – one to five years dump. As Ms Rowland of the ACLU stated that the discretionary practice of not giving reasons for denial does not give inmate clear signals on what to work on. This goes against incentives and does not achieve (Rowland's**perception) the goals of the legislature

If the victim and his support team (one designated speaker for al in attendance) wish to speak, they should made arrangements in advance with the parole board) to be heard the day of the hearing but prior to its official start. After the victim's entourage leaves the parole board facilitator would call in the inmate, summarize the testimony of the victim for him (or play back tape) and then hear from the inmate and his outside support system. After a short private parole board deliberation time the victim's entourage can opt to return for the decision knowing that the inmate will be present or can leave and get the results sent later.

The recommendation made by several inmates and families is for all parole hearings to be taped and kept for a specified period of time.* Perhaps hearing the playback of the hearing might give the parole board members insight into their professionalism, or lack of it. At this time Ms. Salling's March 21st statement "we are patient, kind, not autocratic" is questionable.

It is difficult for inmates and families to follow the rationale that victim's can, by mandate be heard and the inmate and his outside support system are asked to put their comments in writing, is not mandated. This is one of the discretionary decisions of the board must be reviewed * Assemblyman Horne's response to Ms Salling's statement that "the law doesn't say we have to do that' was right on target. He stated "This is under your discretion to do this humane feature"

Much has been said about the PSLF, Parcle Success Likelihood Factor tally sheet used by the parole board. This form (attachment "C")needs revision to permit more weight being given to dynamic versus static factors. The current form reflects a cap of ten points on credit factors and no limit on disciplinaries. Inmates decry that the more time. You

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serve, more consecutive sentences (and enhancements you serve out) the more time you are given. Compare attachment "C" This is due to the discretionary belief that the board must look at the total picture, all charges, even if the inmate has just served out the conviction time for one of his convictions. It is still included in the tally for time for the next sentence. I know this is confusing particularly if this is your first time looking at this material. Overtime is metered out in far too many cases with inmates now keeping their paperwork as proof. An offender is deemed you are no longer a threat to society on that sentence portion but we consider you a threat for this next charge. This practice makes more paperwork and the need for more hearings. When there are consecutive sentences and an inmate earns the privilege move him on to the next sentence at the minimum parole eligibility time (deductions factored in for disciplinaries, etc). * Evaluate the inmate for "threat to society factor" only when the final consideration time arrives for release to the community*.

*Rectify the omission in NRS213.1088.(4) regarding continuing education for parole board commissioners by adding a section (n) relating to those with sexual assault charges

There are other interesting inconsistencies in the discretionary decisions of the parole board such as with the "blanket" limitations metered out for all sex offenders. This holds whether the conviction was for "streaking" or rape with severe bodily harm. Some offenders, technical parole violators come to mind, and find themselves mandated to return to the same community counselor that they failed under previously. For some the confusion is that they have been told by parole board and P & P that they do not want to send them back to the same environment in which they have failed, thus your parole plan has been denied.

I sat in on most of the sessions with Dr Austin and do not agree with the interpretation of his recommendations to them that he validated their risk factor procedures. My perspective was that he pointed out numerous areas of concern here and made recommendations that were not considered for implementation. At the end he made the recommendation that if they did not want to change their PSLF, Parole Likelihood Success Factors that they add a Risk Assessment concept See Attachment 'D'This plus such as Ms. Salling's statement that national statistics reporting Nevada as the state with the lowest rate of releases is a "bald faced lie" leads one to believe there is too much discretionary decision making being made internally. Ms. Rowland spoke to the need for an objective risk assessment instrument with no discretion to go above or under the given guidelines.

In the past suggestions for better operational procedures have been projected from inmates and others of the general public. As a regular attendee at most of their public meetings I have never seen a decision withheld until the next meeting so a suggestion can be acted on (Open meeting law requirement). Since this source of recommendations seems unacceptable to the parole board it is obvious that there is a need for an outside check and balance system to be in place here. Only once have I seen a staff person from

4/27/2006 page 6

the NDOC or Probation and Parole at one of their meetings. My recommendation for checks and balances to the parole board system, is for the legislative branch come forward and utilize its duties. * It can mandate specifics be followed, approve parole board appointments, review parole board regulations (not guidelines) before they are initiated, and clarify adherence to the Nevada Open Meeting Laws. Ms. Rowland of the ACLU addressed the tension between the NDOC and Parole Board and reminded listeners that in 38 states the Parole Board is within the DOC She closed by saying that the parole board has too much discretionary power and our state is "out of step' with where parole is going.

RE: NDOC

Although this department is not directly named in ACR 17, we certainly know that it is extensively involved in the evaluation of section 6 "Training, education, and rehabilitation programs that are available for offenders in this state"

It is unfortunate that this Interim Study Committee met only four times. Two oversights (time limitation?/) are obvious to this observer. One is the lack of statistics researched and presented, both Nevada and National ones. Second is that plans for crime prevention and public education of criminal justice issues was not addressed.

We families and friends, as well as inmates know there many NDOC concerns awaiting attention Former NDOC Director Crawford's excellent mission statement is hereby presented as a guide/goal to get this part of our Criminal Justice System working in a positive manner.

"A balanced and structured institution will instill that [offenders] must learn the value of earning privileges and know that privileges are lost through negative behavior..." "In order to address this arrested maturity, our methods of correcting, punishing, teaching, and demonstrating behavior must be done to raise the maturity level of [offenders] and regroove the thought patterns through a cognitive restructuring process."

Also Attachment "E": is an excellent article, A hang for the Buck: Considering Outcomes in Alternatives to Incarceration on what is happening and working in other parts of the country with the concept of successful reentry projects. There are so many articles on programs adaptable for Nevada. I am available to share some of the ideas

Thank you for listening.

SUDMILLEW: 3/21/06

BOARD OF PARDONS

Application for Commutation of Sentence - Page 1 of 2

Applicant Name

7024862810

NDOC#

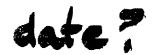
This application is designed for inmates currently serving a sentence imposed by a Nevaua court. Applications that are not complete may be rejected. Once your application is complete, return to your caseworker for forwarding to the NDOC Director, or mail completed applications to the NDOC Director at PO Box 7011, Carson City, NV 89702 or 5500 Snyder Ave, Building 17, Carson City, NV 89701.

Applications must be received at the office of the Director no later than April 5, 2006 in order to be considered.

Please indicate your answer by checking the yes or no box after each question	YES	NO
Have you been housed in disciplinary segregation for any period of time within the past 36 months?		No
Have you been found guilty of a major disciplinary infraction within the past 24 months or do you have a major disciplinary charge pending?	·	No
Have you had three or more minor/general disciplinary infractions within the past 18 months?		No
Are you eligible for release on parole to the community within 12 months?		V
Were you revoked on your current sentence or are you serving a single sentence that you received while you were on parole?		NO
Have you been denied release on parole to the community on your current sentence?		NO
Do you have any unresolved criminal charges?		No
Is your case under appeal in a Nevada or Federal Court, or do you have plans to appeal your case in the future?		NO
Are you projected to expire your sentence to the community within the next 12 months? SEE "Attached Pardows Board Reply"		V
Have you served less than 36 months on this current period of confinement 20 ve's	(12/18/80
Have you submitted an application for pardon that was denied within the last 12 months? See "Attached Pardons Board Reply"	2005	
Have you ever appeared before the Pardons Board? Served 2018 of Ive NEER		No
Appropriate DEFORE the Pardons I	noed W	+ 111

Only Inmates who are serving a sentence of Death or Life without the possibility of parole please answer the following:

What	year	did you	commit	the	offense	that	resulte	ed in	a	sentence	of	Death	or	Life	With	out?





Application for Commutation - PAGE 2 of 2

(430) - Appli	
Name	NDOC#:
Court that rendered judgment (i.e., 8th	JD, 2nd ID etc): 8th Jud. Dist. Ct. / Clark County, NEV.
Current NDOC facility: L.C.C.	Listeres 85 use All
Current age: 54	Age when brought to prison on this charge: 35 yes. old
US Citizen?: (Yes) No	Sex: Male Female
single sentence expir	ation date? Feb., 2009
additional sheet of paper is necessary, 5 yr. to life-CS 5 to life the CS life SENTENCE, A	
Served in the ID. St.	as in this or any other state or jurisdiction: I had a Grand Theft aho, and have been Discharged with time ate Prison back in 1980's.
I	ing be taken on your case by the Pardons Board: AM SEEKING A PARden
Please indicate why your request sho paper if necessary)? I have Serv Il different time's, & Many. Cut standing Role-Modle in I've takent completed over for Re-entry into Society. For Relapsed prevention & co again. I also just got m am Not the Same Person I	puld be considered by the Pardons Board (please use an additional sheet of puld over 19 yrs. for my crime, & have seen the Parole Board time's they have repeatedly told me: I am the involumnate that they have ever had come in front of them imate that they have ever had come in front of them imate that they have ever had come in front of them is structured living; C-Base; Therapy for psyche-groups of the treatment, so this does not ever had en continued treatment, so this does not ever had en carried June 1st 2005 to my life time Soul Mate; as I was when I started this sentence.
The state of the s	
marala cligible in the near future // onsc	

Date & Signature of Applicant

STATE OF NEVADA BOARD OF PARDONS APPLICATION FOR COMMUTATION OF SENTENCE

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	~ 4 4	· •

AME	NDP NO INSTANT
FENSE & SENTENCE: Kidnap, battery,	and rape. Six (6) five-to-life
entences, and a seven year sent	ence.
	_1
JRRENT TIME SERVED: 13 years	COUNTY OF CONVICTION: Clark County
YOU HAVE AN APPEAL PENDING - YOUR APPI	LICATION WILL BE AUTOMATICALLY DENIED.
Please indicate if you have now, or intend to he YES or NO (please)	ave an appeal through any court?
· '	•
ANY APPLICATION RECEIVED AFTER TH	PRISON COUNSELOR NO LATER THAN OCT. 29, 2001. EDRADLINE DATE WILL NOT BE PROCESSED.
APPLICATIONS MUST HE	SIRMITTED THEOLOGY THE DOLGON
THE MEETING WILL BE HELD ON	DECEMBER 14, 2001 IN CARSON CITY.
ase state what action you wish the Board of Pardons to	o take and state why you feel your request should be granted.
I Wish for the Board of Day	dans to commen
- AND NOTATED ILLUM USS LIEGH LIEW	
projected at 5-17-2004 Mar	d denied me to expiration, which is
sentence will be in the	ext parole hearing on my next life ear 2009, unless I am granted a
	ced to prison on 2-10-89 by Justice
Mariam Shearing.	ced to prison on 2-10-89 by Justice
The reasons why I feel the abo	ove request should be granted: I am
and	unequested vound man that I
A ANGER. Seven months ago the	o do as a tutor for C-BASE and MEN payon panel certified that I am no
longer a threat to the safety	psych panel certified that I am no
Trad up to this crime what	of society. That I understand that I have the tools to prevent this
type of behavior of repeating.	I am rehabilitated
	- am rendutitings

ADDRESS ALL COMMUNICATIONS TO:
PARDONS BOARD

1445 OLD HOT SPRINGS ROAD
SLIFE 108-B
CARSON CITY, NEVADA 88711
TELEPHONE (775) 684-2460
FAX (775) 687-6736

STATE OF NEVADA

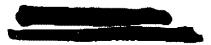


BUTTHU UR WHALKOING KENNY C. GUINN GOVERNOR, CHAIRMAN BRIAN SANDOVAL ATTORNEY GENERAL, MEMBER NANCY A BECKER JUSTICE, MEMBER ROBERT E. ROSE JUSTICE, MEMBER A. WILLIAM MAUPIN JUSTICE, MEMBER MARK GIBBONS JUSTICE, MEMBER MICHAEL L DOUGLAS JUSTICE, MEMBER JAMES W. HARDESTY JUSTICE, MEMBER RONALD D. PARRAGUIRRE

JUSTICE, MEMBER

October 21, 2005

TO:



Dear Pardons Board Applicant,

After reviewing your application and other information related to your case, it was determined that your application would not be considered at this time. You will need to apply again if you wish to have your case reviewed for consideration at a future meeting of the Pardons Board. Applications will be made available at that time.

There is no exclusive reason why an application is not approved. Typical reasons for denial may include being parole eligible in the near future or having been denied parole on your current sentence, having a relatively short sentence, having an appeal pending, expiring soon or management issues including but not limited to disciplinary or work record. The reasons listed in this letter are not all inclusive.

Please note that there is no right afforded to any person to be considered for or be placed on an agenda before the Pardons Board, nor is there a right or avenue established to appeal this decision.

Sincerely.

David M. Smith Executive Secretary

PARDONS AND PAROLES

213.1085

7. Except as otherwise provided in NRS 213.133, a decision on any issue before the hoard, concurred in by four or more members, is the decision of the board. (Added to NRS by 1957, 738; A 1959, 797; 1977, 286; 1979, 1116; 1987, 317; 1991, 1354; 1993, 1523; 1995, 2290)

REVISER'S NOTE.

Ch. 611, Stats, 1995, contains the following provision not included in NRS:

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"As soon as practicable after July 1, 1995, the governor shall appoint to the state board of parole commissioners a sevenin member whose initial term expires on July 1, 1997. As the larms of the mambers of life stall. Lucad of parole commissioners expire on or after July 1, 1995, and the appointment required by this section is made, the governor shall appoint members having qualifications required by NRS 213.108, as amended by this act, to the extent that other members of the state board of parole commissioners do not already possess those parole commissioners a seventh member whose commissioners do not already possess those qualifications.

Notwithstanding the provisions of NRS 213.1087, the term of any member appointed to

the state board of parole commissioners between July 1, 1995, and July 1, 1997, expires on July 1, 1997."

ATTORNEY GENERAL'S UPINIONS. Commissioners' authority to act independentily of governor does not violate state con-Millialial may him denling win comof parole commissioners with authority to act independently of governor's approval is not vio-lation of Nev. Art. 5, § 14, as parale is different from pardon and commutation in that it does not shorten prisoner's sentence, but merely allows him to go outside of prison while remaining in

custody of parole commission. AGO 119 (4-25-

213.1085 Executive secretary: Appointment; unclassified service; qualifications; duties.

1. The board shall appoint an executive secretary, who is in the unclassified

service of the state.

2. The executive secretary must be selected on the basis of his training, experience, capacity and interest in correctional services.

3. The board shall supervise the activities of the executive secretary.

4. The executive secretary is the secretary of the board and shall perform such duties in connection therewith as the board may require, including, but not limited to, preparing the agenda for board meetings and answering correspondence from prisoners in the state prison.

5. The executive secretary shall prepare a list at least 30 days before any scheduled action by the board showing each person then eligible for parole indicating:

(a) The name of the prisoner,

(b) The crime for which he was convicted: The county in which he was sentenced:

(d) The date of the sentence;

(e) The length of the sentence, including the minimum term and maximum term of imprisonment or the definite term of imprisonment, if one is imposed;

(f) The amount of time actually served in the state prison;

The amount of credit for time previously served in a county jail; and (h) The amount of credit allowed to reduce his sentence pursuant to chapter 209 of NRS.

The executive secretary shall send copies to all law enforcement agencies in this state and to other persons whom he deems appropriate, at least 30 days before any scheduled action by the board. Each law enforcement agency that receives the list shall make the list available for public inspection during normal business hours.

(Added to NRS by 1973, 804; A 1979, 349; 1995, 1258, 2066)

MEMORANDUM

TO:

GREGORY R. HOGAN #21512 (ESP)

FROM:

BRYN ARMSTRONG, CHAIRMAN

PAROLE BOARD

SUBJECT:

CORRESPONDENCE RECEIVED

DATE: August 3, 1990

Receipt is acknowledged of your letter of July 17, 1990.

The objections to the Parole Board decision of May 24, 1990 are not valid.

- 1. The decision was made by two Commissioners other than Commissioner Moseley as indicated on the Board order and for the reasons stated in that order.
- 2. By law, victims of crime in Nevada are entitled to certain rights, including the right to express an opinion on whether the convicted person should be paroled. The Board solicits these letters, as is required by law.
- Current Nevada Department of Prisons regulations require prison wardens to include a recommendation on prison progress reports.
- 4. The Board does not penalize offenders who have lawsuite. You have the right to do so and the Board will not, under any circumstances, impede you in this effort.
- 5. The standards mandated by NRS 213.10987 were not effective until June 27, 1990, when they were filed with the Secretary of State.

It is further noted that in carrying out Legislative mandate, the Nevada Board of Parole Commissioners considers all factors set forth in NRS 213.1099 in making its decisions.

These factors more than justify the prior decision to deny parole:

- 1. Your history of violent crime.
- 2. The violent crime on which you are now serving and on which, as you were informed, you have not met the standards for months served set by the Nevada Risk Assessment Table in effect at the time this crime was committed. As noted, the standard is 102 months. Under Nevada law, the Board has the discretion to parole you to a consecutive sentence prior to the service of 102 months, but has chosen not to do so.

Your record of violent crime amply justifies this decision.

ERYN ARMSTRONG, CHAIRMAN

BAtot



STATE OF NEVADA

CANADA - MINING

PINK - TIME COLUENDOD - PAP



Nevada Board of Parole Commissioners

Parole Success Likelihood Factors NAME MDOPA NCKTHITTEM Canvidiane Mind. hon-victeric X 9 This or Alashol Convictions Enhancements: Mizo, Moteot: XZ 1,993=1月,4108=2月9,7+=3月9. EMONY myn-victions: СX THIRTY VIOLENT **Y**A 16 QUALTOTAL | Impilityal COURT ACTION: 75.3% imarcomium: Mesiphinary Actions: Major. Probablish Revocations: (ono is + it) cointel Parals Revocations: Drugge or Alcongl socited vianificated embeded level due. " Fricher During 1707: ly or n. Applies only if I/O is not a drug stigicated allense). MCREDITS: Fansirone: Possession; y = 2Omcipilitary Cradita (3 politic final) [himat/Display Usa: γ≂€ Programming: OED, H.S diplome, college credits; Victim Impact 13 Diciparty: y = 2C) Long term programs: X.2 Physical/Manbat y = 44 Short tenn progressio: Sex traine or permenently dissibled: 81 y = 0 0 (canica Of - at QEA) y = 01 CRIME SEVERITY LEVEL: [BS SCOPE: 6 Months Employment or School: MONTHS Prepared by: Commissioner Atlan 15 70 MAR BEAUCHS PM DIH

PAROLE STANDARDS

Offenders will appear before or be considered in absentia by a panel of the Parole Board for parole consideration when they have served the minimum time required to attain parole eligibility as provided by Nevada law. If the offender is serving concurrent sontences for multiple offenses, the most severe offense will determine the crime severity level.

Pursuant to NRS 213,10885, the Board has adopted by regulation standards for release on or revocation of parole. The regulations are set forth in Chapter 213 of the Nevada Administrative Code (NAC) at sections 213.510 through 213.560. The Guideline Recommended Months (GRM) to serve calculated under the Board's parole standards is a suggested range of months to be served and is based on a combination of offense and offender characteristics.

Pursuant to NRS 213,10705, the release or continuation on parole is an act of grace of the State. In addition, pursuant to NRS 213,10705 and NAC 213,560, the Parole Board is not required to grant or deny parole based on the guideline-recommended time to serve, and the establishment of parole standards does not create any right or interest in liberty or property, does not give rise to any reasonable expectation of purule, and does not establish any basis for a cause of action against the State, its political subdivisions, agencies, boards, commissions, departments, officers or employees. See Greenholtz v. Immstes of Nebraska Penal & Cor., 442 U.S. 1, 99 S.CT 2100, 60 L.Ed2 668 (1979).

These parole standards are designed to aid the Board in making consistent decisions. The Foard will also consider any recommendations from the Court, law enforcement agenties, prosecutions, prison personnel, and victims as provided in NRS 213.130. Further, the Board will take into account the considerations set forth in NRS 213.1099. In exercising its unlimited discretion to deviate from the time periods recommended under its guidelines, the Board will consider the factors set forth in NAC 213.560, and any other mitigating or aggravating factors which the Board deems relevant. The Board is not required to provide an offender with any reasons concerning a decision to deny parole, Weakland v. Board of Parole Comm'rs, 100 Nev. 218, 678 P.2d 1158 (1984), but may elect to do so in those cases where its decision deviates 6 on the guideline-recommended time to serve.

The Board's current standards were adopted effective August 11, 1998. All offenders being considered for parole release, except those being considered pursuant to the provisions of NRS 213.1215, will be evaluated under the Board's current guidelines, regardless of offense date, date of conviction, or any standards previously utilized in considering the offender for parole release. These standards corve as guidelines only, the Board is not required to adhere to the guidelines, and they are not laws for purposes of ex post facto analysis. Offenders do not have a right to be considered for parole under any previously existing set of parole standards. Smith v. U.S. Parole Com'n, 875 F.24 1361 (9° Cir. 1989); Vermouth v. Corrothers, 827 F.2d 599 (9th Cir. 1987); Wallace v. Christensen, 802 F.2d 1539 (9th Cir. 1986).

The Board has adopted crune severity levels A, B, C, D & E based on the statutory definitions set forth in NRS 193.130, 193.330 and as provided by specific criminal statute. The Board has expended levels A and B to A1, A2, A3, A4, B1, B2, B3 & B4 to reflect the diverse minimum and maximum sentencing ranges provided for by statute for level A and

The Board will review an offender's disciplinary and programming scores at the time of each hearing. Any change from a previous score will be noted and may result in a change to the offender's net parole success likelihood score and guideline-recommended time to serve.

ORE	0-10	11-20	21-30	31-40	41-UP	LEVEL	SENTENCE STRUCTURE BY STATUTE
Al	240-276	276-312	312-348	348-384	384-420	"A" CRIME:	20 YEAR OR MORE MINIMUM
A2	180-216	216-252	252-288	288-324	324-360	"A" CRIME:	15 YEAR OK MURE MINIMUM
A3	120-150	150-180	180-210	210-240	240-270	"A" CRIME:	10 YEAR MINIMUM
A4	60-84	84-108	108-132	132-156	136-120	"A" CRIME	5 YEAR MINIMUM
BI	24-48	48-72	72-108	108-144	EXPIRE	"B" CRIME:	20 YEAR MAXIMUM
B2,	18-30	30-48	48-66	66-84	EXPIRE	"B" CRIME:	15 YEAR MAXIMUM
B3	12-24	24-36	36-48	48-60	EXPIRE	"B" CRIME:	10 YEAR MAXIMUM
B4	12-18	18-24	24-30	30-36	EXTIRE	"B" CRIME:	6 YEAR MAXIMUM
C i	12-16	16-20	20-24	24-28	EXPIRE	"C" CRIME:	5 YEAR MAXIMUM
D/E	12-15	15-18	18-21	21-24	EXPIRE	"D/E" CRIME:	4 YEAR MAXIMUM

CONVICTIONS/ENHANCEMENTS: All adult including instant offense and consecutive sentences.

INCARCERATIONS: All adult including instant offense and previous CS terms.

WEAPONS: Instant offense only, actual, highest level, even if plead out. Instant offense only, actual, highest level, even if plead out.

EMPLOYMENT:

Any full time job, school, SIIS or SSI for 6 months during year prior to instant offense. DRUGS/ALCOHOL: All convictions, including instant offense.

COURT ACTION:

% of maximum sentence ordered.

DISCIPLINARY:

Based on previous three years. 10 points maximum, Credit limit is 3.

+2 for each major violation.

- +1 for each minor/general violation.
- -I for none at to hearing or none during the previous year.
- -2 for none in the last two years.
- -3 for none in the last three years.

PROGRAMMING:

- [-10 is maximum] Inmate must provide case worker with original for verification and copies of each certificate and diploma
- -3 for either GED, high school diploma, or 12 college credits.
- -2 for long term substance abuse program, behavior modification, or literacy program
- -I for short term counseling, street readiness, job workshop, parenting, weekly AA/NA's, full time job (1/2 day or more), or other program deemed appropriate by the Board.

STATE OF NEVADA

WHITE - Board File CANARY - Inmate PINK - TFRe GOLDENROD - P&P

Nevada Board of Parole Commissioners

Parole Success Likelihood Factors

NAME NDOP8 INSTITUTION DATE Convictions/ Enhancements: Misd. non-violent: 1		•			•
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a Factor During I/O?: (y or n. Applies only If I/O is not a drug or clocked offense). CREDITS: Nespons: Possession: N y = 2 O Threat/Display: N y = 6 B Programming: GED. H.S diploma, college eradite: O Satisfall/Mental: Y y = 4 Sex crime or permanently disabled: Death: N y = 8 O CRIME SEVERITY LEVEL: B1 SCORE: 38 Statistical Risk: MODE GRM: 108-144 MON	Enhancements: Incarcarations;	Misd, violent: 3 Felony non-violent: 5 Felony violent: 5 Habitual: 0 Jalk 2 Prison: 4	X2 6 X3 3 X4 20 X6 0 X1 2 X2 8	Drug or Alcohol Conviction: 1 1 to 3 = 1 pt, 4 to 6 = 2 pts, 7 + = 3 pts: SU COURT ACTION: 13 Disciplinary Actions: Major: 1 Min/Gen: 1	B-TOTAL; 58 65% 38 X2 2
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Statistical Risk: MODE GRM: 108-144 MON Palared by: Commissioner Silva		Physical/Mental: Y armanently disabled: N	y = 4 4 y = 6 0	Long term programs: 0 Short term programs: 0	X2 0
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STATE OF NEVADA

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SERTIFICATION OF BOARD OF PAROLE COMMISSIONERS ACTION

10-22-2001
ORDER DENYING PAROLE RELEASE





Campa o morni

is in the order of the Board that further concideration of parels in DENIED until access to 02-01-2003

Recommendation of panel present:

Commissioner J. Allem: DENY
Commissioner J. Morrow DENY

Camplesoner Y, Goodson: [JEP17

The final action was ratified by the following parele controlesioners:

Chamissioner J. Allem: DENY
Contamisoner I. Goodson: DENY

Chairman C. Sulling DEJAY
Constitutioner J. Majorese DEJAY

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Nevada Department of Corrections -- Inmate Detail Record
The Information provided through this process is raw data. As the information is raw data, the department makes no war,
associated with its use. For example, the department makes no guarantee that the raw data is free of input errors, Further cennot provide a judgment as to the reliability or validity of this raw data when used in models, studies, or research projecontrol. The information on this website should not be used as an "official" record by any law enforcement again.

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NEVADA PAROLE GUIDELINES – RISK ASSESSMENT

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	7. Current Age	
0	41 and above	-1
1	31 – 40	0
2	21-30	1
 	Under 21	2
0	8. Active Gang Membership	
2	No	0
	Yes	2
0	9. Completed DOC Certified Education/Vocational/Treatment Program	
1	Yes or Has an existing GED/High	-1
2	No No	0
	10. Disciplinary Conduct - Past Year	
0	No Major Disciplinary Violations or Single Minor Violation	-1
2	Multiple Minor Violations	0
	Major Violation	1
0	Multiple Major Violations	2
1	11. Current Custody Level	
2	Minimum	-1
	Medium	0
1	Maximum or Administrative Segregation	2
0	Total Dynamic Risk Score	
	Total Score	
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Date: Tue, 17 Jan 2006 00:01:21 -0500 From: <FedCURE@FedCURE.org>

Subject: A Bang for the Buck: Considering Outcomes in Alternatives to Incarceration

A Bang for the Buck: Considering Outcomes in Alternatives to Incarceration By Michelle Gaseau, Managing Editor

It's hard to imagine buying a new car these days without at least comparing the fuel efficiency of different models. Those who care about how much they spend at the pump would do the research.

But until recently, that kind of thinking was not applied by corrections agencies to community corrections programming. In some states, alternatives to incarceration programs have been up and running for decades, but those funding these programs have not evaluated how effective they are - despite the impact they have on recidivism rates. That is changing.

"In the world of justice we have to start thinking like a business, and in business you wouldn't do things that weren't producing results. We do have to pay more attention to the research so the results make sense and have positive impact, in particular as it relates to recidivism. This is the wave of the future," said Deb Minardi, Deputy Administrator of Community Corrections Programs, Office of Probation Administration for the State of Nebraska.

Earlier this month, Nebraska probation officials launched a set of five pilot programs designed to divert high-risk offender with drug related charges from the prisons. These programs are unique for the state because they are the first community corrections programs ever implemented and they closely follow what is known as evidence-based practices - or research proven principles for success and lower recidivism.

"In probation without question we are moving toward everything evidence-based, whether it's is sex offenders, domestic violence offenders or juvenile justice. We are looking at what the research says and we will build and build," said Ellen Fabian Brokofsky, Nebraska's Probation Administrator.

Nebraska isn't the only state looking to make changes based on the research.

Ohio's Department of Rehabilitation and Correction is in the process of changing its Community Corrections Act programs to enhance outcomes and target resources toward those offenders who benefit the most from these diversion programs. Washington State has also commissioned the Washington State Institute for Pubic Policy to study and make recommendations to the state legislature about the implementation of evidence-based programs and the potential cost savings associated with them.

A Change in Thinking

According to Edward Latessa, Professor and Division Head, Division of Criminal Justice, University of Cincinnati, corrections administrators and legislators across the country are starting to change their thinking about how to fund corrections, probation and parole programs.

While for many this paradigm shift began as a result of financial woes a few years ago, it seems to have stuck as officials realize the benefit of the research.

"Most states went through a pretty tough time and you started hearing about smart sentencing. It's a big ticket item. It started out that way, but it has gained a lot of momentum now. A lot of states are now saying 'Why are we doing things that aren't getting the desired effect," said Latessa, who has co-authored several studies about the effectiveness of Ohio's community corrections programming.

Researchers from the University of Cincinnati have studied the effectiveness of half-way houses, Community Corrections Act programs and juvenile community programs in Ohio.

Those studies determined that community corrections diversion programs were most effective when they admitted higher-risk cases, when they provided more services to those higher-risk cases, and when they separated offenders by high and low risk when referring them to outside services. In addition, the research showed that the programs needed more standardized program completion criteria, a quality assurance process, should adopt a sound treatment model, such as cognitive behavioral or behavioral based programming, and audit programs to meet certain criteria for effectiveness.

Latessa believes that years ago states focused on the number of offenders who could be diverted from prison or detention, rather than targeting the offenders most likely to succeed from community programs. Now with the research completed, the thinking has changed.

According to Latessa, some states, like Ohio, would typically allocate money towards programs, for example, that would divert 400 people from prison, then the jurisdictions running the programs would go out and find 400 people to fill those slots and get the money.

"The end result, though, is you get some low-risk people in there and you make them worse. The research says you need more treatment (for high-risk offenders,) but there's not enough money for it because it was allocated to the 400 offenders," Latessa said.

"There wasn't a clear pattern about program design. Counties were told to serve more cases, serve more offenders. If there is that pressure, then you lose sight of what you're doing," he added.

Latessa said that state legislators in Ohio have recently discussed tying treatment

vouchers to high-risk offenders as a way of targeting programs to those who would benefit the most from them. This plan would decrease the number of offenders diverted, but would actually mean a higher success rate because high-risk offenders would receive more intense treatment with those same "diversion" dollars.

With the release of the University of Cincinnati's evaluation last spring, Ohio corrections officials have begun to implement some dramatic changes in how these programs are run - with the goal of that dollars will be better spent and programs will be offered to those who will benefit from them the most.

Ohio Makes Changes

Linda Janes, Chief of the Burcau of Community Sanctions for the Ohio DRC, said the department has taken a three-pronged approach to revamping its community corrections diversion programs in light of the University of Cincinnati research.

One of the biggest changes that is on the horizon is the implementation of a new Ohio-based risk assessment tool, which addresses the problems found in the evaluation that different programs used different risk-assessment tools for offenders. The tool is being created in partnership with the University of Cincinnati.

"In Ohio, some of our programs are using no tool, others are using an extensive tool [the LSI-R] Some other smaller programs are using a makeshift tool they created on their own," said Janes. "I think we are leaps and bounds ahead in terms of other states and it is something that no other state has attempted."

Janes said the new assessment tool will benefit judges who will be better able to determine high-risk offenders from low-risk ones and make better sentencing decisions and it will standardize assessments of offenders in terms of scoring.

Janes explained that now, because different tools are being used, a score for one offender in one county may mean something completely different in another county that uses a different assessment tool.

"Everyone will be singing off the same sheet of music in terms of scores," she said.

In addition, she expects the new tool will help to improve the scoring for sex offenders and domestic violence offenders.

"With sex offenders, domestic violence and DUI offenders often we get a false risk score and they appear to be a lower risk than they actually are. [With the new tool] we will have some drop down menus for those offenders [to drill down to their specific risk factors] and also it will be looking at the mental health offender," Janes said.

Janes is especially excited about the computer interface that will come along with the new assessment tool because it will be accessible by all those authorized to use the

system and will create a single record for offenders with their past scores, criminal history and other pertinent information to their participation in the community corrections programs.

Aside from the new assessment tool, Ohio officials have already instituted a new audit system with outcome-based standards to determine the performance of individual programs and to shift funding of programs to match those with the lowest recidivism rates.

"We are at a new level of sophistication and we want to hold those programs and offenders accountable," said Janes. "We have changed the face of how we audit programs. We want to be able to tell taxpayers the money we are spending is being well-spent and the biggest bang for the buck is when you can reduce crime."

With funding, Janes said, the state is changing its system from paying for programs peroffender-diversion to paying for them based on recidivism rates.

"We are looking at those programs that need to improve over the next 12 to 18 months. We are shifting the philosophy to looking at recidivism reduction and whether or not the programs have the characteristics of a successful program," she said.

"In my view this is the silver lining of the budget cloud we have experience in the last four to six years. When dollars are tight it forces us to spend more wisely. [But] that should be used whether money is flowing or scarce. I think corrections is being run finally as a business," she added.

As the changes materialize, the probation division will also strive to educate the public about what the research shows in terms of program effectiveness and how it relates to public safety.

"If you put a person in a program and they get the services they need, then it is a public safety issue. That offender will be less likely to commit a new crime," Janes said.

Nebraska officials have also recently adopted this philosophy with the idea of improving results.

Nebraska Launches Pilot Programs

In just over a month, Nebraska felons with serious drug-related offenses will be diverted from prison time to a newly created community corrections program that is designed to address their substance abuse problems as well as their criminogenic thinking.

According to Nebraska Prohation's Minardi, the programs will use assessment tools to determine those offenders who present the highest risk to recidivate.

"This is the first time we have developed a program that is founded on evidence-based

principles and has combined treatment, cognitive behavioral programming and day reporting as components," Minardi said.

The offenders who participate will do so while living in their homes and will report to programs specified in their individual treatment plans. Minardi said each offender will be prescribed a different "dosage" of the program based on their needs and their situation.

If, for example, an offender is holding down a job, then he may participate in the program after he leaves work each day. An offender who has no regular employment would likely participate in programs for a full-day.

The length of the programming will differ for each offender as well.

"One individual may be involved in employment skills and education, while another may be involved in anger management and parenting. One of the things we don't want is a cookie cutter program. We know we have to tailor to the needs of the offender and that will drive the length of time. And, the research tells us the longer, the better," she said.

Each of the five pilot program sites is able to take 48 offenders who will be supervised by specially trained Specialized Substance Abuse Supervision officers.

These officers, which include mostly senior officers as well as some with special credentials, will have completed an intensive six-week training on the supervision of these offenders as well as the cognitive behavioral programming the offenders will receive.

The combination of intensive programming and specially trained officers, officials hope, will produce lower levels of recidivism, relapse and will improve employment and reintegration into the community.

"We have set the bar high and we are hoping to see upwards toward 60 percent reduction of felony arrests during the first two years following the successful completion of the program," said Minardi. "We really have done our homework the good news is there is a lot of research out there that says if you include these core components and target these high risk offenders [it works]."

One way the department will ensure that the new programs are working is a built-in evaluation program through a computerized system that will be used by those involved in the offenders' treatment and supervision.

According to Minardi, data will be collected from the start of the program and stored electronically so that the progress of individual programs and individuals themselves can be monitored.

"While we intend to do comprehensive evaluations with outcome measures, we [also] can pull reports all the time and see incremental risk factors. An officer can hit a button and

see if the offender is improving or not improving," she said. "We'll have instantaneous data about certain programs or strategies and which are more successful and we'll be able to measure and compare."

In addition, substance abuse providers involved in the program will have access to offenders' records and can add information based on their progress.

According to Brokofsky, the department's new philosophy about treatment and programming was initiated from the ground up by a diverse group of individuals who knew there was a better way to work with these individuals.

After several years of meetings between corrections, probation, diversion and other providers the group is now able to see the fruits of its labor.

"We want to see people not being re-arrested and not ending up in institutions. We're taking about making them productive citizens. Seeing that these people have high school diplomas and have some kind of skills," Brokofsy said, who believes that this is the direction of future programming in the state.

Once the initial pilot phase of the program is over, and if the programs prove successful, the state plans to expand the programs statewide.

Washington State Looks into Populations and Programming

Washington State officials have also been looking closely at the effectiveness of diversion programs. Last year, the state Department of Corrections received an evaluation of its Drug Offender Sentencing Alternative (DOSA) program that revealed the program was more effective for drug offenders than property offenders receiving the programs.

According to Steve Aos of the Washington State Institute for Public Policy, which conducted the research, the institute looked at cost benefits of the program following an expansion of the group of eligible offenders who could be sentenced to DOSA.

In 1999, the state passed legislation that allowed property offenders to be included in the program as well as those who had actually committed drug offenses. The idea behind creating DOSA was to reduce the fiscal burden on the DOC by allowing non-violent offenders to serve part of their sentence in the community and provide offenders with chemical dependency treatment

According to the Institute's research, 64 percent of those receiving DOSA sentences were convicted on drug offenses, 30 percent were property offenses and six percent were person offenses.

But the outcomes for the offenders involved in DOSA differed depending on their offense.

"Our study showed that the program lowers recidivism rates for drug offenders but was neutral for those who were property offenders," said Aos. "When we did the cost benefit analysis, the economic benefits were attractive for the drug offenders, but not for offenders who were property offenders."

According to Aos, the trade off - for state officials -- in terms of cost savings was less time in prison for certain offenders in exchange for completing drug treatment. But the recidivism results of the program are much stronger for those who had a specific drug offense.

With this information on DOSA, the state legislature was prompted last year to ask the Institute to conduct more in-depth research into short and long-term fiscal savings by implementing evidence-based treatment human services and corrections programs and policies, including those used in sentencing.

According to Aos, the study is supposed to provide an economic analysis of all the options and policy "levers" that the legislature has at its disposal to stabilize prison populations.

"We are looking on a full range of options-- prevention programs for children and decreasing crime in the long run, so if we want to avoid prison time down the road make some investments there," said Aos. "We are looking at investments that are cheaper than prison."

As a part of the new study, Aos said the Institute will look into juvenile justice programming as well as offenders in the adult system and it will investigate sentencing alternatives as well.

Based on the reaction to the Institute's previous study of the juvenile justice system in Washington State, Aos believes that the state will be ready to make the changes necessary to reduce recidivism and prison time after new research is concluded later this year.

The Institute's juvenile justice research resulted in the elimination of some programs that were not producing the desired results and the addition of other programs that the research showed would be more effective.

"There's a desire to spend the taxpayers' money wisely and to used evidence-based findings and to use the best findings out there to get the best return on the dollar and trying to bring that information to bear has been going on in a number of areas, not just criminal justice," said Aos.

Latessa, who speaks at criminal justices conferences nationwide about the importance of evidence-based research, agrees that a trend has emerged to make corrections programming dollars count by improving outcomes.

"Nationally, I see a lot of interest in improving what we do with offenders in the community. Some states and jurisdictions are further ahead than others. My sense is there's an increasing awareness that we can have a significant effect on recidivism rates but we have to pay attention to what we are doing with these offenders," he said.

Resources	•
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Washington State Institute of Public Policy www.wsipp.wa.gov
University of Cincinnati - Center for Criminal Justice Research
http://www2.uc.edu/criminaljustice/CCJR.html
http://www.corrections.com/printNews.aspx?Zone=Homepage

www.FedCURE.org

[This message contained attachments]

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