

## Digest for Adopted Regulation R\_146-11

Existing law requires the State Board of Parole Commissioners to adopt specific standards for granting or revoking parole which are based on objective criteria for determining a prisoner's probability of success on parole. (NRS 213.10885) Existing law prohibits the Board from granting or continuing parole for a prisoner whose current term of imprisonment includes a sentence for a sexual offense, unless a panel has evaluated the prisoner to determine the risk that the prisoner will reoffend in a sexual manner. (NRS 213.1214)

Under existing regulations, the Board determines whether to grant parole by: (1) making an initial determination whether to grant parole which considers the severity of the crime and the risk that the prisoner will reoffend; and (2) considering certain mitigating and aggravating factors. (NAC 213.512-213.518) The risk level of a prisoner who has been convicted of a sexual offense and who was evaluated using a currently accepted standard of assessment to determine his or her likelihood of committing another sexual offense is the higher of that risk level and the risk level assigned by the Board. (NAC 213.514) This regulation amends the definition of "sexual offense" for the purpose of assigning a risk level to a prisoner so that the definition refers to the definition of "sexual offense" in existing law governing the evaluation of prisoners whose current term of imprisonment includes a sentence for a sexual offense.