



# POLICY AND PROGRAM REPORT



## Corrections

April 2016

When a defendant is convicted of a crime in Nevada, the sentence may include a term of confinement in the county jail or, for felony crimes, in the State prison. In addition to those offenders confined in local detention facilities, Nevada’s Department of Corrections (NDOC) currently houses, on average, approximately 13,000 persons in its 18 operating correctional institutions, camps, and centers, at any given time. (See the map on page 8 of this report for further information.)

The State Board of Parole Commissioners may release an offender who is eligible for parole from State prison after considering a list of factors set forth in *Nevada Revised Statutes* (NRS). The Division of Parole and Probation in the Department of Public Safety (DPS) supervises parolees until the expiration of their court-imposed terms of imprisonment.

### LOCAL DETENTION FACILITIES

Each county in Nevada must build or provide a jail and maintain it in good condition, at the county’s expense. The county is responsible for the condition and treatment of prisoners and jail security, and the county sheriff is the jail custodian. With the concurrence of the sheriff, a board of county commissioners may enter into an interlocal agreement with another county or city in Nevada to provide a jail.

The board of county commissioners and the governing body of any incorporated city must make all necessary arrangements, in accordance with State law, to use the labor of prisoners committed to jail by a district or justice court. In addition, a sheriff or chief of police may establish a program to release prisoners from jail for education or work.

A board of county commissioners or the governing body of an incorporated city may seek reimbursement from a prisoner who is not indigent for the actual costs of keeping the prisoner in jail or supervising the prisoner in an alternative program.

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Unless the sentencing court orders otherwise, the county sheriff or chief of police may supervise a convicted prisoner electronically, instead of confining the prisoner in jail, if the prisoner has a suitable residential living situation and poses no unreasonable risk to public safety.

For each month in which a prisoner in a local jail appears to have been faithful, obedient, and orderly, the sheriff or chief of police may deduct up to five days from the term of imprisonment and, if the prisoner completes an educational program, completes a program of treatment for drug or alcohol abuse, or performs assigned work diligently, additional days as provided by statute.

## **STATE CORRECTIONAL FACILITIES**

Nevada's DOC and the Board of State Prison Commissioners are responsible for the housing and treatment of offenders sentenced to State prison. The Board consists of the Governor, who serves as chair; the Secretary of State, who serves as secretary; and the Attorney General.

Nevada's correctional facilities and institutions are publicly financed and are operated by NDOC. Prisoners are classified by NDOC based on risk assessment and are assigned to an appropriate risk-defined facility. A prisoner may not be assigned by NDOC to a minimum-security facility if the prisoner is not eligible for parole or release within a reasonable period; has recently committed a serious infraction of NDOC rules; has not performed assigned duties in a faithful and orderly manner; has ever been convicted of a felony sexual offense; has been convicted within the last year of a felony involving the use or threat of force or violence; or has escaped or attempted to escape.

The Department must require each prisoner to spend 40 hours per week in vocational training or employment, unless the prisoner's behavior precludes participation or the prisoner is excused to attend class or for medical reasons. Offenders receive hourly wages for their work, and NDOC may deduct amounts from those wages to support the Fund for the Compensation of Victims of Crime; to provide support for the offender's family; for construction of new facilities for prison industry; to offset the cost of keeping the prisoner in prison; to pay the unpaid balance of fees and administrative assessments imposed on the offender; and for other purposes.

The Committee on Industrial Programs, which includes the Director of NDOC, the Administrator of the Purchasing Division of the Department of Administration, four members from the Legislature, and four other members representing business, manufacturing, and organized labor, is responsible for reviewing current and proposed agricultural and industrial programs.

## **NEVADA'S DEPARTMENT OF CORRECTIONS—STATE FUNDING**

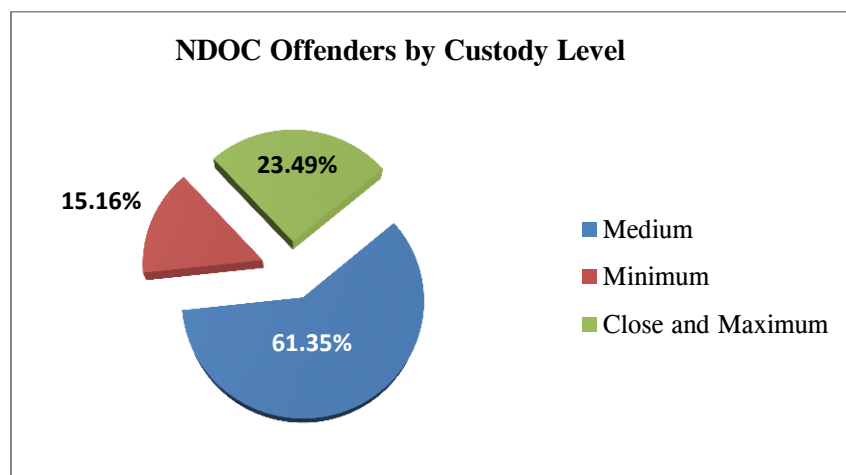
The 2015 Legislature appropriated \$521.5 million from the General Fund to NDOC for the 2015-2017 Biennium, an increase of approximately \$34.2 million, or 7 percent, over the \$487.3 million approved by the 2013 Legislature. According to information contained in the November 2015 *Nevada Legislative Appropriations Report*, this increase primarily results from the addition of 45 new protective service officers throughout NDOC.

## NEVADA’S DEPARTMENT OF CORRECTIONS—DEMOGRAPHICS

The NDOC’s budget is primarily driven by the projected number of inmates to be housed. The 2015-2017 Biennium budget, as approved by the Legislature, provides for housing an average of 12,890 inmates in Fiscal Year (FY) 2016 and 12,948 in FY 2017. From October 2014 to February 2015, there was a slight increase in the inmate population, which was reflected in the legislatively approved inmate population projections compiled by the JFA Institute in February 2015. In total, the Legislature approved an increase in inmate-driven operating expenditures of \$356,290 in FY 2016 and \$481,767 in FY 2017.

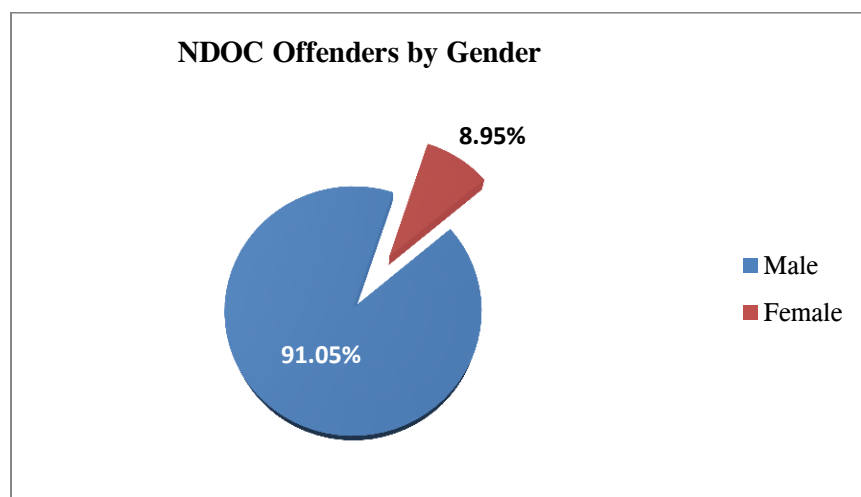
The following highlights demographic information about NDOC inmates as provided by NDOC in the December 29, 2015, *Stat Facts* publication:

- Offenders by Custody Level (minimum, medium, close and maximum):



Source: NDOC, *Stat Facts*, December 29, 2015.

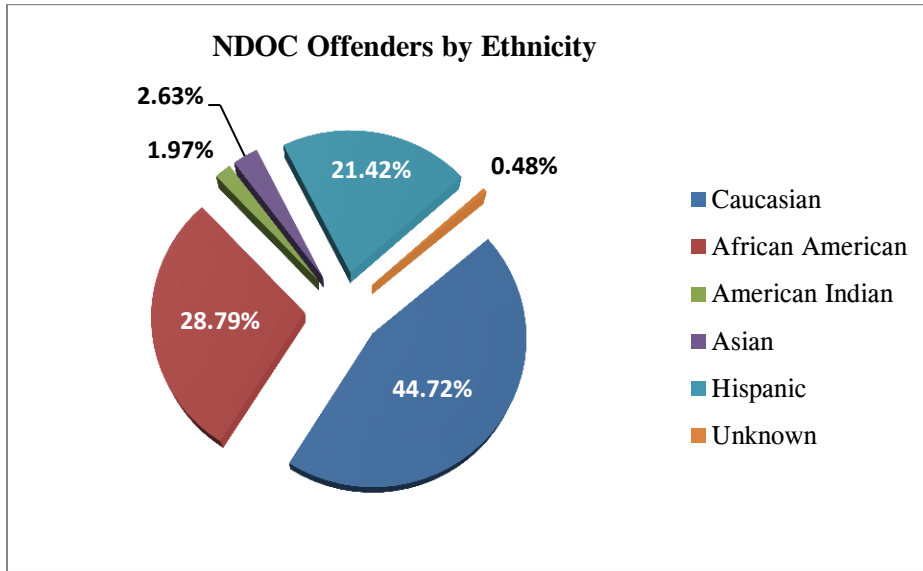
- Gender of Offenders:



Source: NDOC, *Stat Facts*, December 29, 2015.

Justice System

- Ethnicity of Offenders:



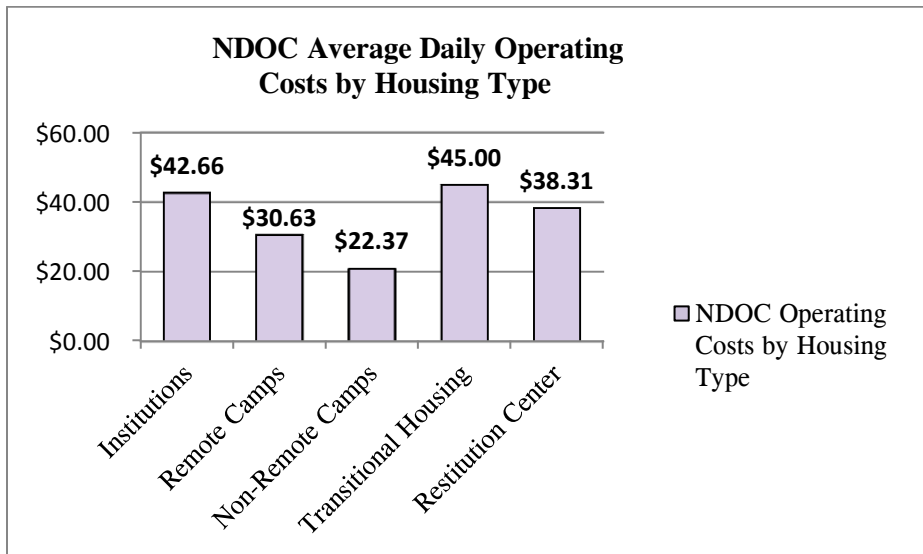
Source: NDOC, *Stat Facts*, December 29, 2015.

- Age of Offenders:

Gender	Median Age at Intake	Median Current Age
Male	32 years	37 years
Female	33 years	35 years

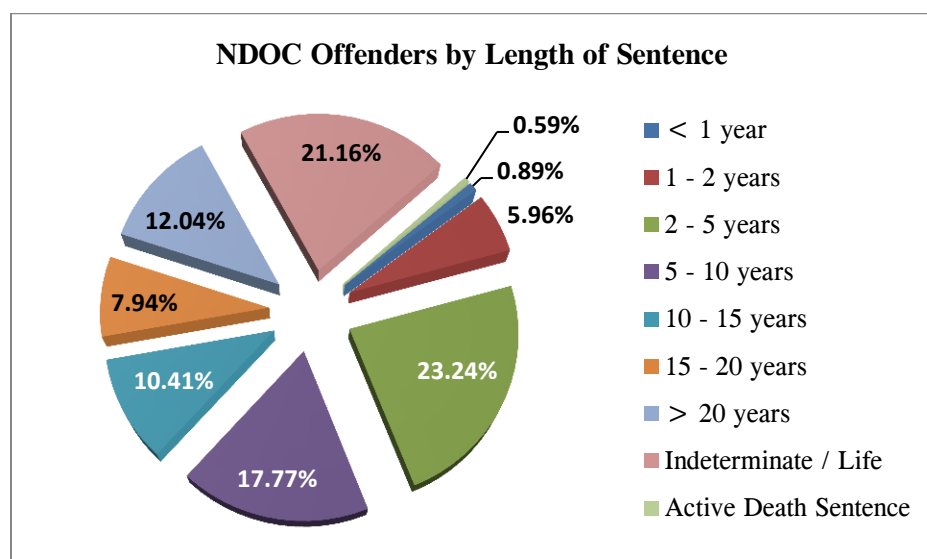
Source: NDOC, *Stat Facts*, December 29, 2015.

- Average Daily Operating Costs by Housing Type:



Source: NDOC, *Stat Facts*, December 29, 2015.

- Longest Sentence Length:



\*Based on longest sentence an offender is serving.

Source: NDOC, *Stat Facts*, December 29, 2015.

## RECIDIVISM RATE

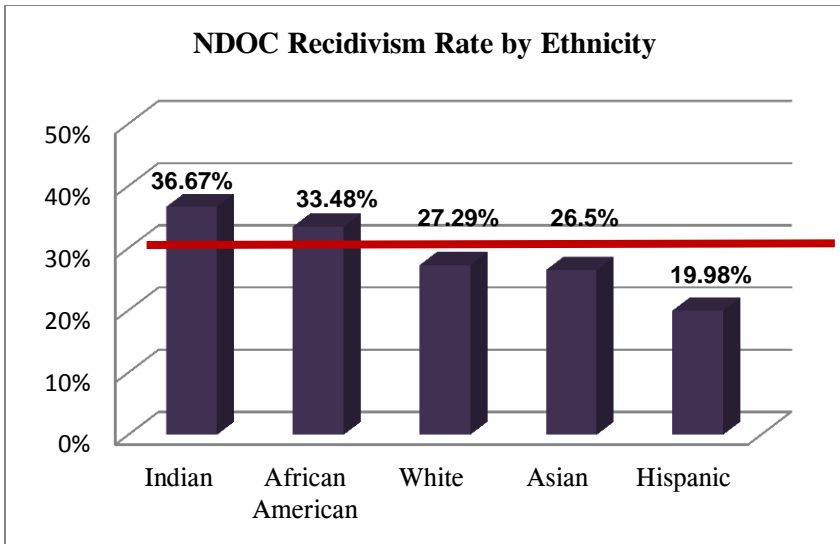
The recidivism rate is the proportion of offenders who return at least once to a correctional facility within NDOC within 36 months of parole or discharge.

**NOTE:** Ex-felons who re-offend in other jurisdictions are not captured in the rate. As information becomes available, NDOC releases updated reports on recidivism rates. The most recently published data is included in the April 2013 NDOC report titled, *Recidivism Rates for the 2009 Release Cohort*.

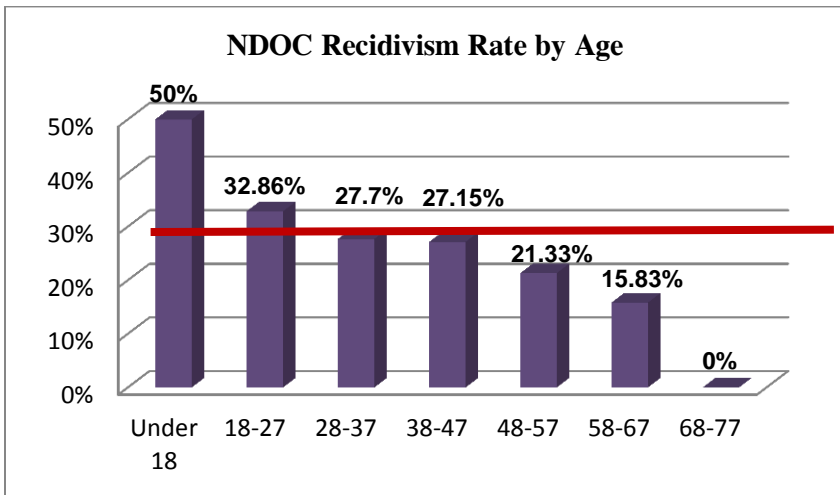
During calendar year 2009, a total of 5,692 prisoners were released from NDOC. During the following 36-month period, a total of 1,590 (28 percent) were re-admitted to NDOC. To compare this rate nationally, the most recent study by the Bureau of Justice Statistics concluded that 52 percent of offenders are re-arrested within a 36-month period.

When looking at the effect of release type on recidivism, data indicate that offenders who are paroled (30 percent recidivism rate) are more likely to be re-admitted than those who are discharged (25 percent recidivism rate).

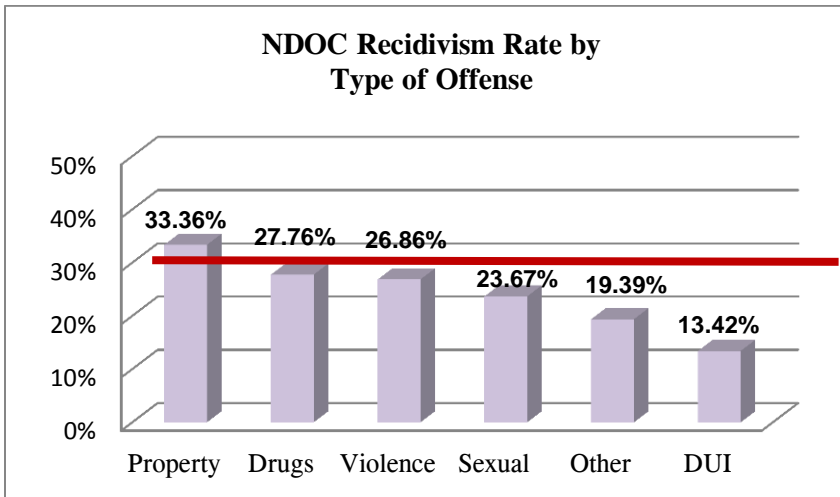
Other indicators of a higher recidivism rate include ethnicity, age, and type of offense (see charts on the following page).



← Average Recidivism Rate  
27.93 percent



← Average Recidivism Rate  
27.93 percent



← Average Recidivism Rate  
27.93 percent

## **PARDONS AND PAROLE**

The State Board of Parole Commissioners determines whether to grant parole to a convicted person. The Governor appoints the Board and its chair to four-year terms. The Board appoints an executive secretary.

The State Board of Parole Commissioners must adopt, by regulation, objective standards to assist the Board in determining whether to grant or revoke parole. The standards must address the parole of a person who committed a capital offense, who was sentenced to a life term, who was convicted of a violent sexual offense, who is a repeat offender, and other types of convicted persons.

The Board may release an offender who is eligible for parole after considering factors set forth in NRS. If the offender was imprisoned for a felony, the offender remains under the jurisdiction of the Board from the time of release on parole until the expiration of the maximum term of imprisonment the court imposed, less any credits earned to reduce the sentence pursuant to NRS.

A prisoner who was sentenced for a crime committed before July 1, 1995, is eligible for parole when the prisoner has served one-third of the sentence, less any credits earned to reduce the sentence. A prisoner who was sentenced for a crime committed on or after July 1, 1995, is eligible when the prisoner has served the minimum term imposed by the court, less any applicable credits earned.

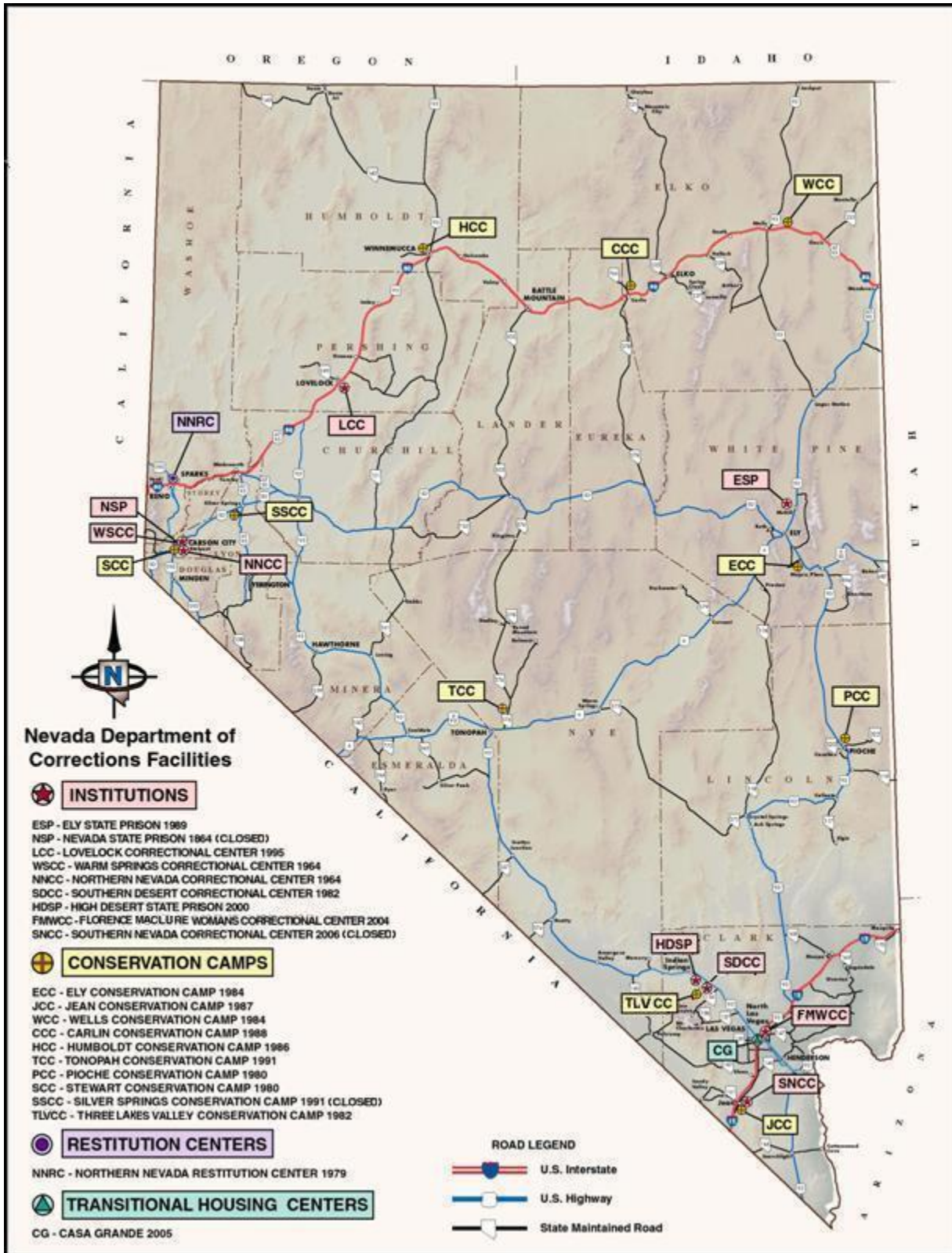
The Chief Parole and Probation Officer and the Division of Parole and Probation supervise parolees and investigate cases referred to them by the State Board of Parole Commissioners. (The Division also supervises probationers; see the April 2016 *Policy and Program Report* titled, “Criminal Procedure.”) Officers of the Division must stay informed of the conduct and condition of all persons under their supervision and aid and encourage them to bring about improvements.

The State Board of Pardons Commissioners, consisting of the Governor, the justices of the Nevada Supreme Court, and the Attorney General, considers applications for the commutation of punishments; remission of fines; restoration of civil rights; and pardons. Before the Board considers an application at a meeting, the Board must notify the district attorney for the county in which the conviction occurred, and the district attorney must submit a statement to the Board. Both the Board and the district attorney must also notify any victim of the applicant who has requested notice in writing.

## **ACTIVITIES DURING THE 2015-2016 INTERIM**

The Advisory Commission on the Administration of Justice meets regularly to discuss activities related to issues regarding correctional facilities, parole and probation, sentencing and a range of other justice-related topics. Information on the Commission’s current activities is available online at: <http://www.leg.state.nv.us/Interim/78th2015/Committee/StatCom/AdminJustice/?ID=18>.

## MAP OF CORRECTIONAL FACILITIES



Source: NDOC website at: [http://doc.nv.gov/uploadedImages/docnv.gov/content/Facilities/ndoc\\_locations.jpg](http://doc.nv.gov/uploadedImages/docnv.gov/content/Facilities/ndoc_locations.jpg).



## SOURCES OF ADDITIONAL INFORMATION

Advisory Commission on the Administration of Justice: <http://www.leg.state.nv.us/Interim/78th2015/Committee/StatCom/AdminJustice/?ID=18>.

Committee on Industrial Programs: <http://www.leg.state.nv.us/Interim/78th2015/Committee/StatCom/Industrial/?ID=33>.

## STATE CONTACT INFORMATION

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Department of Public Safety  
Website: <http://dps.nv.gov/>

Division of Parole and Probation  
1445 Old Hot Springs Road, Suite 104  
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Website: <http://npp.dps.nv.gov/>

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