

**CENTRAL OFFICE**

1677 Old Hot Springs Rd., Ste. A  
Carson City, Nevada 89706  
<http://parole.nv.gov>  
(775) 687-5049  
Fax (775) 687-6736

CONNIE S. BISBEE, *Chairman*  
TONY CORDA, *Member*  
ADAM ENDEL, *Member*  
SUSAN JACKSON, *Member*

KATHI BAKER, *Executive Secretary*

**STATE OF NEVADA**  
**JIM GIBBONS**  
Governor



**LAS VEGAS OFFICE**

4000 S. Eastern Ave., Ste.130  
Las Vegas, Nevada 89119  
<http://parole.nv.gov>  
(702) 486-4370  
Fax (702) 486-4376

CONNIE S. BISBEE, *Chairman*  
ED GRAY, JR., *Member*  
MICHAEL KEELER, *Member*  
MAURICE SILVA, *Member*

**NEVADA BOARD OF PAROLE COMMISSIONERS**

September 29, 2010

To: Lorne Malkiewich, Director, Legislative Counsel Bureau

From: Connie S. Bisbee, Chairman

RE: Parole Board Quarterly Report of Actions October 1, 2009 through December 31, 2009.

Please find attached the Quarterly Report of Parole Board Actions for the period October 1, 2009 through December 31, 2009. This report is prepared in accordance with NRS 213.10887: "Board to compile, maintain, organize and tabulate information concerning decisions regarding parole."

This report is organized by sections as follows:

- Section 1: Summary of all parole decisions during the reporting period. Parole actions are categorized by discretionary parole decisions, mandatory parole decisions (MPR), and parole violation decisions.
- Section 2: Summary of parole actions based on the parole guideline recommendation.
- Section 3: Summary of parole actions that deviate from the guideline recommendation.
- Section 4: Summary of parole actions by offense group.
- Section 5: Summary of the reasons for parole actions, including reasons for deviating from the parole guideline recommendation. Reasons for actions on individual cases are on file at the Carson City Office of the Parole Board and are available upon request.

**Section 1. Summary of all parole decisions during the reporting period.**

Parole actions are categorized by discretionary parole decisions, mandatory parole decisions (MPR), and parole violation decisions. Hearings that resulted in 'No Action' being taken, and hearings resulting in the rescission of a parole as a result of ineligibility are also displayed in the chart below.

	<b>Male</b>	<b>Female</b>	<b>Total</b>
Discretionary Parole Hearings	1168	178	1346
Discretionary Paroles Granted	653	143	796
Discretionary Paroles Denied	515	35	550
Mandatory Parole (MPR) Hearings	496	54	550
Mandatory Paroles Granted	285	49	334
Mandatory Paroles Denied	211	5	216
Discretionary Parole Violations Hearings	91	24	115
Discretionary Paroles Continued (Reinstated)	19	3	22
Discretionary Paroles Revoked	72	21	93
MPR Release Violation Hearings	22	1	23
MPR Violators Continued (Reinstated)	3	0	3
MPR Violators Revoked	19	1	20
Total Decisions	1777	257	2034
Total Grant/Continued	960	195	1155
Total Denied/Revoked	817	62	879
Hearings with No Action	95	5	100
Rescissions (not eligible)	0	0	0

<b>Percent of Action by Gender</b>	<b>Male</b>	<b>Female</b>	<b>Total</b>
Percent of Discretionary Parole Granted	56%	80%	59%
Percent of Mandatory Parole Granted	57%	91%	61%
Total Discretionary/MPR Grant Rate	56%	83%	60%

**Section 2: Statistics of parole actions based on the parole guideline recommendation.**

The following charts represent discretionary and mandatory parole actions based on the discretionary parole guideline. The MPR actions appear as reference only. The guideline for consideration for release under NRS 213.1215 (Mandatory Parole) is whether there is a reasonable probability that the prisoner would be a danger to public safety. When an inmate being considered for release under Mandatory Parole is denied, the underlying reason is the determination that there is a reasonable probability that the prisoner would be a danger to public safety if released on parole.

**Discretionary Parole Actions by Guideline Recommendation**

	Granted	Denied	% Granted
Parole at Initial	206	19	92%
Parole at 1st or 2 <sup>nd</sup> Hearing	390	152	72%
Consider Factors	198	229	46%
Deny Parole	2	145	1%

**Mandatory Parole Actions by Discretionary Guideline Recommendation**

	Granted	Denied	% Granted
Parole at Initial	51	2	96%
Parole at 1st or 2 <sup>nd</sup> Hearing	176	23	88%
Consider Factors	105	81	56%
Deny Parole	2	101	2%

**Section 3: Summary of parole actions that deviated from the discretionary parole guideline.**

A guideline deviation occurs when the parole guideline recommendation suggests a specific parole action be taken, and the Board acts contrary to the recommendation.

The following represents the number of inmates who were denied parole when the guideline recommended parole should be granted (denials when the guideline recommends parole be granted at 1st or 2nd hearing would become a deviation when parole is denied at the 2nd hearing):

# of Actions to Deny Parole that Deviated:	19
Total Number of Denials:	550
Percent of Deviation:	3.27%

The following represents the number of inmates who were granted parole when the guideline recommended parole should be denied:

# of Actions to Grant Parole that Deviated:	2
Total Number of Grants:	796
Percent of Deviation:	0.25%

**Section 4: Summary of parole actions by offense group**

The following charts represents parole actions by offense group as defined by the Department of Corrections. Offenses appearing in the "Sex" category include offenses such as "Prostitution with HIV," "Pandering" and "Failure to Register as a Sex Offender." Offenses that involved violence during the commission of the offense, but with an actual conviction title that would not by itself appear to be violent will not appear in the "Violence" offense group (i.e., a Burglary conviction that included striking a resident would appear in the "Property" offense group). Offenses appearing in the "Other" offense group includes offenses that can not be readily categorized into one of the other offense groups (i.e., Habitual Criminals, gaming related offenses and Victim Over 65 Enhancement which could be a property or violent offense).

	<b>Sex</b>	<b>Violence</b>	<b>Drug</b>	<b>Property</b>	<b>DUI</b>	<b>Other</b>	<b>Total</b>
Discretionary Parole	161	540	294	294	47	10	<b>1346</b>
Discretionary Parole Granted	63	249	231	209	36	8	<b>796</b>
Percent Favorable	39%	46%	79%	71%	77%	80%	<b>59%</b>

MPR Hearings	52	279	80	95	39	5	<b>550</b>
MPR Granted	18	149	65	64	34	4	<b>334</b>
Percent Favorable	35%	53%	81%	67%	87%	80%	<b>61%</b>

Total Parole Hearings	213	819	374	389	86	15	<b>1896</b>
Total Parole Grants	81	398	296	273	70	12	<b>1130</b>
Percent Favorable	38%	49%	79%	70%	81%	80%	<b>60%</b>

PV Hearings	7	43	43	44	0	1	<b>138</b>
PV's Reinstated	1	7	7	10	0	0	<b>25</b>
Percent Favorable	14%	16%	16%	23%	n/a	0%	<b>18%</b>

Total	220	862	417	433	86	16	<b>2034</b>
Total Favorable	82	405	303	283	70	12	<b>1155</b>
Percent Favorable	37%	47%	73%	65%	81%	75%	<b>57%</b>

### **Section 5: Reasons for Each Parole Action**

The following provides a summary of the reasons for each decision to grant, deny, continue or revoke parole, including reasons for deviating from the parole guideline recommendation. When acting to grant or deny parole, more than one reason may be selected. Reasons for each specific case are available upon request in the Carson City Office of the Board of Parole Commissioners. When the "Other" reason is selected written comments are manually entered. Those comments are also available upon request at the Carson City Office of the Parole Board.

#### **Reasons for Denying Mandatory Parole Release (NRS 213.1215):**

<b>Frequency</b>	<b>Reason</b>
136	The parole guidelines indicate the prisoner is a high risk to re-offend.
31	The prisoner was evaluated in accordance with NRS 213.1214 (psych panel) and was determined to be a high risk to re-offend.
13	The prisoner has made statements indicating he/she will refuse to comply with the terms and conditions of parole.
1	The prisoner has made threats against another person and release to the community could jeopardize public safety.
27	The prisoner has a history of convictions for violent crimes.
12	The prisoner has engaged in violent behavior while incarcerated.
3	The prisoner has been convicted of multiple felony offenses of driving under the influence of intoxicating liquor or a controlled substance.
8	The prisoner has previously committed crimes while on community supervision.
9	The criminal conduct of the prisoner has increased in severity over time.
7	The prisoner has demonstrated an attitude or behavior which indicates that the prisoner favors a criminal lifestyle (i.e., gang activities, planning escapes or other criminal activity, etc)
27	Other:
2	The prisoner has not satisfied the minimum requirements for mandatory release in accordance with subsection 2 of NRS 213.1215 and the Board has determined that discretionary release at this time would not be appropriate.
1	The prisoner has met the minimum requirements in accordance with subsection 2 of NRS 213.1215 however the Board has determined that there is a reasonable probability that the prisoner would be a danger to public safety if released on parole.

**Reasons for Denying Discretionary Parole Release:**

<b>Frequency</b>	<b>Reason</b>
206	Prior prison term did not deter future criminal activity.
29	Prior conviction for a sexual offense.
161	Prior conviction for a violent offense.
186	Repetitive criminal conduct.
124	Significant prior criminal history.
67	Disruptive institutional behavior, or poor disciplinary record.
29	The prisoner was evaluated in accordance with NRS 213.1214 (psych panel) and was determined to be a high risk to re-offend.
31	Multiple prior parole/probation revocations.
81	Nature of criminal record is increasingly more serious.
62	Crime was targeted against a child or person at greater vulnerability because of age/disability.
232	Impact on victim(s) and/or community.
6	The extreme or abnormal aspects of the crime.
154	Risk factors indicate the inmate is a high risk to commit a new felony.
2	Refusal to participate in a treatment program.
5	Removal from community supervision program.
59	Parole Guideline recommends parole denial and other factors do not indicate the Board should deviate from the guideline.
28	Other:
9	Inmate refused to participate in the hearing process.
19	Inmate does not want parole, and requested to expire sentence.

**Reasons for Denying Parole when the Guideline Suggests Parole Should be Granted:**

<b>Frequency</b>	<b>Reason</b>
9	Prior prison term did not deter future criminal activity.
6	Prior conviction for a violent offense.
15	Repetitive criminal conduct.
8	Significant prior criminal history.
1	Disruptive institutional behavior, or poor disciplinary record.
1	Multiple prior parole/probation revocations.
2	Nature of criminal record is increasingly more serious.
3	Impact on victim(s) and/or community.
1	Refusal to participate in a treatment program.
4	Other:
2	Inmate requested to expire sentence.

**Reasons for Granting Mandatory Parole Release:**

<b>Frequency</b>	<b>Reason</b>
330	The inmate is eligible for release in accordance with NRS 213.1215 and the case factors do not suggest that the inmate would be a danger to public safety if released on parole.
2	The prisoner was under the age of 16 when he committed the crime which resulted in a sentence of life with parole, and the Board is required by statute to grant parole in accordance with NRS 213.1215(2).
15	Other:

**Reasons for Granting Discretionary Parole Release:**

<b>Frequency</b>	<b>Reason</b>
581	The parole guideline recommends that parole be granted, and there are no serious reasons to deviate from the guideline recommendation.
141	The inmate has no prior or minimal criminal conviction history.
101	The inmate has a positive institutional record.
186	The inmate has participated in programs specific to addressing behavior that led to incarceration.
25	The inmate has adjusted in a positive manner to a work release program or other assignment as community trustee.
31	The inmate has successfully completed a prior period of parole or probation.
256	The inmate has stable release plans.
104	There is a detainer lodged by other jurisdiction.
125	The inmate must serve a consecutive sentence.
10	Case factors suggest parole may be appropriate at this time.
222	There is community and/or family support.
10	Other:

**Reasons for Taking No Action:**

<b>Frequency</b>	<b>Reason</b>
4	Inmate was moved after hearing date was set. Will be rescheduled upon publication of new eligibility list.
10	Inmate not eligible due to new felony conviction. Inmate will be re-scheduled when eligible.
8	Inmate was not available at the time of the hearing.
5	No action taken due to lack of information needed to make a recommendation.
2	Prior action to deny parole.
1	Prior action to grant parole.
8	Inmate not eligible due to change or correction in sentence structure or credits earned/lost per NDOC Records.
2	The inmate is in the custody of another jurisdiction and not enough information was provided to make an informed decision to grant or deny parole.
24	The inmate is pending new criminal charges. Will be rescheduled once the new charges have been adjudicated.
6	The attorney appointed to represent the inmate during parole revocation proceedings was not present at the scheduled time.
12	Inmate not given proper notice of the hearing.
4	Inmate not eligible for parole for reasons other than new sentence or credit adjustment
13	Inmate or inmate's counsel requested a continuance.
1	Hearing continued pending outcome of disciplinary charges.
2	Inmate needs to be considered by three commissioners, and three were not available at the hearing.
1	Hearing continued until a psychological panel is conducted in accordance with NRS 213.1214.
2	Inmate expired after being scheduled, but before the hearing took place.

**Reasons for Granting Discretionary Parole Release when the Guideline Recommends Deny:**

<b>Frequency</b>	<b>Reason</b>
1	The inmate has no prior or a minimal criminal conviction history.
2	Community and/or family support
2	Stable release
2	Other Factors

Reasons for Revoking and Reinstating Parole are on file at the Carson City office of the Board of Parole Commissioners.

Board of Parole Commissioners  
Quarterly Report October-December 2009  
Page 9

cc: Mark Teska, Dept. of Public Safety  
Julie Strandberg, Department of Administration