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**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 April 1, 2010 through June 30, 2010.

Please find attached the Quarterly Report of Parole Board Actions for the period April 1, 2010 through June 30, 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.

	<b>Male</b>	<b>Female</b>	<b>Total</b>
Discretionary Parole Hearings	1199	151	1350
Discretionary Paroles Granted	736	126	862
Discretionary Paroles Denied	463	25	488
Mandatory Parole (MPR) Hearings	452	63	515
Mandatory Paroles Granted	283	50	333
Mandatory Paroles Denied	169	13	182
Discretionary Parole Violations Hearings	106	25	131
Discretionary Paroles Continued (Reinstated)	35	6	41
Discretionary Paroles Revoked	71	19	90
MPR Release Violation Hearings	8	0	8
MPR Violators Continued (Reinstated)	0	0	0
MPR Violators Revoked	8	0	8
Total Decisions	1765	239	2004
Total Grant/Continued	1054	182	1236
Total Denied/Revoked	711	57	768
Hearings with No Action	120	8	128
Rescissions (not eligible)	5	2	7

<b>Percent of Action by Gender</b>	<b>Male</b>	<b>Female</b>	<b>Total</b>
Percent of Discretionary Parole Granted	61%	83%	64%
Percent of Mandatory Parole Granted	63%	79%	65%
Total Discretionary/MPR Grant Rate	62%	82%	64%

**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	177	11	94%
Parole at 1st or 2nd	440	111	80%
Consider Factors	241	215	53%
Deny Parole	4	141	3%

**Mandatory Parole Actions by Discretionary Guideline Recommendation**

	Granted	Denied	% Granted
Parole at Initial	44	4	92%
Parole at 1st or 2nd	156	24	87%
Consider Factors	125	58	68%
Deny Parole	8	92	8%

**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:	12
Total Number of Denials:	488
Percent of Deviation:	2.46%

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:	862
Percent of Deviation:	0.46%

**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	148	556	311	280	40	15	<b>1350</b>
Discretionary Parole Granted	61	289	256	211	33	12	<b>862</b>
Percent Favorable	41%	52%	82%	75%	83%	80%	<b>64%</b>

MPR Hearings	50	264	72	86	39	4	<b>515</b>
MPR Granted	21	160	55	64	31	2	<b>333</b>
Percent Favorable	42%	61%	76%	74%	79%	50%	<b>65%</b>

Total Parole Hearings	198	820	383	366	79	19	<b>1865</b>
Total Parole Grants	82	449	311	275	64	14	<b>1195</b>
Percent Favorable	41%	55%	81%	75%	81%	74%	<b>64%</b>

PV Hearings	8	50	35	41	3	2	<b>139</b>
PV's Reinstated	5	15	10	11	0	0	<b>41</b>
Percent Favorable	63%	30%	29%	27%	0%	0%	<b>29%</b>

Total	206	870	418	407	82	21	<b>2004</b>
Total Favorable	87	464	321	286	64	14	<b>1236</b>
Percent Favorable	42%	53%	77%	70%	78%	67%	<b>62%</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):**

**Frequency Reason**

- 112 The parole guidelines indicate the prisoner is a high risk to re-offend.
- 29 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.
- 32 The prisoner has a history of convictions for violent crimes.
- 10 The prisoner has engaged in violent behavior while incarcerated.
- 4 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.
- 4 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)
- 19 Other:

**Reasons for Denying Discretionary Parole Release:**

<b>Frequency</b>	<b>Reason</b>
180	Prior prison term did not deter future criminal activity.
29	Prior conviction for a sexual offense.
159	Prior conviction for a violent offense.
129	Repetitive criminal conduct.
124	Significant prior criminal history.
54	Disruptive institutional behavior, or poor disciplinary record.
47	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.
46	Nature of criminal record is increasingly more serious.
50	Crime was targeted against a child or person at greater vulnerability because of age/disability.
175	Impact on victim(s) and/or community.
3	The extreme or abnormal aspects of the crime.
7	Inmate has indicated an unwillingness to comply with the terms of parole.
163	Risk factors indicate the inmate is a high risk to commit a new felony.
2	Refusal to participate in a treatment program.
3	Removal from community supervision program.
90	Parole Guideline recommends parole denial and other factors do not indicate the Board should deviate from the guideline.
38	Other:
14	Inmate refused to participate in the hearing process.
18	Inmate does not want parole, and requested to expire sentence.
11	Inmate was convicted of a new felony while serving a prior period of community supervision.

**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.
5	Prior conviction for a violent offense.
9	Repetitive criminal conduct.
7	Significant prior criminal history.
2	Multiple prior parole/probation revocations.
3	Crime was targeted against a child or person at greater vulnerability because of age/disability.
2	Impact on victim(s) and/or community.
3	Other:

**Reasons for Granting Mandatory Parole Release:**

<b>Frequency</b>	<b>Reason</b>
332	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.
7	Other:

**Reasons for Granting Discretionary Parole Release:**

<b>Frequency</b>	<b>Reason</b>
597	The parole guideline recommends that parole be granted, and there are no serious reasons to deviate from the guideline recommendation.
168	The inmate has no prior or minimal criminal conviction history.
85	The inmate has a positive institutional record.
229	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.
53	The inmate has successfully completed a prior period of parole or probation.
238	The inmate has stable release plans.
132	There is a detainer lodged by other jurisdiction.
142	The inmate must serve a consecutive sentence.
3	Case factors suggest parole may be appropriate at this time.
296	There is community and/or family support.
11	Other:

**Reasons for Taking No Action:**

<b>Frequency</b>	<b>Reason</b>
6	Inmate was moved after hearing date was set. Will be rescheduled upon publication of new eligibility list.
7	Inmate not eligible due to new felony conviction. Inmate will be re-scheduled when eligible.
15	Inmate was not available at the time of the hearing.
6	No action taken due to lack of information needed to make a recommendation.
3	Prior action to deny parole.
2	Prior action to grant parole.
29	Inmate not eligible due to change or correction in sentence structure or credits earned/lost per NDOC records.
30	The inmate is pending new criminal charges. Will be rescheduled once the new charges have been adjudicated.
4	The attorney appointed to represent the inmate during parole revocation proceedings was not present at the scheduled time.
2	The inmate needs an interpreter and one was not available for the hearing.
6	Inmate not given proper notice of the hearing.
8	Inmate not eligible for parole for reasons other than new sentence or credit adjustment
10	Inmate or inmate's counsel requested a continuance
1	Conversion problem - inmate not eligible
2	Inmate needs to be considered by three commissioners, and three were not available at the hearing.
6	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>
3	The inmate has participated in programs specific to addressing the behavior that led to incarceration.
2	Community and/or family support
1	Stable release plans.
3	Pending CS sentence or detainer
1	Other Factors:

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