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MICHAEL KEELER, *Member*
LUCILLE MONTERDE, *Member*

NEVADA BOARD OF PAROLE COMMISSIONERS

MINUTES
Meeting of the
Board of Parole Commissioners

November 30, 2016

NOTE: The following minutes have not been approved and are subject to revision at the next meeting of the Board.

The Board of Parole Commissioners held a public meeting on November 30, 2016 beginning at 8:00 AM at the following locations:

Conference room at the central office of the Board of Parole Commissioners, located at 1677 Old Hot Springs Road, Ste. A, Carson City, NV, video conference to Parole Board Office, 4000 S. Eastern Avenue, Ste. 130, Las Vegas, NV.

I. Open Meeting, call to order, roll call 8:00 AM.

The meeting was called to order by Chairman Bisbee. Present in Carson City were Chairman Bisbee, Commissioner Endel, Commissioner Corda, and Commissioner Jackson. Present in Las Vegas were Commissioner Keeler, and Commissioner Gray. Absent from meeting was Commissioner Monterde

Support staff in attendance:
Darla Foley, Executive Secretary
Brian Stone, Administrative Assistant II
Alan Jordan, MA III,
David Smith, Hearing Examiner II

Members of the public present in Carson City included:
Cy Ryan
Katie Brady, Deputy Attorney General, Office of the Attorney General

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Members of the public present in Las Vegas included:
Shane Brandon, Division of Parole and Probation
Joni Billich, Division of Parole and Probation

II. <u>Public Comment</u>. No action may be taken upon a matter raised under this item of the agenda until the matter itself has been specifically included on an agenda as an item upon which action may be taken pursuant to subparagraph (2) of NRS 241.020.

Chairman Bisbee asked if any member present would like to make a public comment.

<u>Public comment – Carson City, NV</u>
No public comment.

<u>Public comment - Las Vegas</u>
No public comment.

III. For possible action: Review/Approval of minutes from the April 26, 2016 Board meeting.

Motion:	Approve the minutes of April 22, 2014 Board Meeting.
Made:	Commissioner Jackson
Seconded by:	Commissioner Gray
Votes in Favor:	Gray, Keeler, Corda, Jackson, Endel, Bisbee
Votes Opposed:	None

IV. <u>For possible action</u>: Delegation of Settlement Authority. The Board may designate the Administrator of the Board (Chairman) or the Hearings Examiner II to attend and represent the Board at judicial mediation or settlement conferences. The Board may establish parameters that allow preliminary settlement authority with final approval of a majority of the Board.

Chairman Bisbee introduced the Delegation of Settlement Authority and asked that the Board consider designating the Chairman of the Board or Hearing Examiner II to represent the Board at judicial mediation or settlement conferences.

Katie Brady spoke of the legal aspects of the requested Delegation of Settlement Authority.

Motion: I move that the Board designate the Chairman of the Board as the primary representative to attend and negotiate judicial settlements on behalf of the Board. If the Chairman is not available, the Hearings Examiner II is designated as the alternate. Furthermore, the Board authorizes the designee to indicate during settlement negotiations that, generally, the position of the Board is to ratify a settlement that would result only in a new parole hearing without any expectation of the outcome of that new parole hearing, and without any admission of wrongdoing or a monetary settlement. Any other negotiated agreement made by the designee would be considered by the Board, but the designee should advise the mediator that any other agreement it is less likely to be approved, but not

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necessarily rejected. Lastly, any negotiated settlement is subject to the final approval of a majority of the Members of the Board at a public meeting..

Made: Commissioner Corda
Seconded by: Commissioner Jackson
Votes in Favor: Gray, Keeler, Corda, Jackson, Endel, Bisbee
Votes Opposed: None

V. <u>For possible action</u>: Review and approval of language for general and special conditions of parole for use on future parole orders. The Board may also consider imposing a condition prohibiting of the use of recreational marijuana by all current and future parolees.

David Smith gave specific information on the requested changes to current condition language and referred to the handout packet ***Conditions of Parole***. Mr. Smith also addressed the use of marijuana by parolees.

Motion: Make a recommendation to change the language on the restitution condition as suggested in the materials before the Board. This would go into effect once IT makes the changes to the parole grant orders and worksheets and they are implemented into the NOTIS system.

Made: Commissioner Keeler
Seconded by: Commissioner Corda
Votes in Favor: Gray, Keeler, Corda, Jackson, Endel, Bisbee
Votes Opposed: None

Motion: I move that the standard and special conditions of parole be approved as changed during this meeting and as readdressed by Mr. Smith and that they become effective as soon as the IT changes for the parole grant orders and worksheets are implemented in the NOTIS system.

Made: Chairman Bisbee
Seconded by: Commissioner Gray
Votes in Favor: Gray, Keeler, Corda, Jackson, Endel, Bisbee
Votes Opposed: None

Motion: I move that the Parole Board issue an Order prohibiting the use of recreational marijuana to all current parolees, and future parolees who are released prior to this condition being stated on each Order granting parole.

Made: Commissioner Jackson
Seconded by: Commissioner Gray
Votes in Favor: Gray, Keeler, Corda, Jackson, Endel, Bisbee
Votes Opposed: None

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Chairman Bisbee asked for any public comment.

Public comment – Carson City, NV
No public comment.

Public comment - Las Vegas
No public comment.

VI. For possible action: Review of the current evidence based programs administered by the Department of Corrections (NDOC). The Board may approve the inclusion of additional NDOC programs that the Board awards credit for successful completion on the Nevada Parole Risk Assessment (NPRA).

Due to no representation present for the Nevada Department of Corrections, no action was taken on this agenda item.

VII. For possible action: Review of the current parole guideline mitigating and aggravating factors, the NPRA Definitions and Resulting Point Allocations form and reasons for granting and denying parole. The Board will review and may modify the language and instructions for the use of each of the current mitigating and aggravating factors, definitions and instructions for preparations of the NPRA and wording related to reasons and recommendations that might appear on an order granting or denying parole. Specific items under consideration include, but are not limited to, changing the instructions on when to apply the factor "nature of criminal record is increasingly more serious" and change from "juvenile conviction" references to "delinquency adjudication as a juvenile."

David Smith gave specific information on this agenda item.

Motion: Make changes to the aggravating and mitigating guidelines as recommended by Mr. Smith at this meeting.

Made: Commissioner Keeler
Seconded by: Commissioner Corda
Votes in Favor: Gray, Keeler, Corda, Jackson, Endel, Bisbee
Votes Opposed: None

Chairman Bisbee asked for any public comment.

Public comment – Carson City, NV
No public comment.

Public comment - Las Vegas
No public comment.

VIII. <u>Public Comment.</u> No action may be taken upon a matter raised during a period devoted to comments by the general public until the matter itself has been specifically included on an agenda as an item upon which action may be taken pursuant to subparagraph (2) of NRS 241.020.

<u>Public comment – Carson City, NV</u>
No public comment.

<u>Public comment - Las Vegas</u>
No public comment.

IX. <u>For possible action: The Board may act to adjourn the meeting.</u>

Motion:	Adjourn the November 30, 2016 Board Meeting.
Made:	Commissioner Gray
Seconded by:	Commissioner Jackson
Votes in Favor:	Gray, Monterde, Keeler, Corda, Jackson, Endel, Bisbee
Votes Opposed:	None

Meeting adjourned at 9:20 AM.

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