

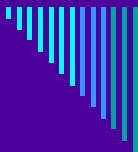
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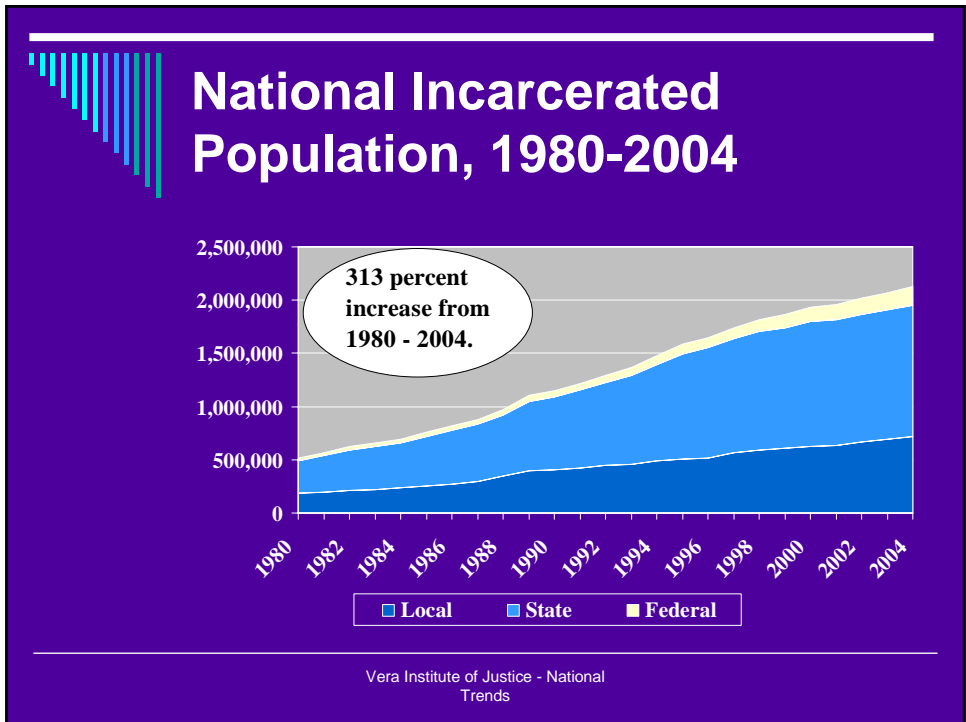
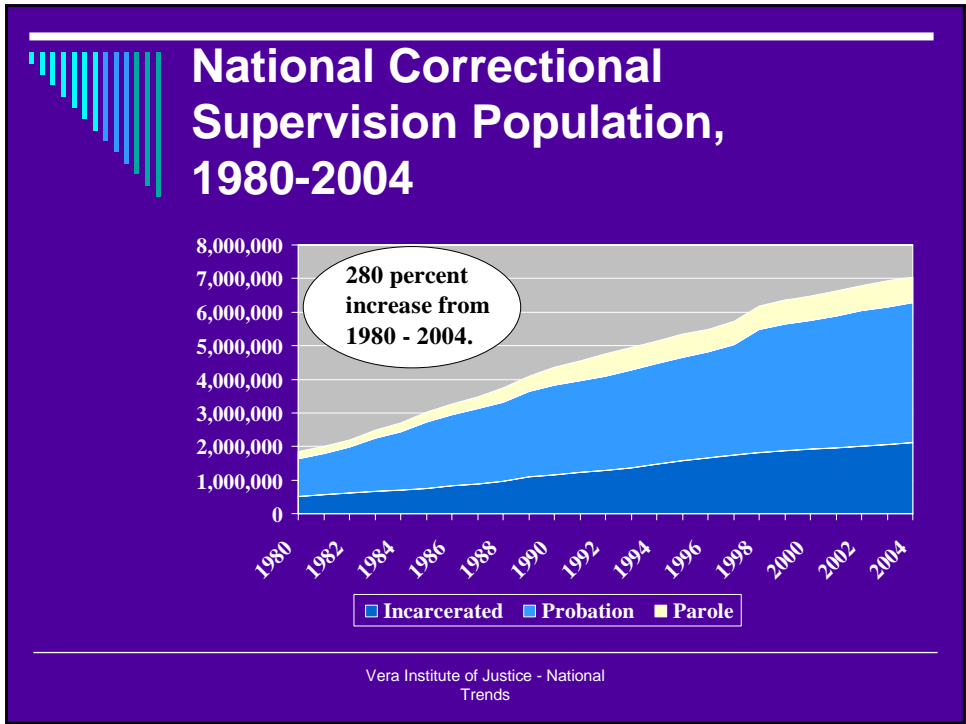
Nevada Legislative Commission's
Subcommittee to Study Sentencing and
Pardons and Parole and Probation
Las Vegas, January 2006

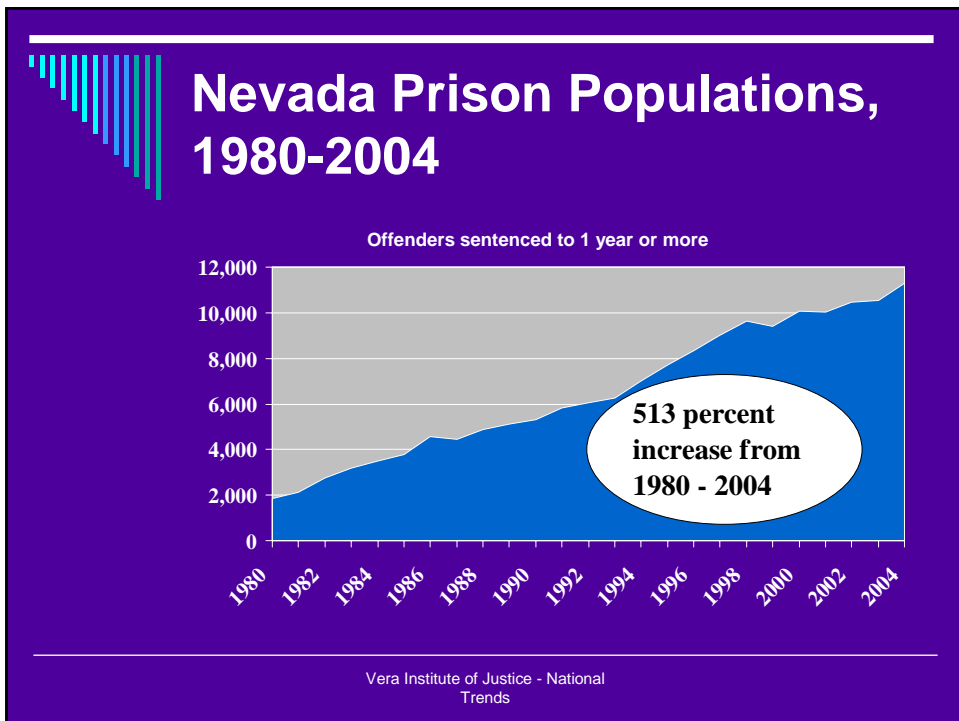
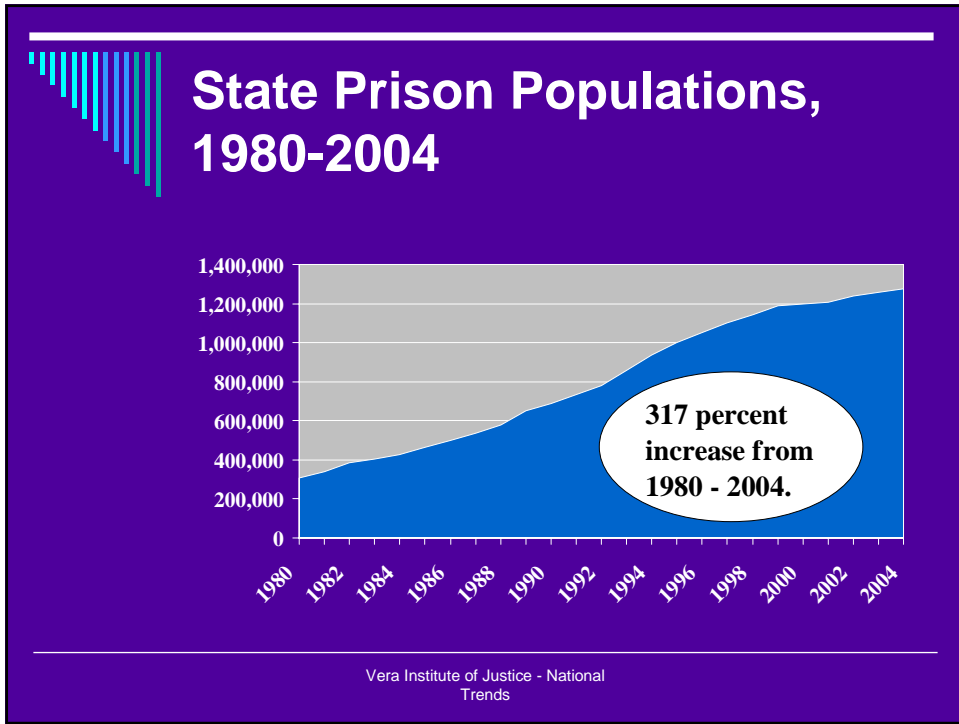
EXHIBIT B Pardons Document consists of 44 slides
☒ Entire document provided.
☐ Due to size limitations, pages _____ provided.
A copy of the complete document is available through the Research Library
(775/684-6827 or e-mail library@ich.state.nv.us). Meeting Date: January 31, 2006

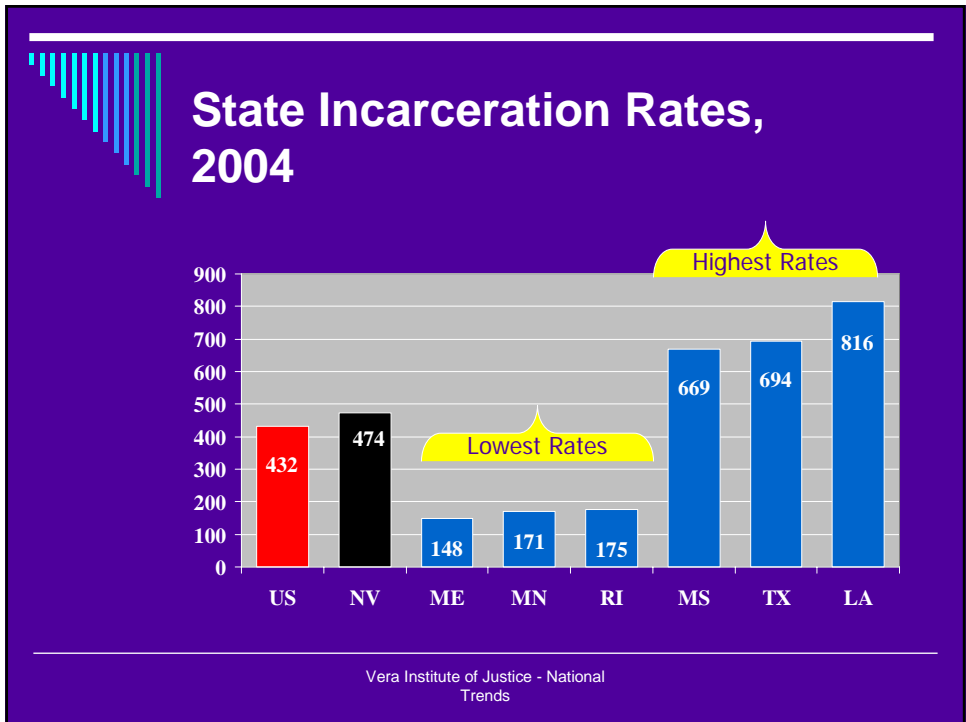
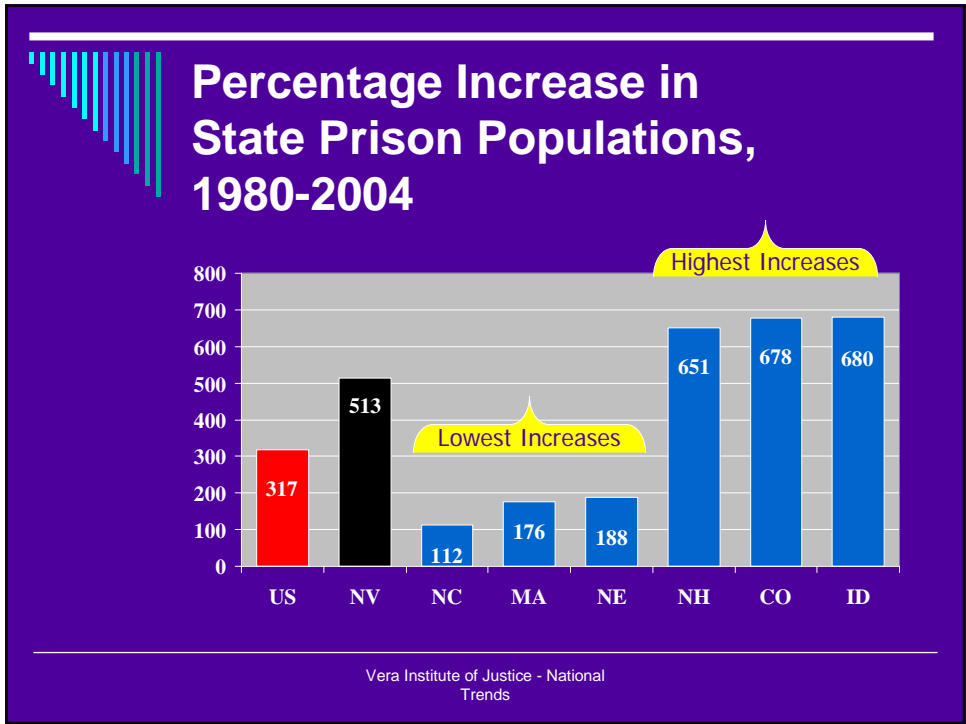


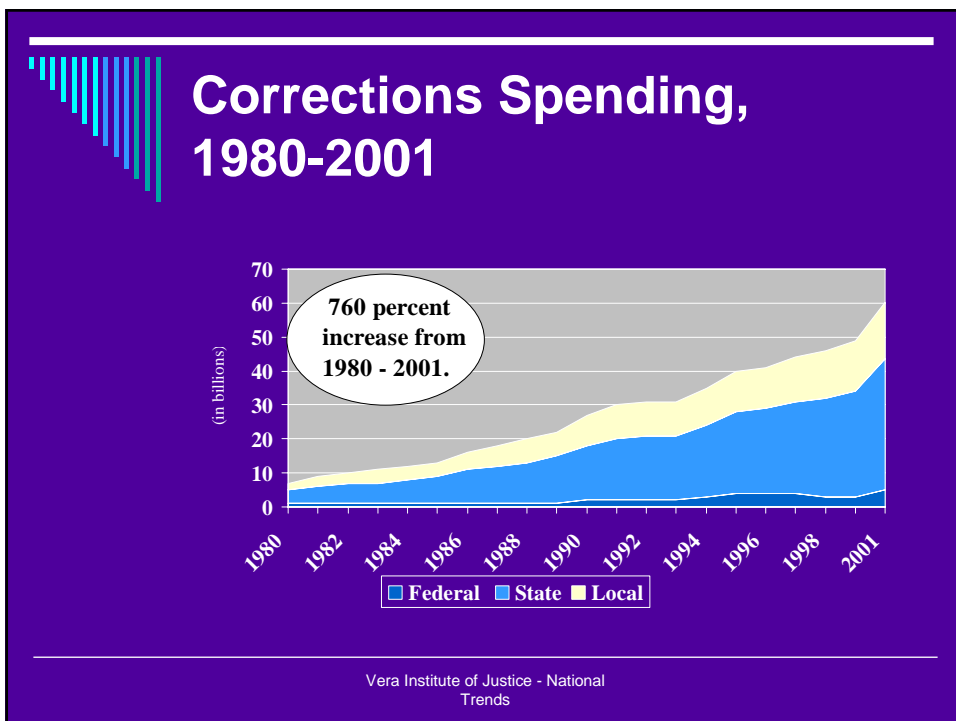
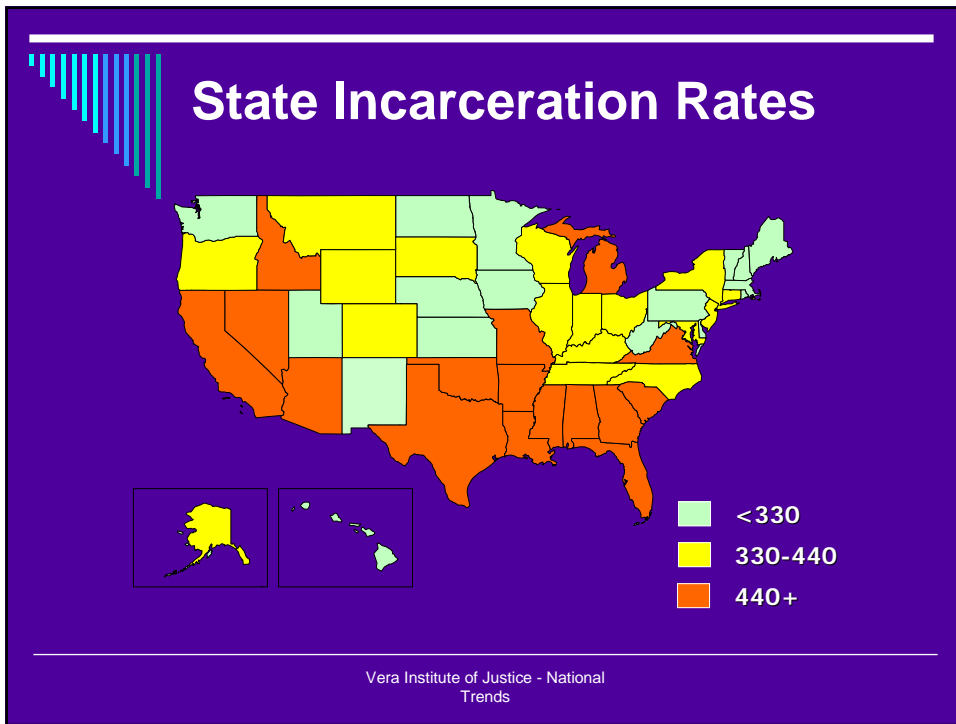
National Developments

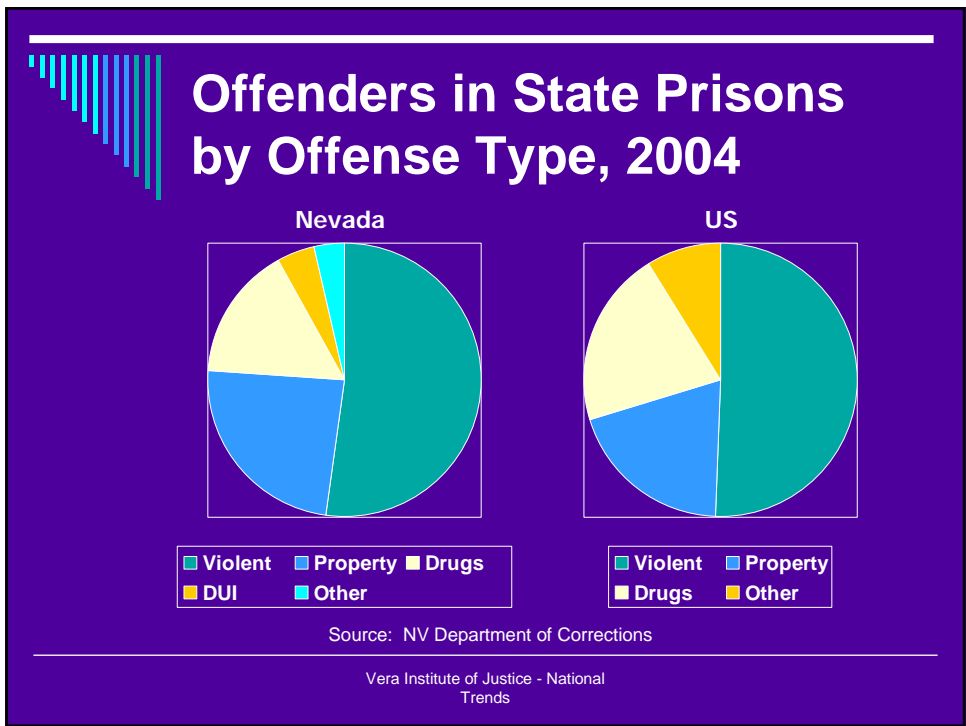
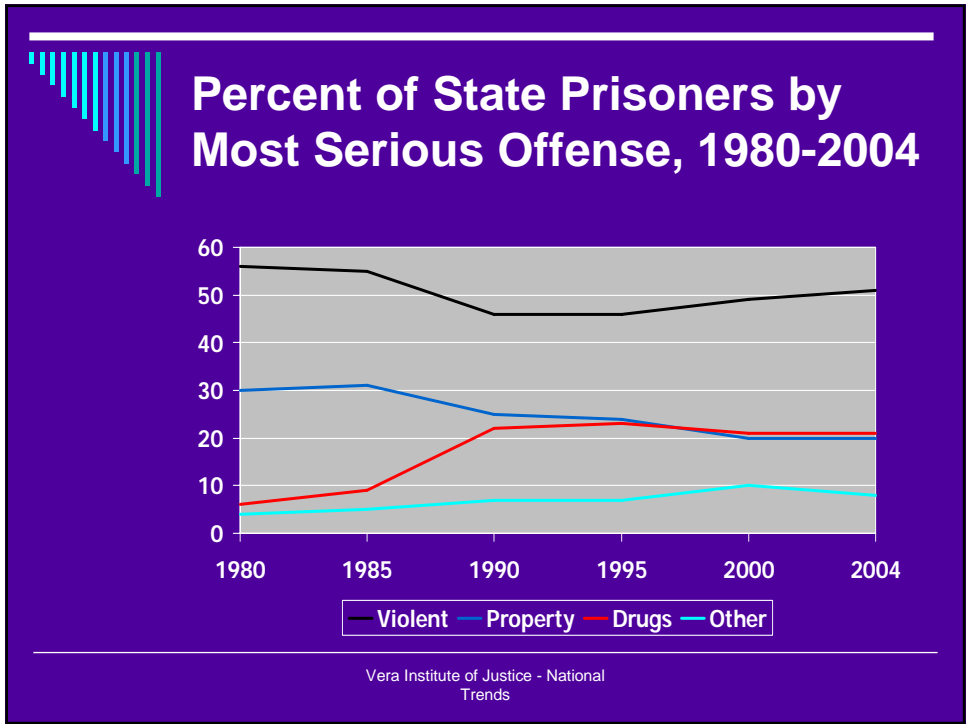
- *“Changing Fortunes or
Changing Attitudes?”*

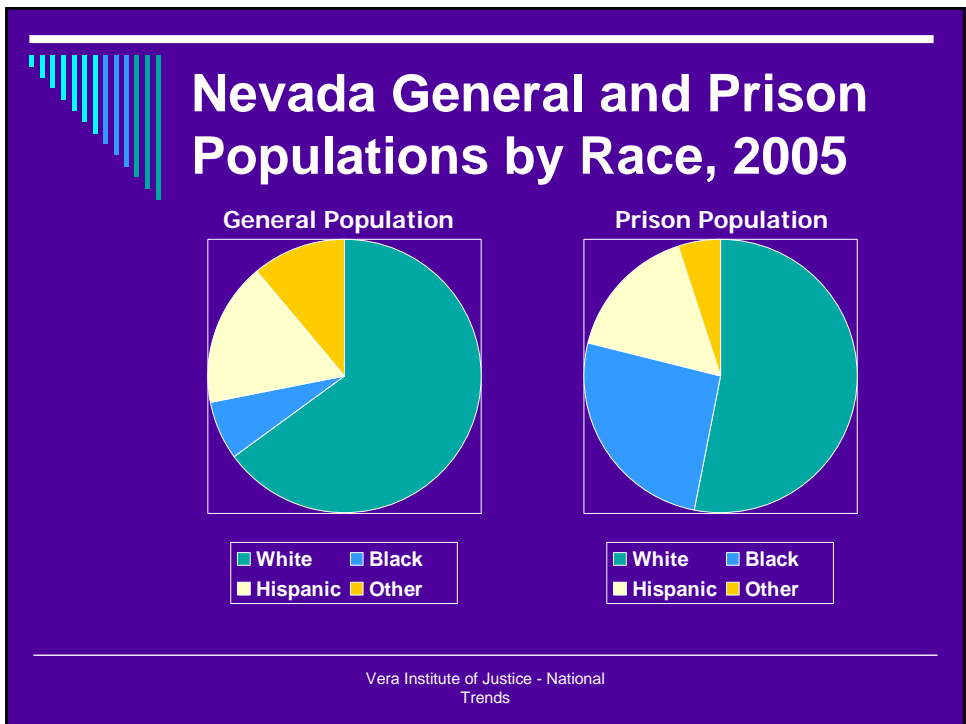
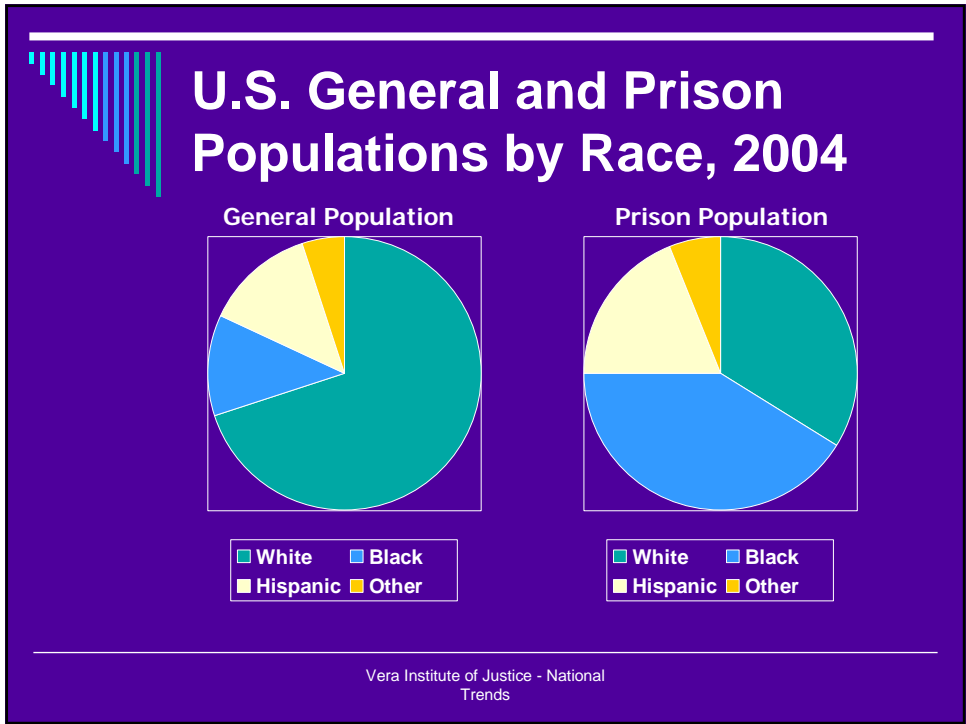


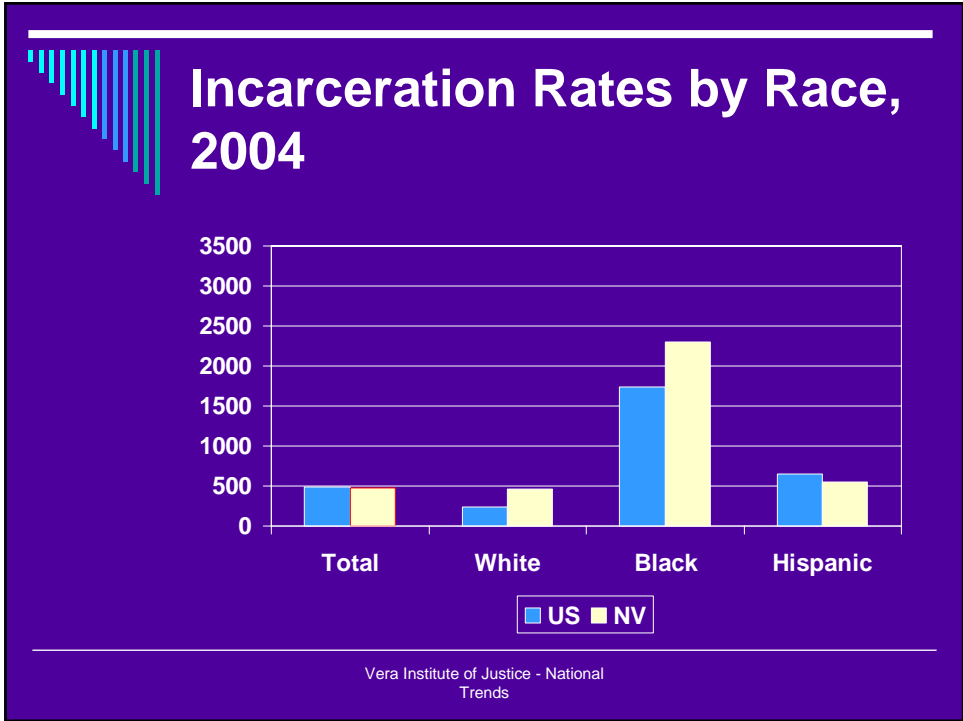
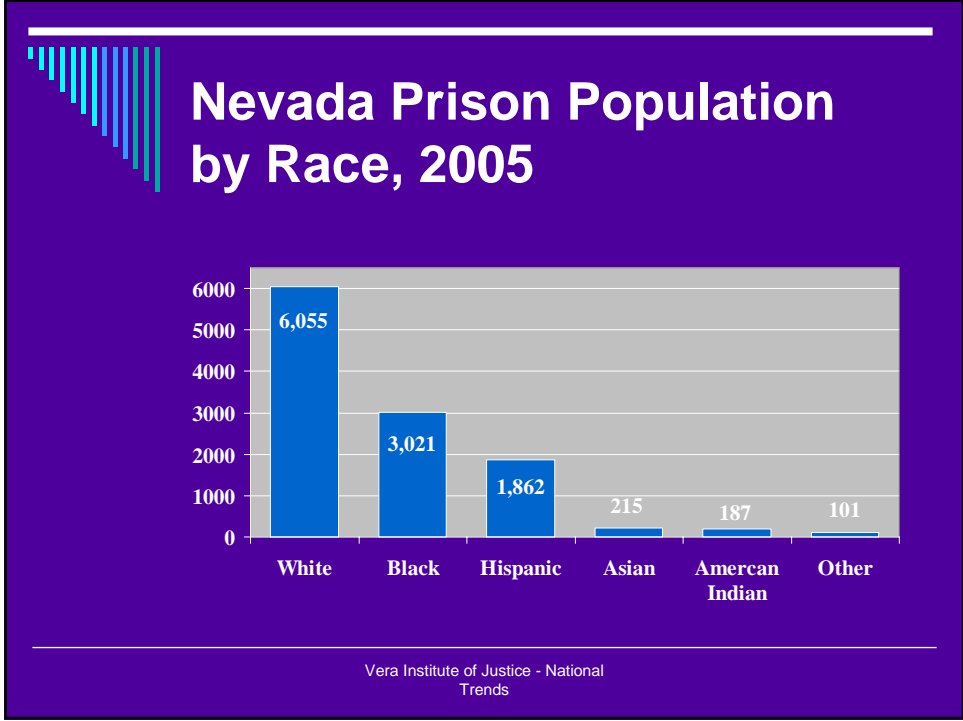


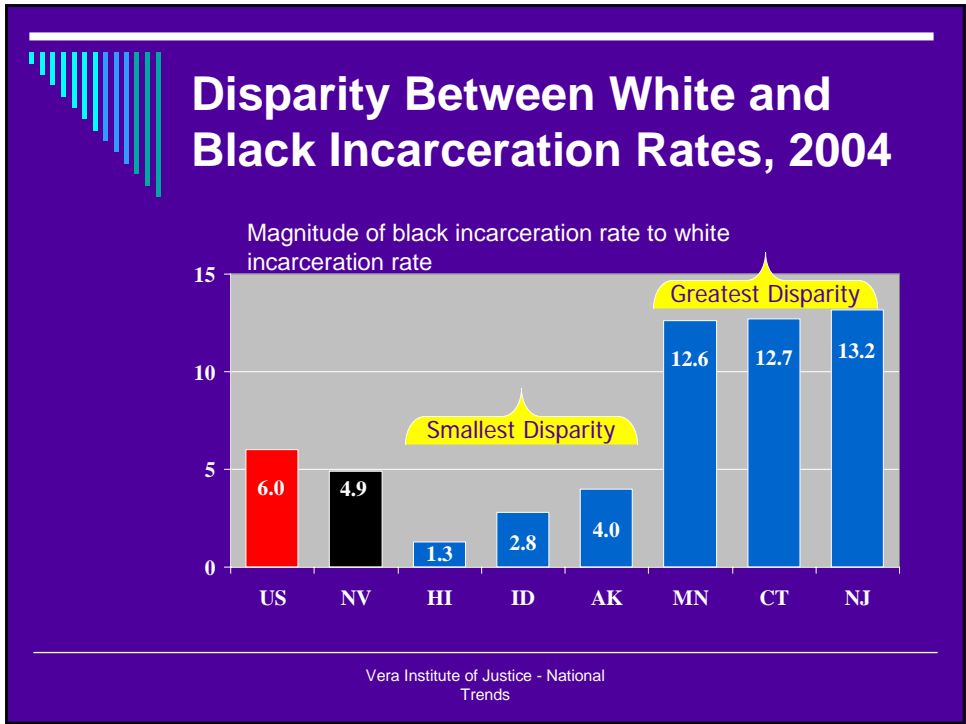


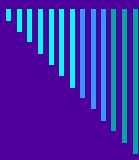








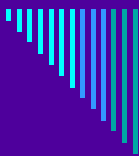




Other Environmental Pressures

- Changing Public Attitudes
 - 1994 Pew - 29% of national survey respondents said crime most important problem for local communities
 - 2001 Pew - 12% gave the same answer
 - 2005 Gallup – 2% of Americans say crime most important problem
 - 1994 Gallup – 49% said crime top problem
- Low Crime Rates
- State Budget Pressures

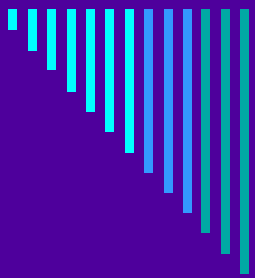
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State Policy Responses

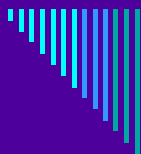
- Diversion Statutes
- Reducing Mandatory Minimums for Drug Offenses
- Strategies to Reduce Overcrowding
- Re-entry and Transitional Planning
- Interagency Planning and Analysis

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Policy Response #1 **Diversion Statutes**

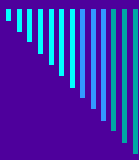
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Pennsylvania (SB 217)

- Establishes State Intermediate Punishment
- Provides for offender assessment prior to sentencing
- 24-month duration
 - Mandatory 7-month period of incarceration
 - 2-months treatment in a community-based therapeutic community
 - At least 6 months of treatment at an outpatient addiction treatment facility;
 - Supervised reintegration into the community.
- Signed by Governor in November 2004

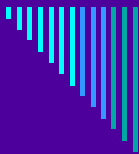
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Maryland (SB 194)

- Parole Commission to consider drug or alcohol evaluation
 - “Amenable” inmates may be released for treatment before serving $\frac{1}{4}$ of sentence
- Prosecutorial Options
 - Structured diversion for non-violent offenses
 - Charges dismissed on successful completion of treatment
- Substance Abuse Fund with \$3 million FY05 appropriation

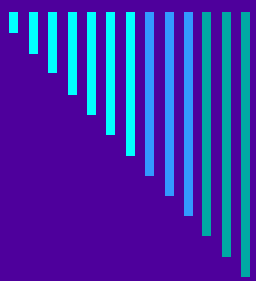
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Others

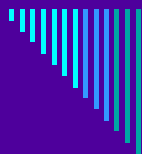
- Hawaii
- Indiana
- Kansas
- Texas
- Washington

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Policy Response #2 **Reducing Mandatory Minimums for Drug Offenses**

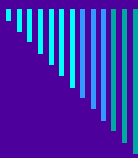
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Delaware (HB 210)

- Decreased mandatory minimum sentences for trafficking in illegal drugs
- Increased minimum weight of cocaine needed for trafficking conviction
- Increased sentences for six violent offenses

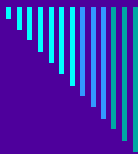
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Colorado (SB 318)

- New, lesser offense for use and simple possession of 1 gram or less of any controlled substance (no intent to sell)
- Judicial discretion to sentence to probation, county jail, or community corrections rather than prison
- Provides at least \$2.2 million per biennium for treatment
- Estimated to save the state \$7.8 million in next five years

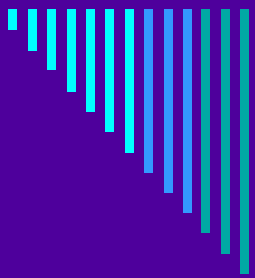
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Others

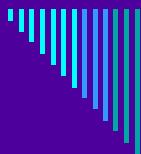
- Maine
- Michigan
- New York
- Washington

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Policy Response #3 **Strategies to Reduce Overcrowding**

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Increasing Sentence Reduction Credits

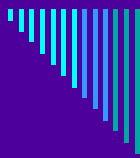
- Indiana (SB 482)
- Maine (LD 1903)
- Mississippi (HB 686)
- Nevada (AB 105)
- New York (S 1406-B/A 2106-B)
- Washington (SB 5990)

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NM1

Jon said to re-write description about IN - SB 482, but how?

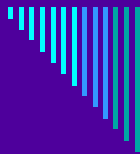
Nomi Maeyama, 5/24/2004



Administrative Acceleration of Parole Release

- Alabama (HB 3B)
- Connecticut (HB 5211)
- New York (S 1406-B/A 2106-B)

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Connecticut HB 5211

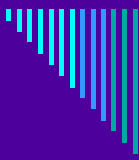
- Expands eligibility for parole to certain offenses previously barred
 - Facilitates release of inmates by requiring parole hearing for those who have served a required percent of their sentence
 - Allows release of certain inmates without a hearing
- Parolees may be transferred to treatment center 18 months prior to release
- Authorizes pre-trial release with conditions (such as treatment) by DOC for those charged with misdemeanors and most D felonies.

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NM3

Jon said to re-write description about IN - SB 482, but how?

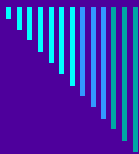
Nomi Maeyama, 5/24/2004



Easing Truth-in-Sentencing Requirements: Iowa

- SF 422 (2003)
 - Decreases the amount of time violent offenders are required to serve from 85% to 70%
 - Requires motion of prosecutor to trigger retroactive application.
- SF 2275 (Expands Applicability of SF 422)
 - Signed by governor in May 2004
 - Retroactive
 - Eliminates provision where offender could only be paroled by prosecutor's motion

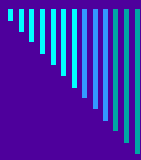
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Approaches to Technical Violators

- Colorado (SB 252)
- Connecticut (HB 5211)
- Delaware (SB 50)
- Washington (SB 5990)

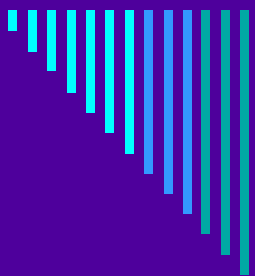
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Medical/Geriatric Parole

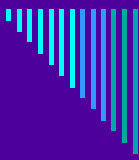
- Connecticut (HB 5211)
- Mississippi (HB 654)

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Policy Response #4: **Re-entry and Transitional Planning**

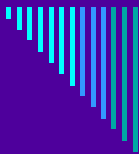
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Re-entry and Transitional Planning

- Serious and Violent Offender Re-entry Initiative (SVORI)
- Revised Second Chance Act in Congress
- State Activity
 - Arizona (SB 1291)
 - Delaware (HB 210)
 - Idaho (HB 464)
 - Missouri (SB 5)
 - Nevada (SB 264)
 - Oklahoma (HB 1061)
 - Virginia (HB 2245)
 - Washington (SB 5990)
 - Wyoming (SB 17)

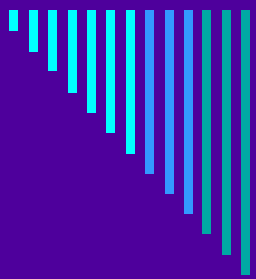
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Arizona (SB 1291)

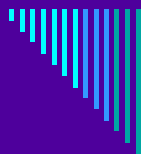
- Transition program for drug offenders
- Provides rehabilitation and training before and after release
- Allows participants to be released three months earlier than their prior earliest release date
- Funded by reinvesting the savings derived from early releases and by deductions of 8% from wages earned by drug offenders while incarcerated

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Policy Response #5 **Interagency Planning and Analysis**

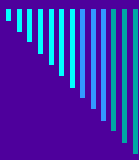
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Recent Efforts

- Illinois CLEAR Initiative: Criminal Law Edit, Alignment and Reform Commission
- Iowa Criminal Code Revision and Controlled Substance Studies
- Indiana Sentencing Policy Study
- Kansas Criminal Code Recodification
- Maine Commission on Sentencing
- New Jersey Commission on Sentencing
- Vermont Governor's Corrections Overcrowding Commission
- Wisconsin Sentencing Commission
- Model Penal Code – ALI
- ABA – Justice Kennedy Commission

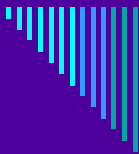
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Why Are States Turning to This Approach?

- Public Safety
- Political Viability
- Objective Data as Policy Basis
- Resource Management
- Proportionality
- Disparity

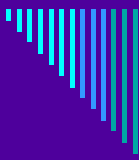
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What's Next?

- Probation and Parole Violators
- Risk Assessment Instruments
- Treatment Alternatives for Non-Violent Offenders
- Re-Entry
- Continued *Blakely* & *Booker* Fallout

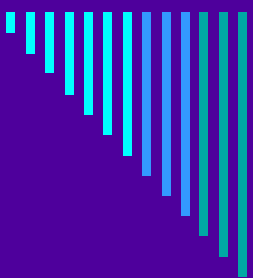
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What's Needed for Successful Reform?

- Participation of All 3 Branches and Key Constituencies
- Active Involvement in Policy Deliberation and Formulation
- Recognition of the Political Dimensions Sentencing and Incarceration Policy
- Recognition of Importance of Data

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Las Vegas, January 2006