NAC 213.514 DRAFT REGULATION OF THE BOARD OF PAROLE COMMISSIONERS

LCB File No. _____

EXPLANATION – Matter in ***italics*** is new.

AUTHORITY: NRS 213.10885, NRS 213.110, ~~and~~ NRS 213.140 *and NRS 213.1214*

A REGULATION relating to the determination of whether to grant parole: Assignment of risk level to prisoner; and providing other matters properly relating thereto.

DETERMINATION OF WHETHER TO GRANT PAROLE: ASSIGNMENT OF RISK LEVEL TO PRISONER

Chapter 213 of NAC is hereby amended by changing existing language and adding thereto additional language to read as follows:

NAC 213.514 Determination of whether to grant parole: Assignment of risk level to prisoner. (NRS 213.10885**,** 213.110**,** 213.140*, 213.1214*)

1. The Board will assign to each prisoner who is being considered for parole a risk level of "high," "moderate" or "low" according to the level of risk that the prisoner will commit a felony if released on parole.

2. To establish the risk level, the Board will conduct an objective risk assessment using a combination of risk factors that predict recidivism.

~~3. If a prisoner has ever been convicted of a sexual offense and has been evaluated using a currently accepted standard of assessment to determine the risk that the prisoner will commit another sexual offense if released on parole, the Board will assign a risk level to the prisoner which is the higher of the risk level assigned pursuant to this section and the risk level determined by such an evaluation.~~

3~~4.~~ The Board will apply the risk level assigned to a prisoner who is being considered for parole to establish an initial assessment regarding whether to grant parole in the manner set forth in NAC 213.516.

4. If a prisoner is being heard for parole for a sexual offense as defined in NRS 213.1214, the Board shall also consider the risk assessment conducted by the Department of Corrections pursuant to NRS 213.1214 when deciding whether to grant parole.

5. If a prisoner has ever been convicted of a sexual offense as defined in NRS 213.1214, the Board may also consider the risk assessment conducted by the Department of Corrections pursuant to NRS 213.1214 when deciding whether to grant parole.

~~5. As used in this section, "sexual offense" has the meaning ascribed to it in NRS 213.1214.~~

(Added to NAC by Bd. of Parole Comm'rs by R018-08, eff. 4-17-2008; A by R146-11, 5-30-2012)