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

CHRISTOPHER P. DERICCO, *Chairman*
MARY K. BAKER, *Member*
SCOTT WEISENTHAL, *Member*
KELLY MELLINGER, *Member*

KATHI BAKER, *Executive Director*

**STATE OF NEVADA**
JOE LOMBARDO
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

CHRISTOPHER P. DERICCO, *Chairman*
ERIC CHRISTIANSEN, *Member*
LAMICIA BAILEY, *Member*
SANDY SCHMITT, *Member*

KATIE FRAKER, *Executive Secretary*

# NEVADA BOARD OF PAROLE COMMISSIONERS

# MINUTES

## Meeting of the
## Board of Parole Commissioners

June 30, 2025

*MINUTES APPROVED ON JULY 30, 2025*

**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 June 30, 2025, beginning at 1:00 PM 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, and video conference at the Parole Board Office, 4000 S. Eastern Avenue, Ste. 130, Las Vegas, NV.

**I. Open Meeting, call to order, roll call 1:04 PM.**

The meeting was called to order by Chairman DeRicco. Present in the Carson City office were Commissioner Baker, Commissioner Weisenthal, Commissioner Mellinger, and Chairman DeRicco. Present in the Las Vegas office were Commissioner Christiansen, Commissioner Bailey, and Commissioner Schmitt.

Support staff in attendance:
Kathi Baker, Executive Director
Forrest Harter, Hearings Examiner II
Colette Stammerjohn, Hearings Examiner I
Mary Flores, Administrative Assistant III

Members of the public present in Carson City included:
Kristy Rodriguez, Nevada Department of Corrections

Members of the public present in Las Vegas included:
Jon Ponder, Hope for Prisoners
Captain Don Morgan, Parole and Probation
Lieutenant Steven Maczka, Parole and Probation

**II. Public Comment.** 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.

Public comment – Carson City, NV
No public comment.

Public comment – Las Vegas, NV
No public comment.

Chairman DeRicco commented that the Board's Deputy Attorney General was unable to make this Board meeting. He stated that he had spoken with him, and it had been decided that agenda Items IV and V will be for discussion only and no action will be taken.

**III.** **For possible action:** Review/Approval of minutes from the April 30, 2025, Board meeting.

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| **Motion:** | **Approve the minutes of the April 30, 2025, Board meeting.** |
| **Made:** | **Commissioner Schmitt** |
| **Seconded By:** | **Commissioner Bailey** |
| **Votes in Favor:** | **DeRicco, Bailey, Weisenthal, Mellinger, Christiansen, Bailey, Schmitt** |
| **Votes Opposed:** | **None** |
| **Results:** | **Motion passed** |

**IV.** **For discussion and possible action:** Presentation and discussion with representatives from the Division of Parole and Probation and Hope for Prisoners regarding their new day reporting center to include a potential request for a new special condition for parolees.

Chairman DeRicco reminded the Board that this agenda item would be for discussion only. He then turned the floor over to the Division of Parole and Probation and Hope for Prisoners to discuss their new day reporting center. He stated that after they conclude their presentation, the Board can discuss this agenda item and ask them any questions.

Captain Don Morgan from the Division of Parole and Probation stated they have partnered with Hope for Prisoners and started the Tom Ealy Day Reporting Center (DRC) approximately six weeks ago. He stated this entails the Division providing the supervision of the participants and Hope for Prisoners providing the resources. He explained this program has been successfully run in the past (2017), but due to Covid, funding was lost, and the program was shut down. This time, the program is located inside Hope for Prisoners and Parole and Probation has stationed one specialist and two officers inside the building to directly work with the program participants daily. He stated the program is currently only set to work with parolees, not probationers, and they are in a six-month pilot program which will last through December. The data will be gathered and analyzed to determine how the program and funding will continue into 2026. He stated that since this program is currently just for parolees, he wanted to present this program to the Board so that in the future the Board could possibly add a special condition to an offender's release plan that they enter and successfully complete the day reporting center.

Jon Ponder from Hope for Prisoners stated that he believed fully in the DRC and its functions. He stated that the resources it can provide coupled with the input from the Division can lead to success. He then spoke about the Vocational Village located at Southern Desert Correctional Center and their ability to provide certifications that will enable parolees to find employment upon release. He stated the

mechanisms that had been created will allow parolees to successfully transition from prison to the community and keep them engaged with their parole officer and with the resources they need.

Lieutenant Maczka stated that initial participants are involved in the program and that the number of participants will grow. He further stated that DRC programs have proven to be successful in integrating people back into their communities. Since it is just getting started, they are beginning to gather data and will continue to gather statistics and adapt their program over the next several months, to include growing their total number of participants to 150. He also stated that he thought it would be beneficial if the Board added a special condition requiring completion of the DRC as it could be considered a non-technical violation if the parolee did not complete the program if obligated to do so upon release.

Chairman DeRicco asked when the program started and how many people had been through the program. Captain Morgan stated the program began in June and approximately 30 people are currently in the program or are being assessed to be placed in the DRC program. Chairman DeRicco also asked what data they are intending to capture through December. Captain Morgan stated success rate would be captured, money spent and cost-savings analysis (incarceration vs. last-resort graduated sanction), demographics, counseling success, employment success, violations, and parolees completing the MRT program.

Chairman DeRicco asked if the Division was going to use the DRC as a graduation sanction, then why would they need the Board to have a special condition. Captain Morgan stated that if the Board placed the condition on a person coming out of prison, then it would give the DRC a pipeline of individuals that are benefiting from the resources that the DRC has and that the parolee needs to successfully complete their parole and reintegrate. Jon Ponder stated that he believed that the special condition was a good idea. Hope for Prisoners was already working with them on the inside, especially through vocational training, so he believed that requiring them to report to the DRC just helps to make sure that the parolee is actively engaged. He further stated that Hope for Prisoners will be measuring and reporting on completion of the DRC, employment, vocational skills, and substance abuse, mental health, and anger management counseling.

Commissioner Schmitt asked how long the program typically lasts and if it is an extension of what the Hope for Prisoners program has already started at Southern Desert Correctional Center. She also asked if there is a minimum required length that a parolee must be on parole prior to their expiration date to be accepted into the program, and what would happen if the program received too many referrals if the Board begins setting this as a special condition.

Jon Ponder explained that if the DRC program began to get close to exceeding the 150-person target, or exceeded 150 participants, they would be able to enroll them into the existing Hope for Prisoners program and fold them into the 18-month post-release mechanism that in place currently. Captain Morgan stated that the program is set up for parolees who have more than six months' time remaining on parole due to the time required to complete the DRC, MRT, and other requirements.

Commissioner Schmitt asked for clarity on the last-chance aspect of the program. She stated that the Board sees numerous parole violations for parolees who have failed to complete a program or halfway house within the first thirty days of their release, which is a violation of AB32. She asked if these parole violators would be candidates to go into this program as a second-chance opportunity instead of coming back before the Board.

Captain Morgan stated that he cannot say that the program will take those parole violators but that the DRC does plan to work with their participants as much as they can. He also states that if it was added as a special condition instead of a parole release plan there is a little more flexibility for the ability to work with parolees.

Commissioner Baker asked if it would be possible to get something in writing stating the requirements of the programming. She also wanted to make sure that just because the program was called the Day Reporting Center that this did not mean that participants were actually required to report daily. Captain Morgan affirmed that participants are not required to report daily.

Commissioner Baker also asked how the DRC worked with the Division's risk assessment. She asked what would happen if the Board were to impose this as a special condition on a parolee, but upon release they were a low risk on the Division's assessment and were not a good candidate for the program. Captain Morgan stated there is a screening process for the DRC based on the parolee's needs. He explained the assessment is based on their need for residence, employment, and counseling services.

Commissioner Mellinger asked how the Division intended to use the DRC as a last chance program if the condition was not a part of the parolee's parole agreement. Lieutenant Maczka stated he saw it as a condition that could be added at a parole violation hearing when a parolee was temporarily revoked. That parolee could come back on parole with the added condition of having to complete the DRC.

Chairman DeRicco reiterated that since the Board's Deputy Attorney General was not present at the meeting, the Board was not able to take any action, but the Board could at a subsequent meeting. He stated that he has heard the Division's request for a special condition but also mentioned several parameters for the program. Some of the parameters include that parolees have to be on the streets for longer than six months, the program cannot take sex offenders, and they have to meet the Division's assessment. Chairman DeRicco stated that his concern about adding a special condition requiring completion of the DRC is that some parolees may be over-supervised or that the condition may be placed on offenders who do not meet the qualifications for the program. Chairman DeRicco suggested if after the Board granted an offender's parole and the Division was working on their release, if they determined that the parolee qualified for the DRC and it was appropriate, they could then request the Board add the DRC as a special condition. This way the parolee has been properly vetted for the program and the condition is not being added on parolees that do not qualify for the program. Lieutenant Maczka stated that these are conversations that they have had at the Division as well. He agreed that whether the condition is placed at the front end or back end, neither are deal breakers for requesting the special condition of parole.

Commissioner Christiansen stated that he has seen similar programs during his time as a federal probation officer. He stated at one time there was the Community Resource Center, and it was a mandatory condition of the court. He felt that he spent a lot of time arresting probationers for not showing up to the resource center. He said that this did not work because since it was not used as an intermediate sanction, but rather as a condition and a violation, fewer people would show up for fear of being arrested. He stated as an intermediate sanction the DRC could be very effective, especially in lieu of a violation or a warrant.

Lieutenant Maczka compared the DRC to the specialty court programs, which are mandatory, and stated that the DRC is a more collaborative effort between the participants, Division, and treatment providers. He stated there are more eyes on the participants and they have a better chance of staying on track.

Commissioner Bailey asked where the referrals for the program are coming from now. Lieutenant Maczka stated that referrals come from Parole and Probation officers through the Re-entry specialists. He further explained that participants in the MRT class are referred for classes through the DRC, such as parenting classes, anger management classes, or whatever class may be appropriate.

Chairman DeRicco asked if the Division viewed failing the DRC as a technical or non-technical violation. Lieutenant Maczka was unsure but stated that if the conditions were set by the Board, it would be a stronger violation. Chairman DeRicco stated that he thought failing the DRC would be another technical violation and not fall under the purview of AB32.

Chairman DeRicco asked if the current participants are voluntarily entering the program. Lieutenant Maczka stated they are either entering the program through graduated sanctions or through voluntary participation. Chaiman DeRicco stated that providing assistance and resources to parolees on the street should be the primary goal, and if parolees voluntarily enter the program that would be the best outcome.

Commissioner Mellinger stated the Board has a special condition that states, "You shall continue to actively participate and successfully complete any reentry or judicial program prescribed by NDOC treatment program pursuant to NRS 209 and/or NRS213." She asked if this condition could be applied to the DRC as it is a reentry program. Chairman DeRicco stated that condition was added primarily for offenders who were enrolled in the MRT program, so that upon their release they would continue with the program and services. Lieutenant Maczka stated the Division has not seen that direct hand-off from the NDOC to a treatment provider in the community but that can be improved.

Commissioner Baker agreed with Commissioner Schmitt about the amount of parole violators that the Board sees for failing their approved program. She asked if this program would be a good option for the offenders who check in with their officer after failing their program rather than just absconding instead of being brought back before the Board. Lieutenant Maczka stated that their officers do use discretion and are able to work with parolees and try to get them into another program if it is appropriate.

Chairman DeRicco asked for further questions from the Board. There were no further questions.

Jon Ponder stated that adding Hope for Prisoners as a reentry component would be ideal as their counselors are trained in the MRT program. He stated that Hope for Prisoners has been working very closely with the Department of Motor Vehicles so that parolees are able to obtain the identification and driver's licenses quickly.

Chairman DeRicco thanked the Division and Mr. Ponder for presenting to the Board. He recommended that the Division and Hope for Prisoners gather their data over the next six months so that they can see what types of parolees are best suited for the program (high-risk or low risk), and whether the program will be used more for graduated sanctions or for parolees who volunteer or are placed upon release. At that time, they can come back and present those findings to the Board and determine if a special condition is still needed. He stated at this time he does not feel like the special condition is necessary since it could lead to parolees being over-supervised and a technical violation of their supervision. He encouraged the Division to continue to do their good work and believes that this program can be successful. He invited them back in the future to share their data.

**V.** **For discussion and possible action:** Review of recently passed legislation that may affect the Board. The Board may review and discuss recently passed legislation which affects the Board. The Board may also act on making changes to its procedures with regard to any of the recently passed legislation. This may include discussion on all bills passed in the 2025 session, including but not limited to: AB 35, AB 125, AB 128, AB 547, AB 583, SB 30, SB 125, SB 213, and SB 263.

Chairman DeRicco stated that this agenda item is to give a brief overview of certain legislation that was passed and signed by the Governor that may affect or pertain to the Board or its employees. He thanked Kathi Baker, Forrest Harter, Katie Fraker, and Katie Henrie for providing assistance this legislative session.

Kathi Baker presented AB128. Assembly Bill 128 creates a Public Records Task Force that will review existing public records laws and make recommendations to the Joint Interim Standing Committee on Government Affairs and the Senate and Assembly Standing Committees on Government Affairs for the next Legislative Session which is the 84th session (2027). The Task Force will meet quarterly and supply reports to these committees. Although AB128 will not currently impact the Parole Board, it may have future impacts depending on the findings and recommendations of the task force. The Public Records Task Force will be in effect from July 1st, 2025, and expires on June 30, 2027.

Kathi Baker next presented AB547. This bill eliminates the requirement of a bachelor's degree for employment in both classified and unclassified state positions, except for certain roles such as attorneys. Additionally, the bill allows federal experience to be considered equivalent to state experience, allowing the hiring of federal employees who lack prior state service. This bill becomes effective May 30, 2025.

Next, Kathi Baker presented AB583. AB583 is a PEBS fiscal bill that sets the amount agencies receive from the state for group insurance. This is an appropriation that is part of agency budgets. The reason we tracked this bill is that it also sets and provides insurance subsidies to retirees who retire on or after January 1, 1994, excluding purchased years. These retirees will receive $13 per month per service year up to 20 years of service with a cap of $260 a month. This bill becomes effective July 1, 2025.

The final bill Kathi Baker presented was Senate Bill 125. SB125 authorizes a government entity to disclose confidential information to a statewide center for the limited purposes of providing support services to victims. This bill is to help victims with technical assistance, advocacy services, referral services, counseling, and assistance for victims applying for aid. This bill becomes effective on October 1st, 2025.

Commissioner Baker asked what type of confidential information the Board might disclose. Kathi Baker stated she would have to check but she believed it would be information such as address, as this is a statewide center, that then other agencies could then access in order to provide resources.

Katie Fraker presented Assembly Bill 125. The Open Meeting Law requires that written notice of all meetings of a public body be given at least 3 working days before the meeting. The notice must be posted, among other certain locations, on the official website of the State that is maintained by the Department of Administration (which is notice.nv.gov). Currently, the website only shows the meetings scheduled for the current day. Assembly Bill 125 requires that the website provides notice to the public of a meeting of a public body at least 3 working days before the meeting. The intention of this bill is to increase the transparency of meetings of public bodies. This bill does not impact the Board or change the

way the Board does business as the Executive Secretary already posts Board meeting agendas to the mandated locations at least 3 working days before the meeting. This bill becomes effective on October 1, 2025.

Katie Fraker next presented SB30. Senate Bill 30 makes two changes to NRS 213, which is the statute that encompasses Pardons and Parole. This was the bill request that was drafted by our office to include specific language requiring name-based inquiries for public record requests regarding parole decisions. A subsection was included to NRS 213.10887(2)(c): "The Board shall: Upon request, disseminate records of decision regarding parole to any person who requests such record of a named prisoner, excluding any personal identifying information, after the prisoner and any victims have been notified of the decision." The other change was an amendment requested by Justice Bell with the Supreme Court. In the Pardons Board section of the statute, NRS 213.020 solicits consideration of a Pardons Board application from the district attorney and the district judge of the county wherein the person was convicted. She stated this created an ethical issue as it is not appropriate for a judge to provide their consideration or opinion to a Board. NRS 213.020(3) omits the district court judge from receiving a copy of pardons board application for consideration prior to their hearing and adds a subsection that states: "Nothing in this chapter shall be construed to prohibit a district judge from providing factual and non-character testimony regarding the release or detention of a prisoner in response to a subpoena or other formal request from the Board." This bill became effective May 26, 2025.

Forrest Harter presented Senate Bill 263. SB263 adds computer-generated imagery and AI-generated imagery to the definition of child pornography. NRS 200.725 expands the prohibition against the preparation, advertisement, or distribution of child pornography to include computer-generated child pornography. This did not change NRS 200.730 which is the statute for possession of child pornography. This bill also revises the applicable criminal penalties by subjecting the person found guilty to a term of imprisonment and providing that a person who is found guilty of a second or subsequent violation is guilty of a category A felony, punishable by imprisonment for a minimum of ten years and a maximum term of life with the possibility of parole. This bill will not impact the Board or change the way sex offender conditions are assessed or assigned.

Chairman DeRicco presented AB35. This bill changes the term "pornography and a minor" to "child sexual abuse material" specifically in NRS 200.710 to NRS 200.730 inclusive. This bill will not impact the Board.

Chairman DeRicco then presented SB213. This new language redefines what an intimate image is to include photorealistic image or computer-generated image that a reasonable person believes depicts these things. This bill will not impact the Board. He stated he just wanted this bill and SB263 to be brought to the Board's attention as they deal with AI and computer-generated images. He stated this is something that the Board may see several years down the road.

He opened the floor for questions and discussion. No further discussion.

**VI.** **<u>For discussion and possible action:</u>** Presentation and discussion by Parole Board staff and/or Nevada Department of Corrections staff regarding statutory time as it related to parole violation proceedings.

Chairman DeRicco stated this agenda item was requested by Commissioner Bailey. He stated Kristy Rodriguez with the Nevada Department of Corrections would be presenting this agenda item and should

be able to provide the Board with greater clarity on how much additional time a parolee may have to serve when additional time is forfeited as mandated by statute.

Kristy Rodriguez stated that determining stat time for parole violations is difficult. She stated that when a person loses sixty stat credits they lose approximately thirty days. She continued by saying that does fluctuate and change based on several factors including custody level and time owed.

Commissioner Bailey asked if the expiration date the Board sees on the date of a parole violation hearing is with or without the loss of any stat credits. Ms. Rodriguez stated that the expiration date the Board sees is their current expiration date without any stat loss. She stated that if the Board is restoring all of a parolee's credits, their expiration date should not move.

Commissioner Weisenthal asked for clarification about how absconder dates can affect a parolees expiration date. He stated that sometimes the Board may find a person not guilty of absconding when they were initially charged with absconding by the Division, or they may modify the absconding dates. Ms. Rodriguez stated that changing the abscond dates will also change the expiration date.

Commissioner Baker asked what type of credit an offender is earning from the date they are back in NDOC custody until the date of their hearing. Ms. Rodriguez stated they are earning NDOC credits when they return to NDOC custody.

There was no further discussion.

Chairman DeRicco thanked Kristy Rodriguez for coming to the meeting and her presentation.

**VII.** **Public Comment.** 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.

Public comment – Carson City, NV
No public comment.

Public comment – Las Vegas, NV
No public comment.

**VIII.** **For possible action**: The Board may act to adjourn the meeting.

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| **Motion:** | **To adjourn the June 30, 2025, meeting of the Nevada Board of Parole Commissioners.** |
| **Made:** | **Commissioner Baker** |
| **Seconded By:** | **Commissioner Mellinger** |
| **Votes in Favor:** | **DeRicco, Baker, Weisenthal, Mellinger, Christiansen, Bailey, Schmitt** |
| **Votes Opposed:** | **None** |
| **Results:** | **Motion passed** |