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NEVADA BOARD OF PAROLE COMMISSIONERS

September 29, 2010

To: Lorne Malkiewich, Director, Legislative Counsel Bureau

From: Connie S. Bisbee, Chairman CSB

RE: Parole Board Quarterly Report of Actions January 1, 2010 through March 31, 2010.

Please find attached the Quarterly Report of Parole Board Actions for the period January 1, 2010 through March 31, 2010. 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.

	Male	Female	Total
Discretionary Parole Hearings	1204	135	1339
Discretionary Paroles Granted	688	106	794
Discretionary Paroles Denied	516	29	545
Mandatory Parole (MPR) Hearings	446	43	489
Mandatory Paroles Granted	286	35	321
Mandatory Paroles Denied	160	8	168
Discretionary Parole Violations Hearings	138	30	168
Discretionary Paroles Continued (Reinstated)	22	11	33
Discretionary Paroles Revoked	116	19	135
MPR Release Violation Hearings	30	6	36
MPR Violators Continued (Reinstated)	2	0	2
MPR Violators Revoked	28	6	34
Total Decisions	1818	214	2032
Total Grant/Continued	998	152	1150
Total Denied/Revoked	820	62	882
Hearings with No Action	117	8	125
Rescissions (not eligible)	3	0	3

Percent of Action by Gender	**Male**	**Female**	**Total**
Percent of Discretionary Parole Granted	57%	79%	59%
Percent of Mandatory Parole Granted	64%	81%	66%
Total Discretionary/MPR Grant Rate	59%	79%	61%

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	160	7	96%
Parole at 1st or 2nd Hearing	409	108	79%
Consider Factors	221	263	46%
Deny Parole	4	158	2%

Mandatory Parole Actions by Discretionary Guideline Recommendation

	Granted	Denied	% Granted
Parole at Initial	41	2	95%
Parole at 1st or 2nd Hearing	165	27	86%
Consider Factors	114	62	65%
Deny Parole	1	71	1%

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:	7
Total Number of Denials:	545
Percent of Deviation:	1.10%

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:	4
Total Number of Grants:	794
Percent of Deviation:	0.50%

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).

	Sex	**Violence**	**Drug**	**Property**	**DUI**	**Other**	**Total**
Discretionary Parole	154	571	298	277	34	5	**1339**
Discretionary Parole Granted	52	265	248	200	26	3	**794**
Percent Favorable	34%	46%	83%	72%	76%	60%	**59%**
MPR Hearings	54	259	75	69	25	7	**489**
MPR Granted	20	168	59	46	22	6	**321**
Percent Favorable	37%	65%	79%	67%	88%	86%	**66%**
Total Parole Hearings	208	830	373	346	59	12	**1828**
Total Parole Grants	72	433	307	246	48	9	**1115**
Percent Favorable	35%	52%	82%	71%	81%	75%	**61%**
PV Hearings	15	69	52	61	7	0	**204**
PV's Reinstated	3	12	7	12	1	0	**35**
Percent Favorable	20%	17%	13%	20%	14%	n/a	**17%**
Total	223	899	425	407	66	12	**2032**
Total Favorable	75	445	314	258	49	9	**1150**
Percent Favorable	34%	49%	74%	63%	74%	75%	**57%**

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):

Frequency	Reason
100	The parole guidelines indicate the prisoner is a high risk to re-offend.
36	The prisoner was evaluated in accordance with NRS 213.1214 (psych panel) and was determined to be a high risk to re-offend.
16	The prisoner has made statements indicating he/she will refuse to comply with the terms and conditions of parole.
23	The prisoner has a history of convictions for violent crimes.
6	The prisoner has engaged in violent behavior while incarcerated.
5	The prisoner has been convicted of multiple felony offenses of driving under the influence of intoxicating liquor or a controlled substance.
5	The prisoner has previously committed crimes while on community supervision.
2	The criminal conduct of the prisoner has increased in severity over time.
1	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)
15	Other:

Reasons for Denying Discretionary Parole Release:

Frequency	Reason
192	Prior prison term did not deter future criminal activity.
42	Prior conviction for a sexual offense.
203	Prior conviction for a violent offense.
158	Repetitive criminal conduct.
122	Significant prior criminal history.
59	Disruptive institutional behavior, or poor disciplinary record.
39	The prisoner was evaluated in accordance with NRS 213.1214 (psych panel) and was determined to be a high risk to re-offend.
29	Multiple prior parole/probation revocations.
72	Nature of criminal record is increasingly more serious.
65	Crime was targeted against a child or person at greater vulnerability because of age/disability.
227	Impact on victim(s) and/or community.
7	The extreme or abnormal aspects of the crime.
5	Inmate has indicated an unwillingness to comply with the terms of parole.
203	Risk factors indicate the inmate is a high risk to commit a new felony.
1	Removal from community supervision program.
96	Parole Guideline recommends parole denial and other factors do not indicate the Board should deviate from the guideline.
13	Other:
8	Inmate refused to participate in the hearing process.
7	Inmate does not want parole, and requested to expire sentence.

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

Frequency	Reason
5	Prior prison term did not deter future criminal activity.
1	Prior conviction for a sexual offense.
3	Prior conviction for a violent offense.
4	Repetitive criminal conduct.
4	Significant prior criminal history.
2	Multiple prior parole/probation revocations.
2	Impact on victim(s) and/or community.
1	Other

Reasons for Granting Mandatory Parole Release:

Frequency	Reason
321	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.
1	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).
8	Other:

Reasons for Granting Discretionary Parole Release:

Frequency	Reason
549	The parole guideline recommends that parole be granted, and there are no serious reasons to deviate from the guideline recommendation.
139	The inmate has no prior or minimal criminal conviction history.
78	The inmate has a positive institutional record.
169	The inmate has participated in programs specific to addressing behavior that led to incarceration.
23	The inmate has adjusted in a positive manner to a work release program or other assignment as community trustee.
46	The inmate has successfully completed a prior period of parole or probation.
218	The inmate has stable release plans.
121	There is a detainer lodged by other jurisdiction.
113	The inmate must serve a consecutive sentence.
1	Case factors suggest parole may be appropriate at this time.
229	There is community and/or family support.
15	Other:

Reasons for Taking No Action:

Frequency	Reason
5	Inmate was moved after hearing date was set. Will be rescheduled upon publication of new eligibility list.
21	Inmate not eligible due to new felony conviction. Inmate will be re-scheduled when eligible.
11	Inmate was not available at the time of the hearing.
3	No action taken due to lack of information needed to make a recommendation.
1	Inmate is a sex offender (NRS 123.107), and the panel does not have adequate information related to the risk to reoffend in a sexual manner, to allow it to make a recommendation.
1	Prior action to grant parole.
2	Inmate not eligible due to change or correction in sentence structure or credits earned/lost per NDOC records.
11	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.
32	The inmate is pending new criminal charges. Will be rescheduled once the new charges have been adjudicated.
11	The attorney appointed to represent the inmate during parole revocation proceedings was not present at the scheduled time.
4	The inmate needs an interpreter and one was not available for the hearing.
12	Inmate not given proper notice of the hearing.
4	Inmate not eligible for parole for reasons other than new sentence or credit adjustment
2	Inmate expired prior to eligibility.
9	Inmate or inmate's counsel requested a continuance.
1	Conversion problem - inmate not eligible for parole.
1	Hearing continued pending outcome of disciplinary charges.
1	Inmate needs to be considered by three commissioners, and three were not available at the hearing.
5	Hearing continued until a psychological panel is conducted in accordance with NRS 213.1214.
1	Inmate expired after being scheduled, but before the hearing took place.

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

Frequency	Reason
2	The inmate has been infraction free for two years or more to hearing month.
4	The inmate has participated in programs specific to addressing the behavior that led to incarceration.
4	Pending CS sentence or detainer

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

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