

# Advisory Commission on the Administration of Justice

Justice Reinvestment Presentation #2

October 10, 2018

# Overview

- Follow-up questions
- Admissions trends review
- Time served trends
  - Sentencing trends
  - Release trends
  - Parole grant rates over time
- Key decision points
  - Law enforcement contact
  - Initial detention and court hearing
  - Sentencing
  - Release

# Data Used

- Nevada Department of Corrections Data
  - All admissions to NDOC custody by Calendar Year 2008-2017
  - All releases from NDOC custody by Calendar Year 2008-2017
- Offense data is for the most serious offense related to the current admission, defined based on felony category and sentence length
- Unless stated otherwise, all data presented was analyzed by CJI in consultation with NDOC
- Data presented here may not match NDOC reports due to different methodologies for analysis

# Data Used II

- Summary-level data from
  - Nevada Department of Public Safety, Division of Parole and Probation, Fiscal Year 2016-2017
  - Nevada Board of Parole Commissioners, Fiscal Year 2008-2017
  - Unless stated otherwise, all data presented was analyzed by CJI in consultation with above agencies
  - Data presented here may not match reports from the Division of Parole and Probation or the Board of Parole Commissioners due to different methodologies for analysis

# Data Definitions

- Admission Type
  - **New prisoner:** Offender receiving a new prison sentence from the court
  - **Probation violator:** Offender who was revoked by the court from community supervision
  - **Parole violator:** Offender who was returned to prison from parole supervision
  - **Other:** Interstate compact transfers, escape returns

# Data Definitions

- Release Type
  - **Discretionary parole – granted:** Offender who was released on parole by the Board of Parole Commissioners after completion of minimum sentence term
  - **Mandatory parole review – granted:** Offender who was released on mandatory parole by the Board of Parole Commissioners within 12 months of expiration of sentence
  - **Expiration of sentence:** Offender who was released after completion of maximum sentence term

# Follow-Up Questions

- Prior Felony Convictions
- Admissions for Trafficking
- Habitual Criminal Offenders
- Out-of-State Residents

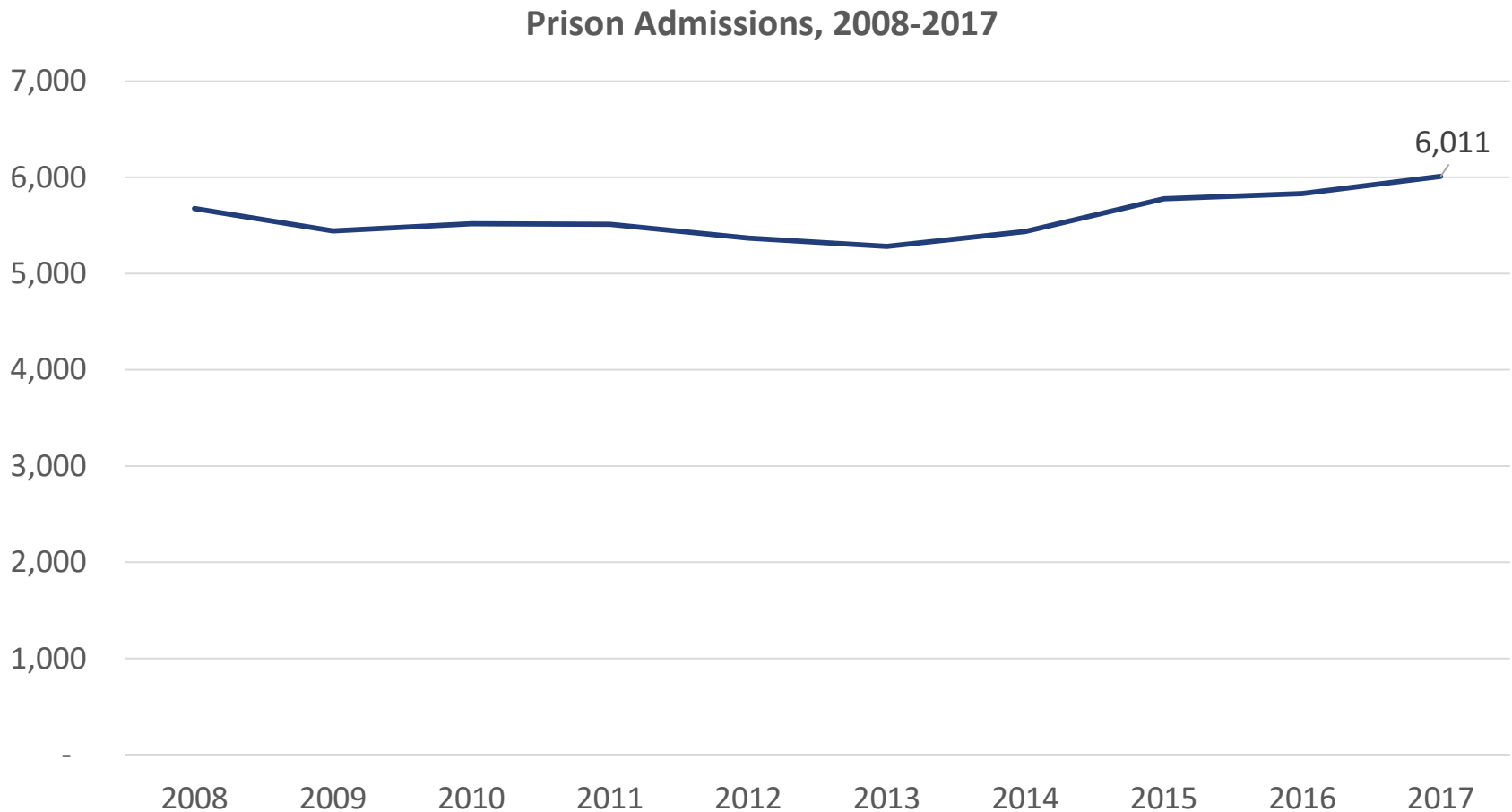
# Prison Trends Review



# Iron Law of Prison Population Growth

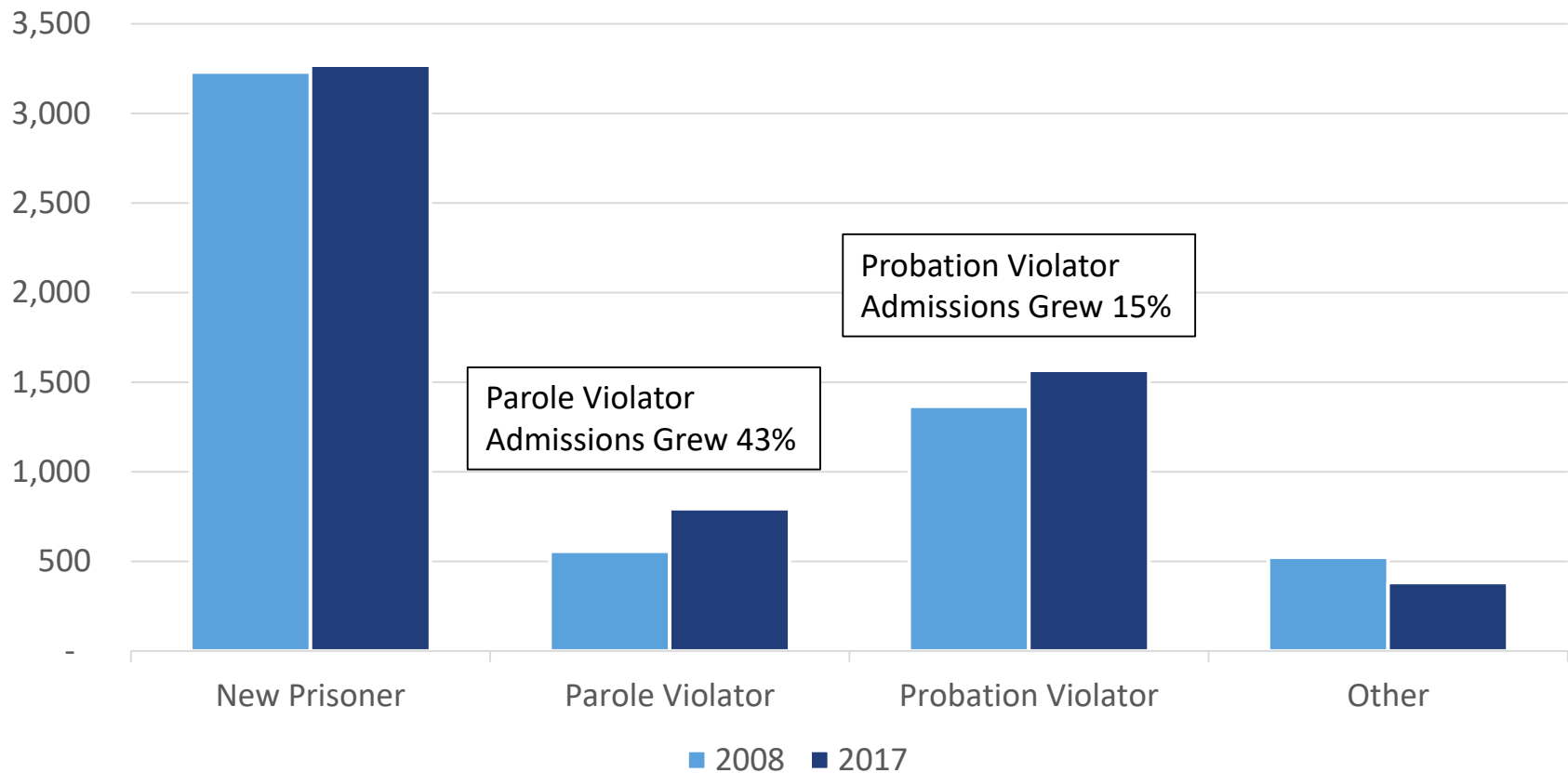
**Admissions + Time Served =  
NDOC Population**

# Prison Admissions Up 6% From 2008



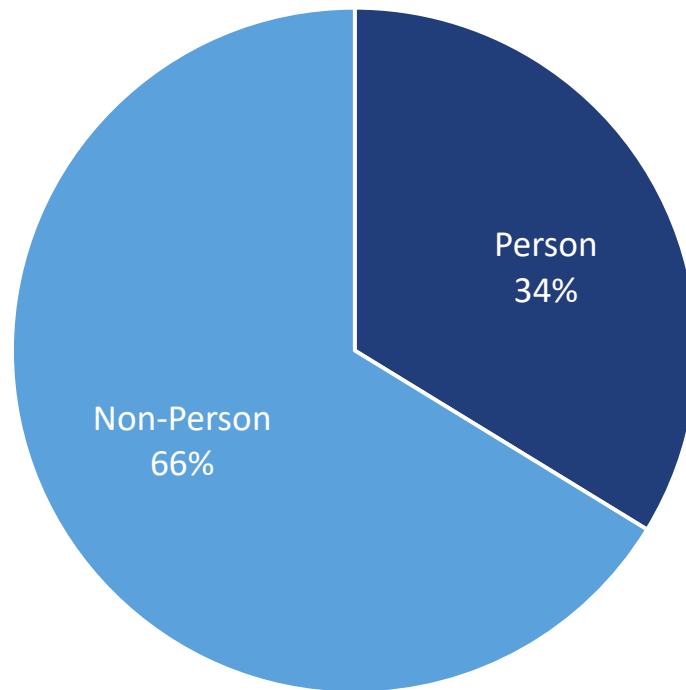
# Admissions Growth Concentrated Among Community Supervision Returns

Prison Admissions by Admission Type, 2008 vs 2017



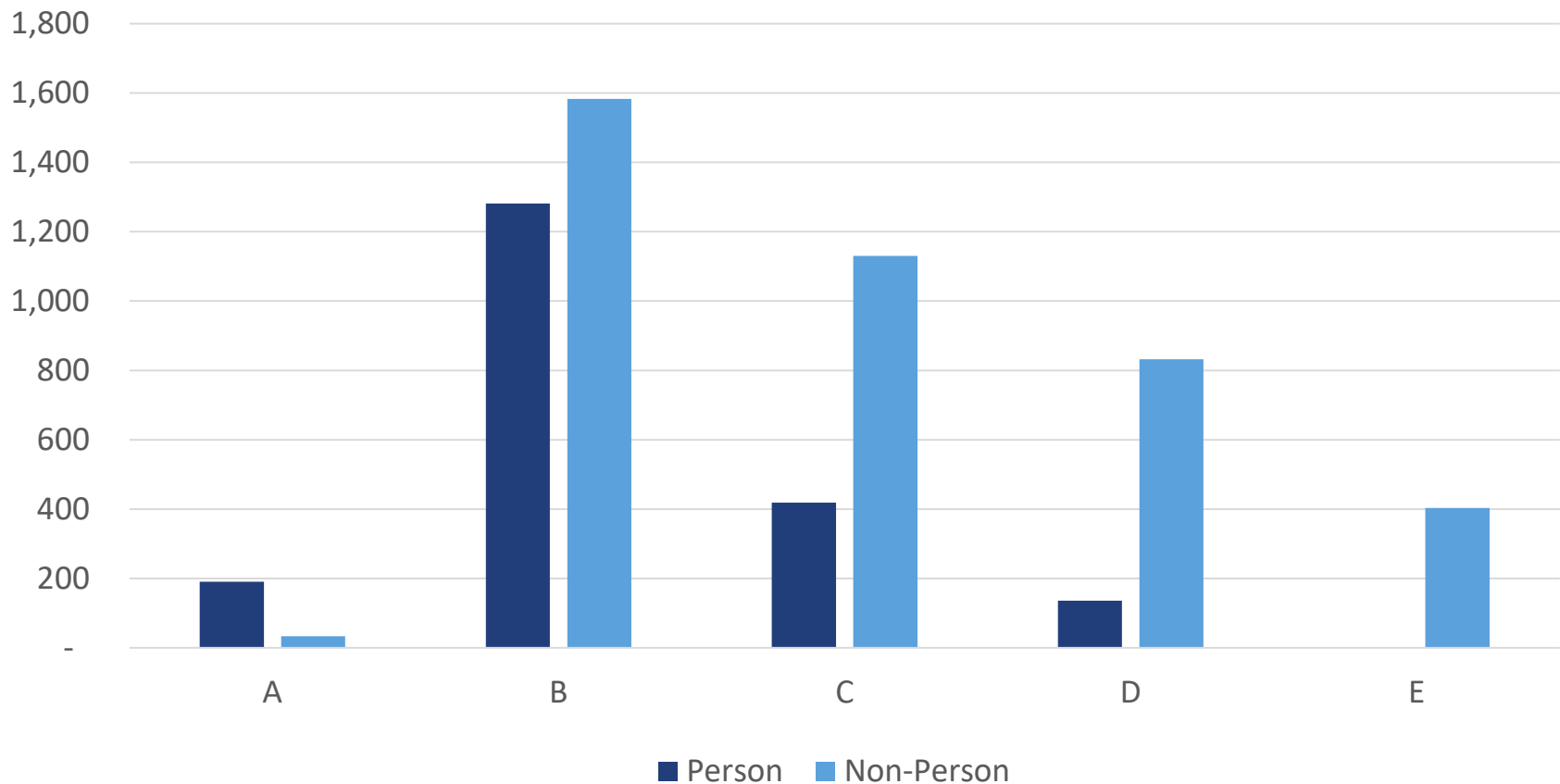
# 2 in 3 Prison Admissions for Non-Person Offenses

Prison Admissions by Person Offenses, 2017



# Felony B and Non-Person Offenses Drive Prison Admissions

Prison Admissions by Felony Category and Offense Types, 2017

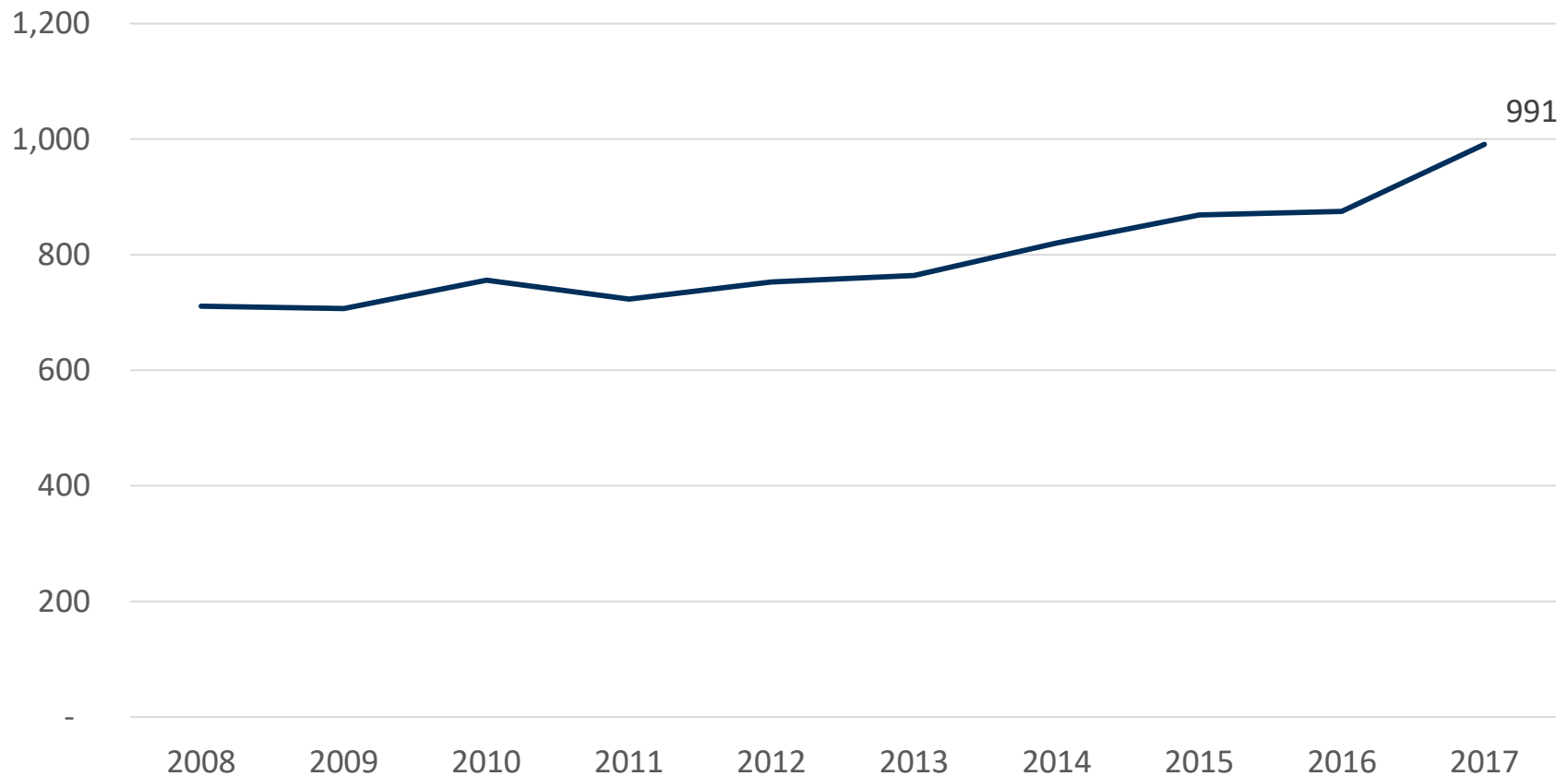


# 8 of Top 10 Offenses at Admission Non-Person

Offense	2017	Percent Growth from 2008
Burglary	442	3%
Attempted Burglary	319	42%
Robbery	290	18%
Trafficking of a Controlled Substance, Schedule 1, Felony B Offense*	281	15%
Possession of a Controlled Substance, Schedules 1-4, 1st Offense	275	53%
Possession of a Stolen Vehicle	179	7%
Possession of a Controlled Substance For Sale, Schedule 1 and 2, 1st Offense	176	-3%
DUI	162	-38%
Assault with a Deadly Weapon	161	11%
Attempted Possession of a Stolen Vehicle	134	6%

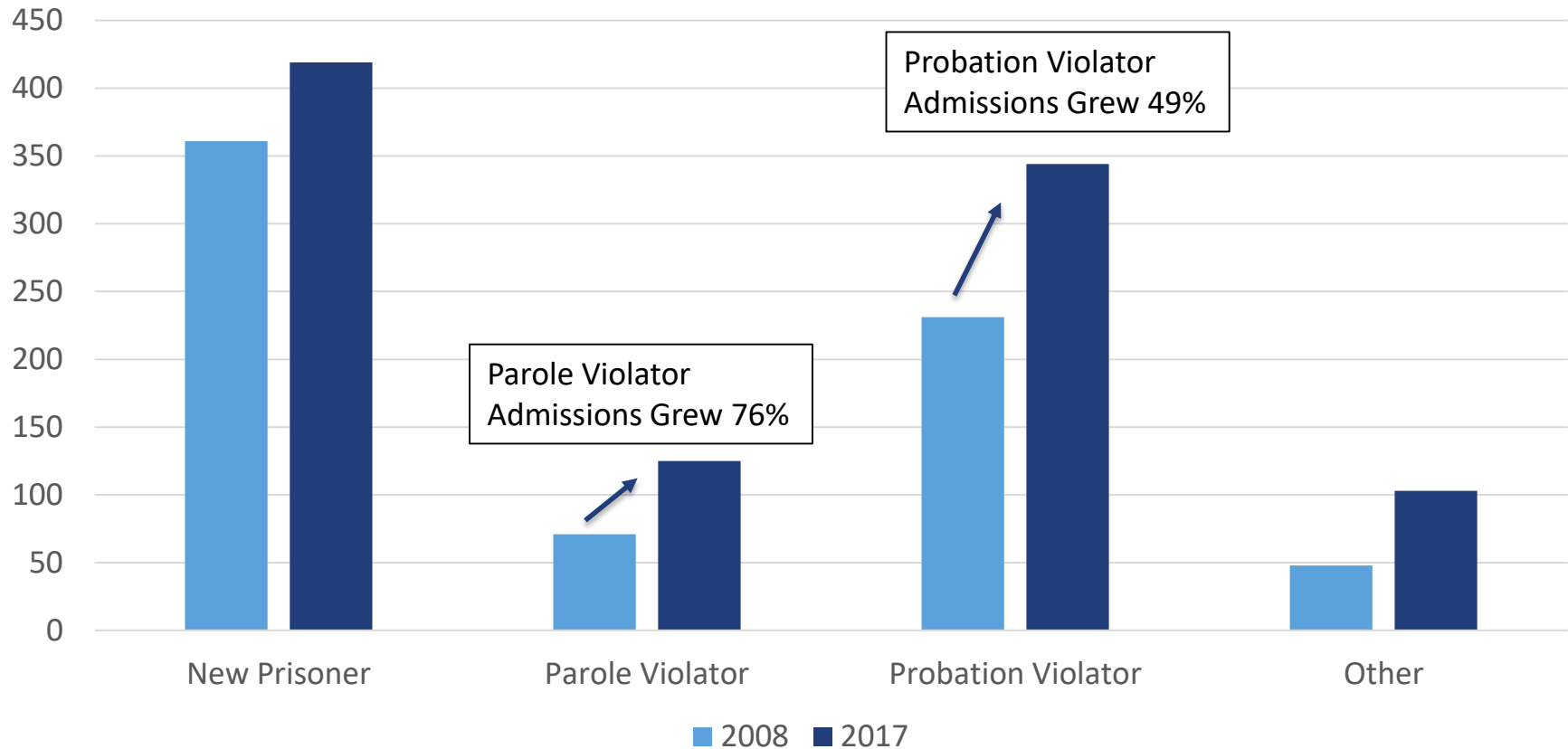
# Female Prison Admissions Up 39% Over Last Decade

Female Prison Admissions, 2008-2017



# Female Admissions Growth Spans All Admission Types, Led by Probation Violators

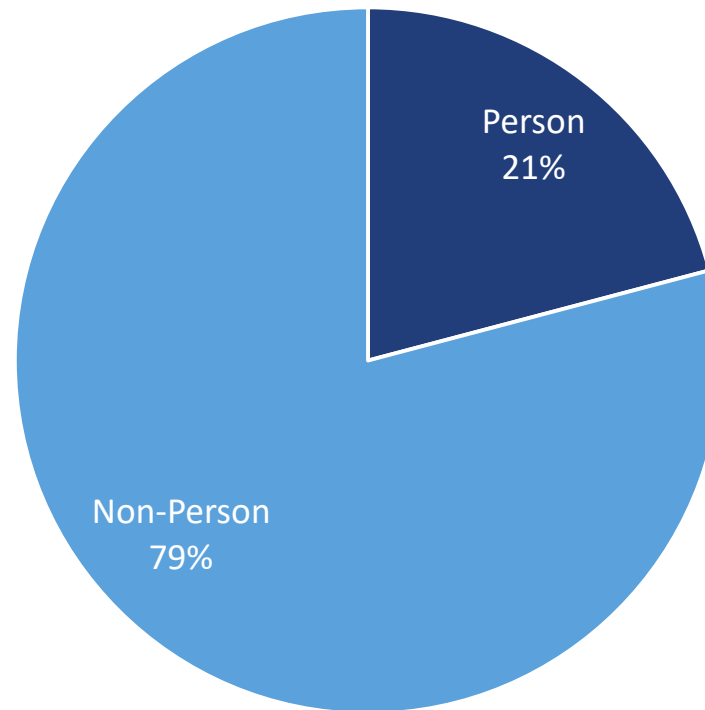
Female Prison Admissions by Admission Type, 2008 vs 2017





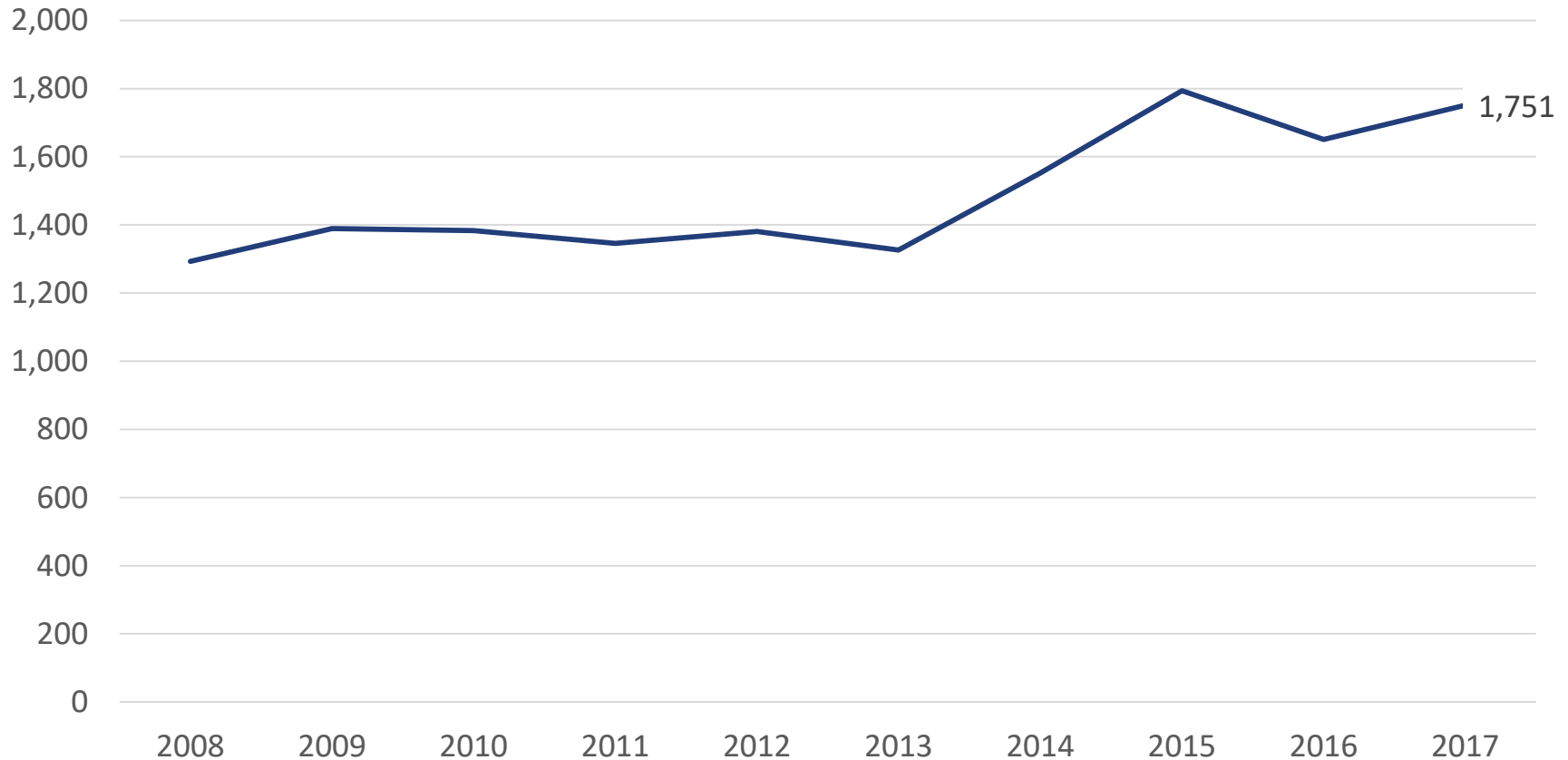
# Nearly 4 in 5 Female Admissions for Non-Person Offenses

Female Prison Admissions by Person Offense, 2017



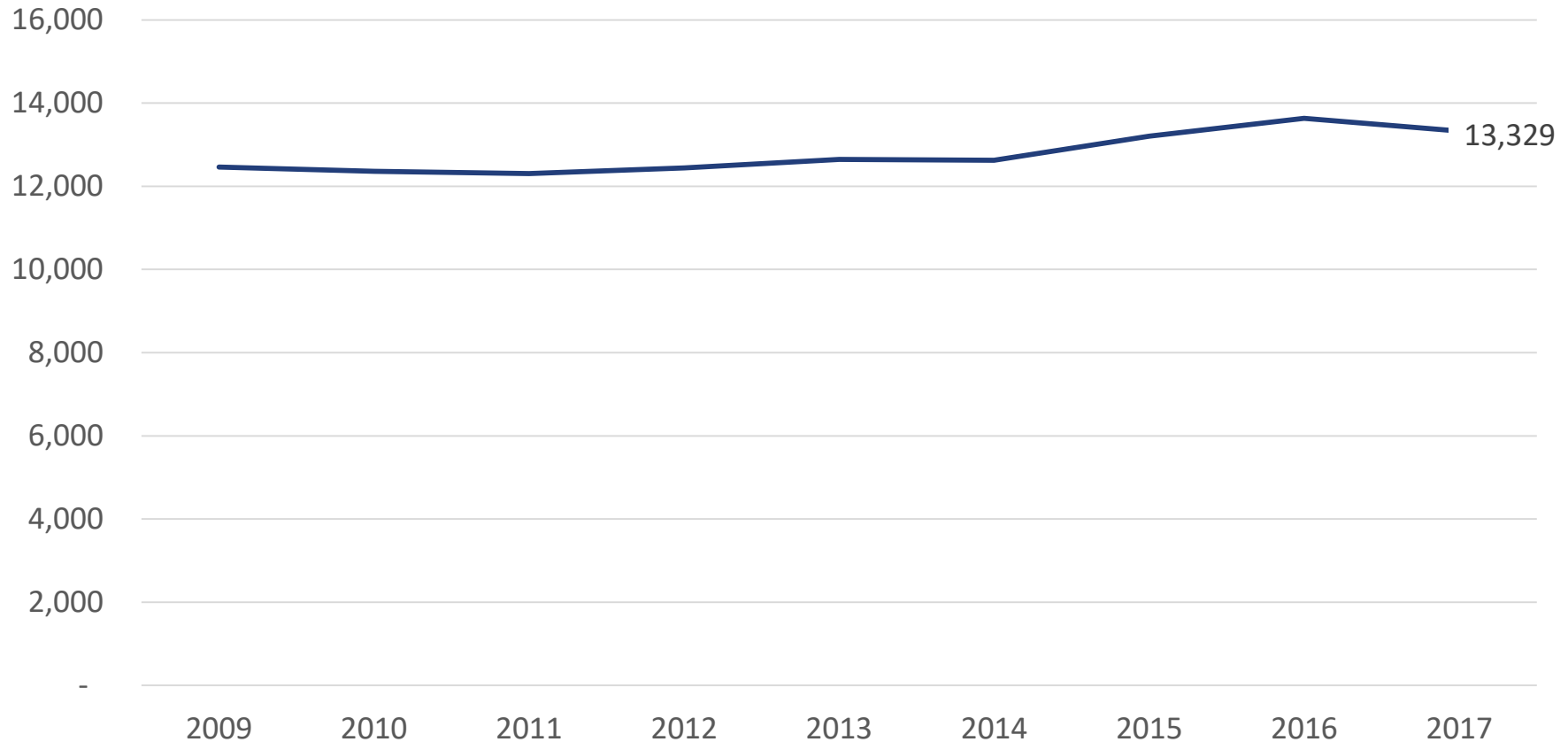
# Number of Offenders Admitted With Mental Health Needs Up 35%

Prison Admissions Indicating a Mental Health Need, 2008-2017



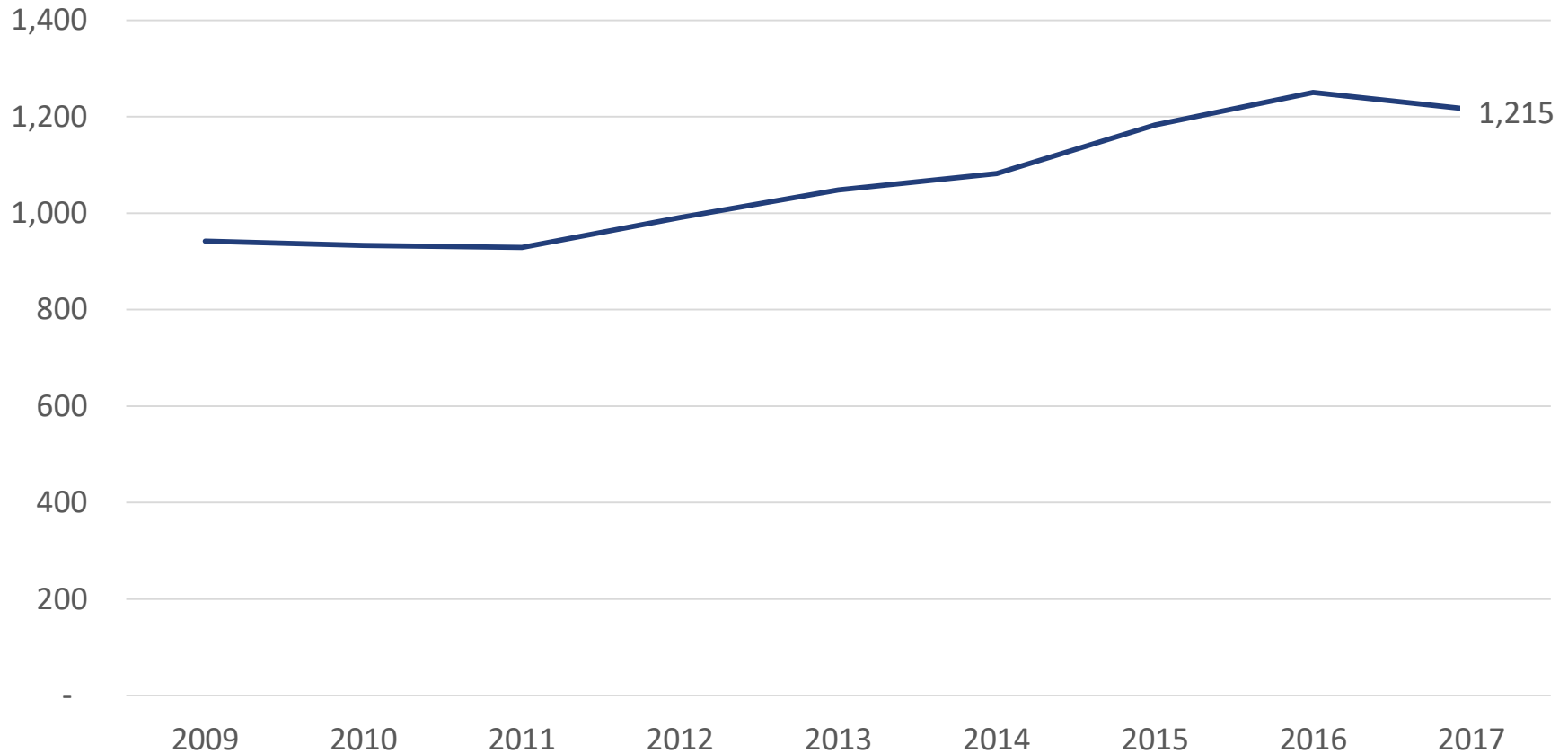
# Nevada Prison Population Grew 7%

Annual Snapshot of NDOC Prison Population, 2009-2017



# Female Prison Population Climbed 29%

Annual Snapshot of NDOC Female Population, 2009-2017



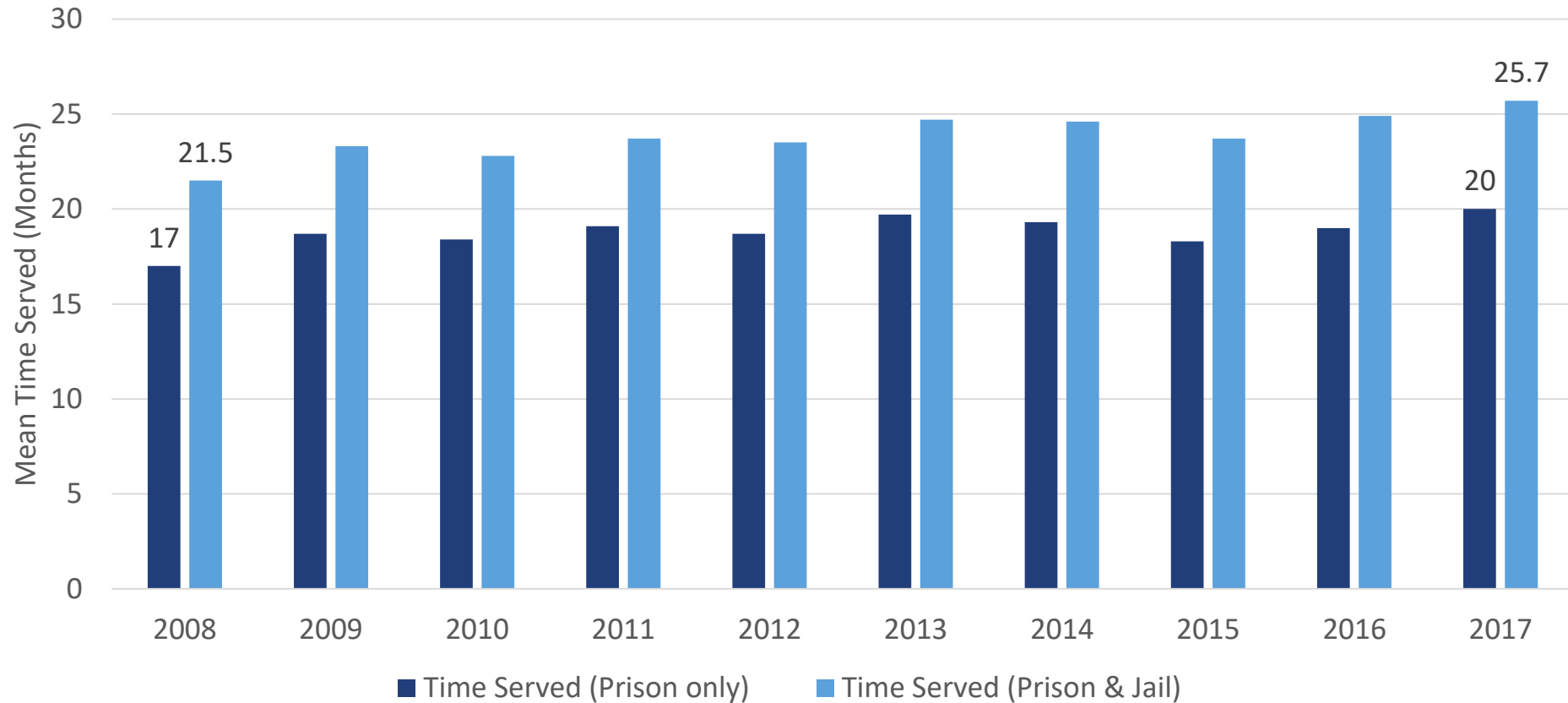
# Key Takeaways

- Prison admissions increased 6% since 2008
  - Growth driven by community supervision failures
- 66% of admissions are for non-person offenses
  - Burglary and attempted burglary are the most common offenses
- Nearly half of all admissions are for Felony B offenses
  - 55% of Felony B admissions are for non-person offenses
- Female prison admissions grew 39% in last decade
  - 70% of female admissions are for drug and property offenses
- Prison population grew 7% since 2009
  - 43% of prison population are currently serving sentences for non-person offenses

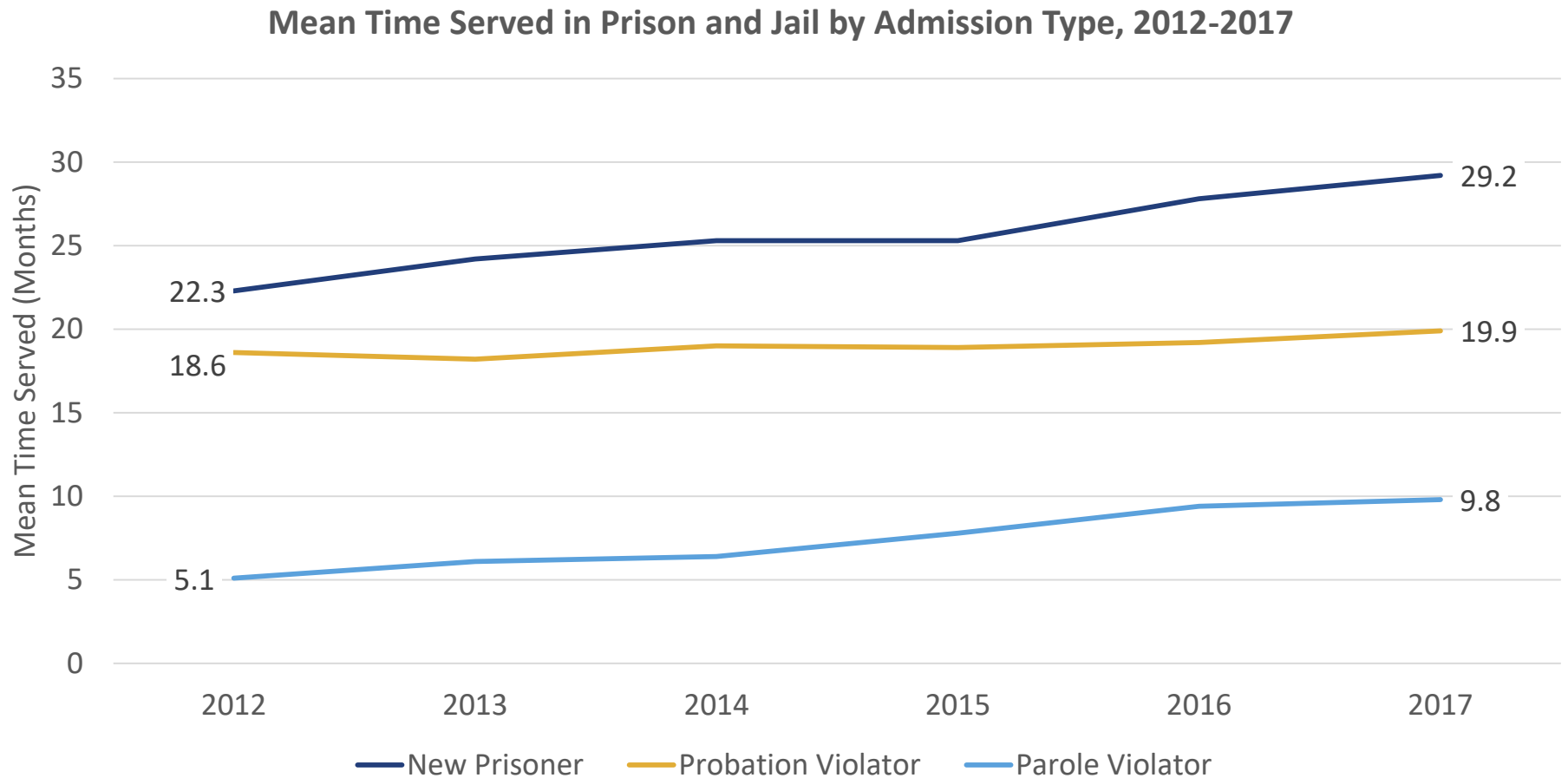
# Time Served

# Time Served Increased 20% Since 2008

Mean Time Served in Prison vs. Prison and Jail, 2008-2017



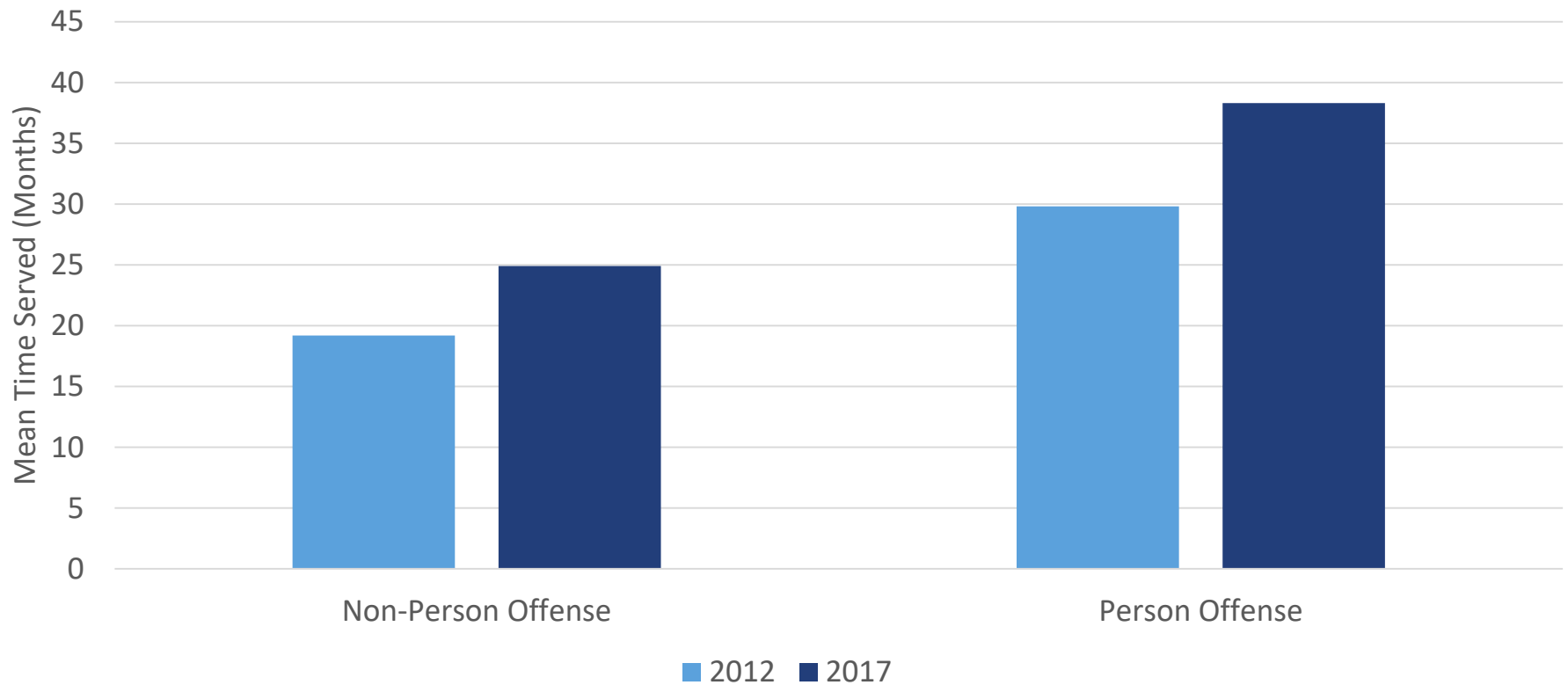
# Time Served Up 31%, Nearly 7 Months for New Prisoners





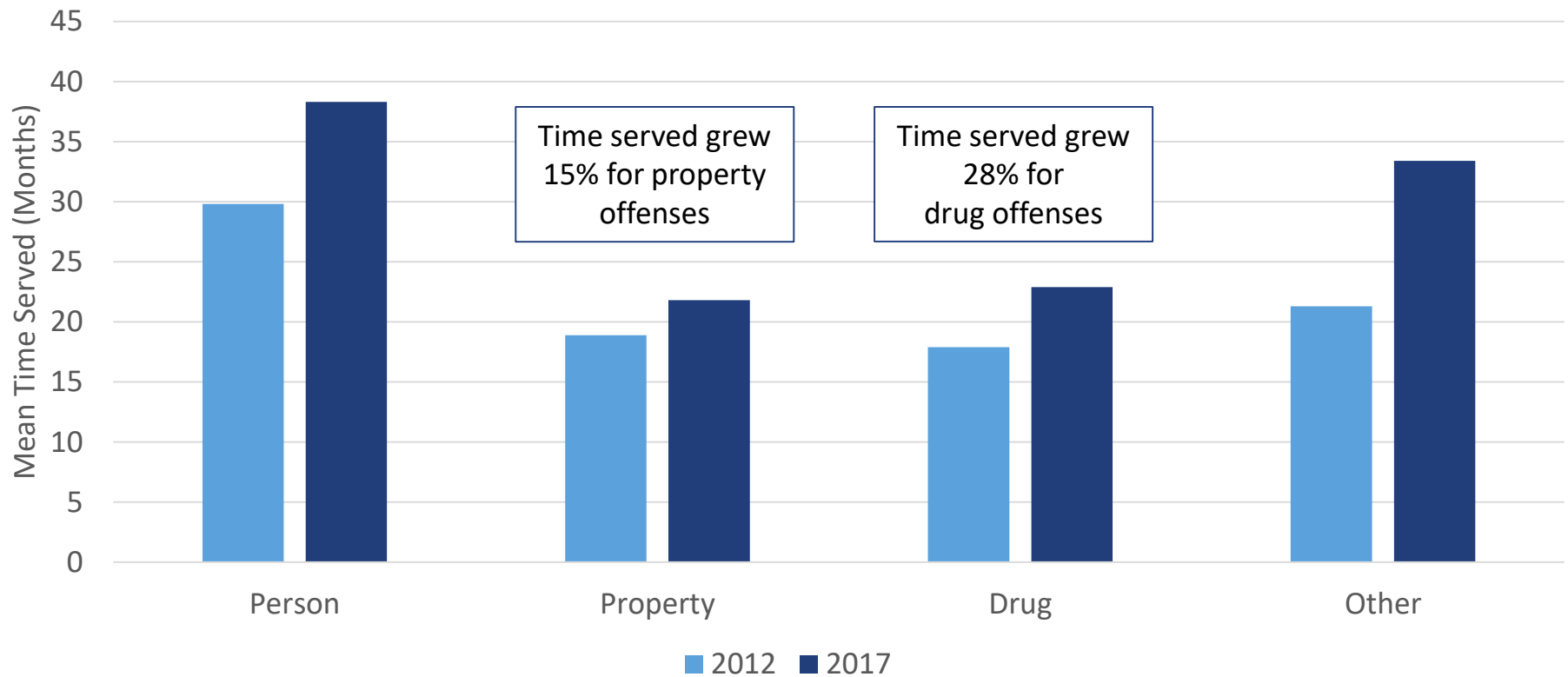
# Time Served Up 30% for Non-Person Offenses

Mean Time Served in Prison and Jail for New Prisoners by Offense Type,  
2012 vs. 2017



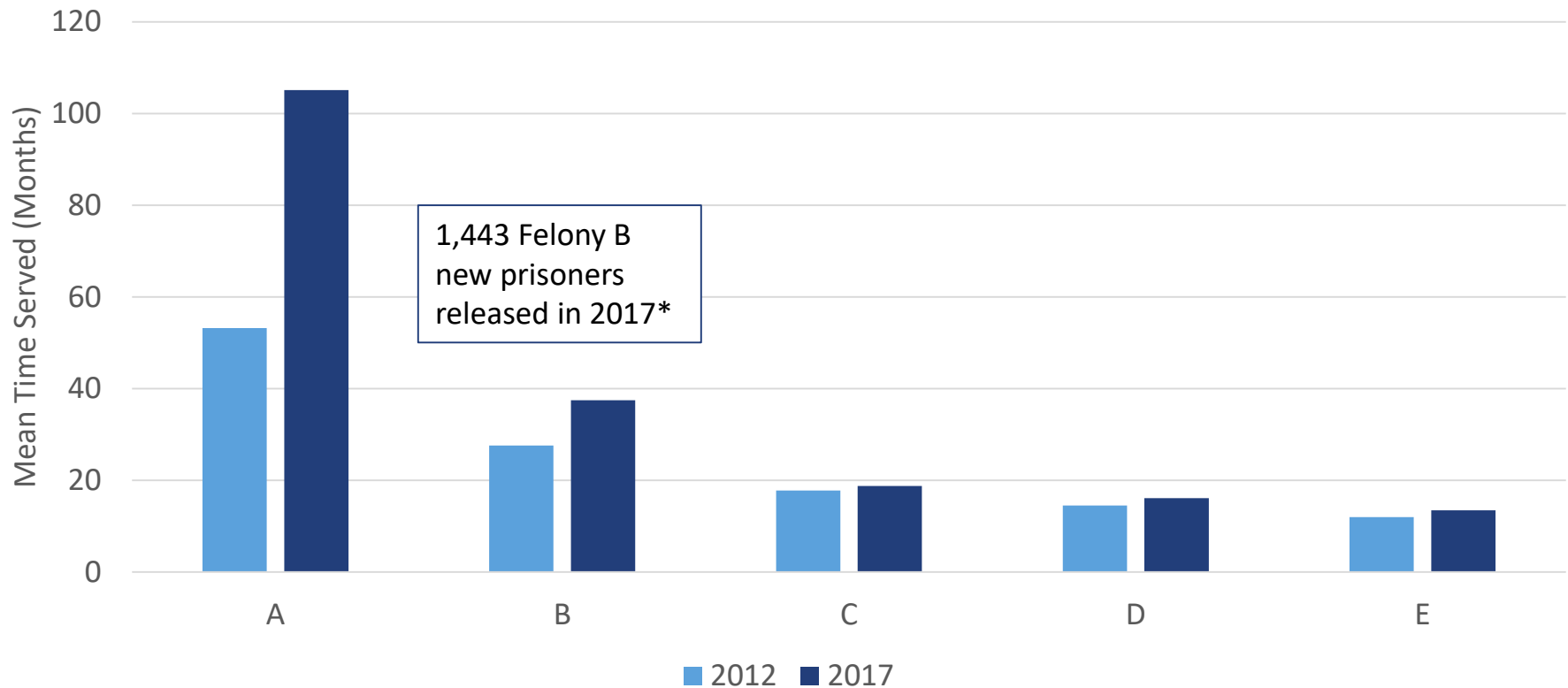
# Time Served Up Across All Offense Types

Mean Time Served in Prison and Jail by New Prisoners by Offense Type, 2012 vs. 2017



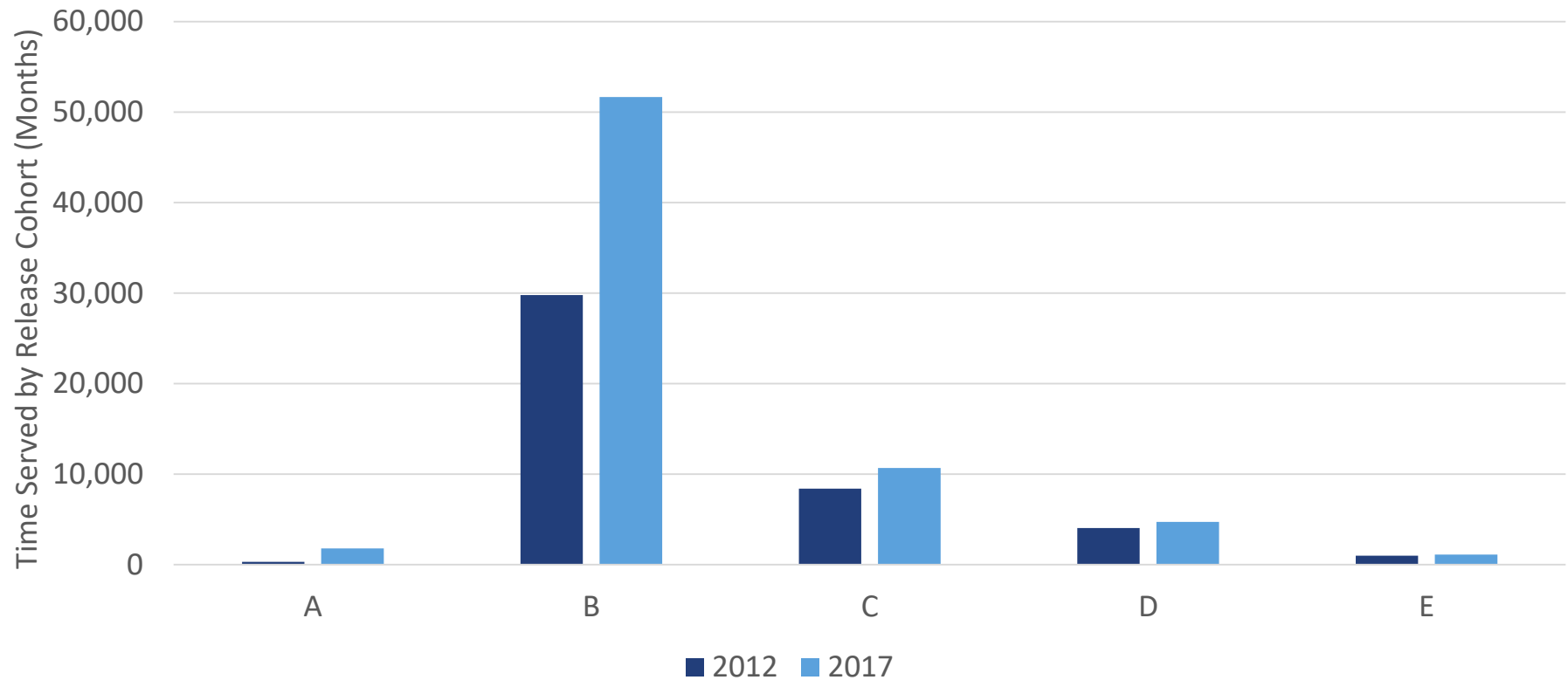
# Time Served for Felony B Offenders Increased Nearly 10 Months

Mean Time Served in Prison and Jail for New Prisoners by Felony Category, 2012 vs. 2017



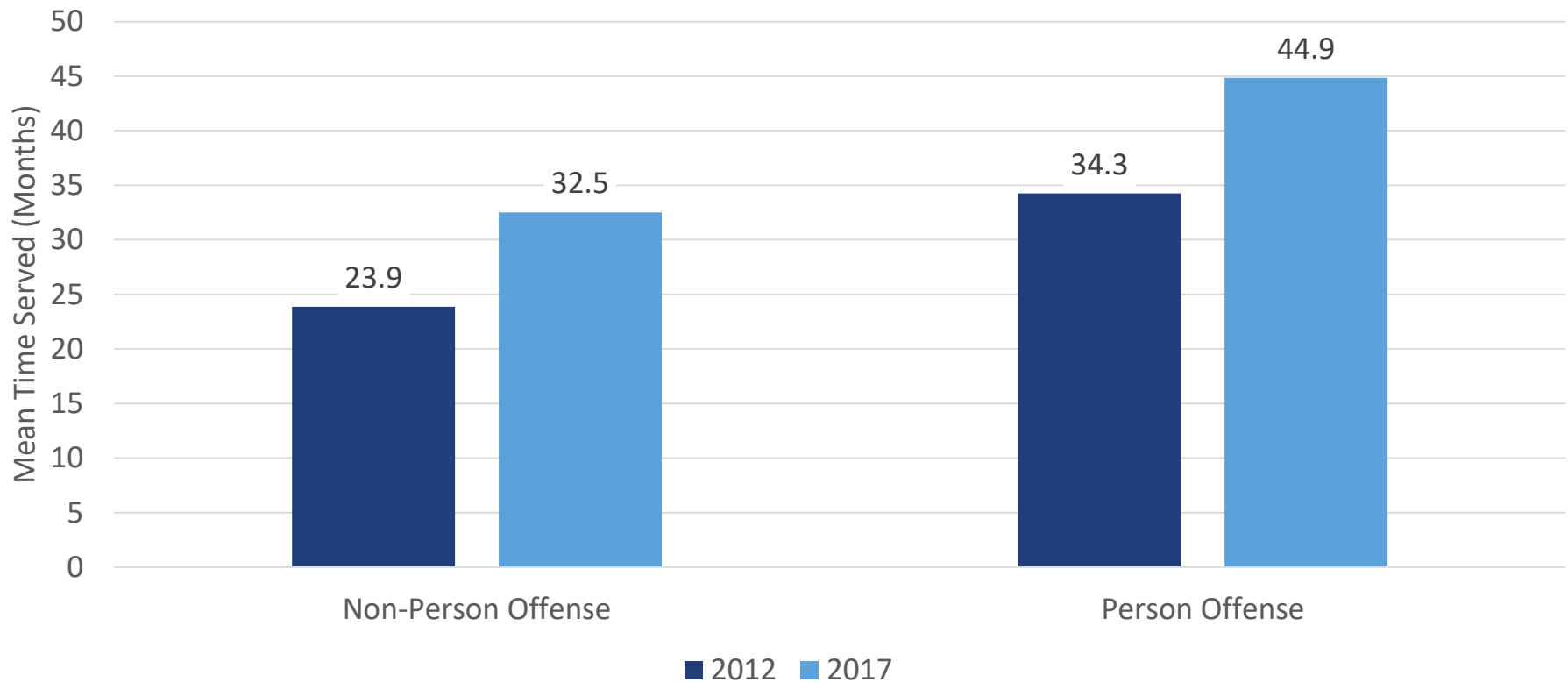
# Months Spent in Prison for Felony B Offenses Up 73% Since 2012

Total Months Served in Prison by New Prisoners by Felony Category and Release Cohort, 2012 vs. 2017



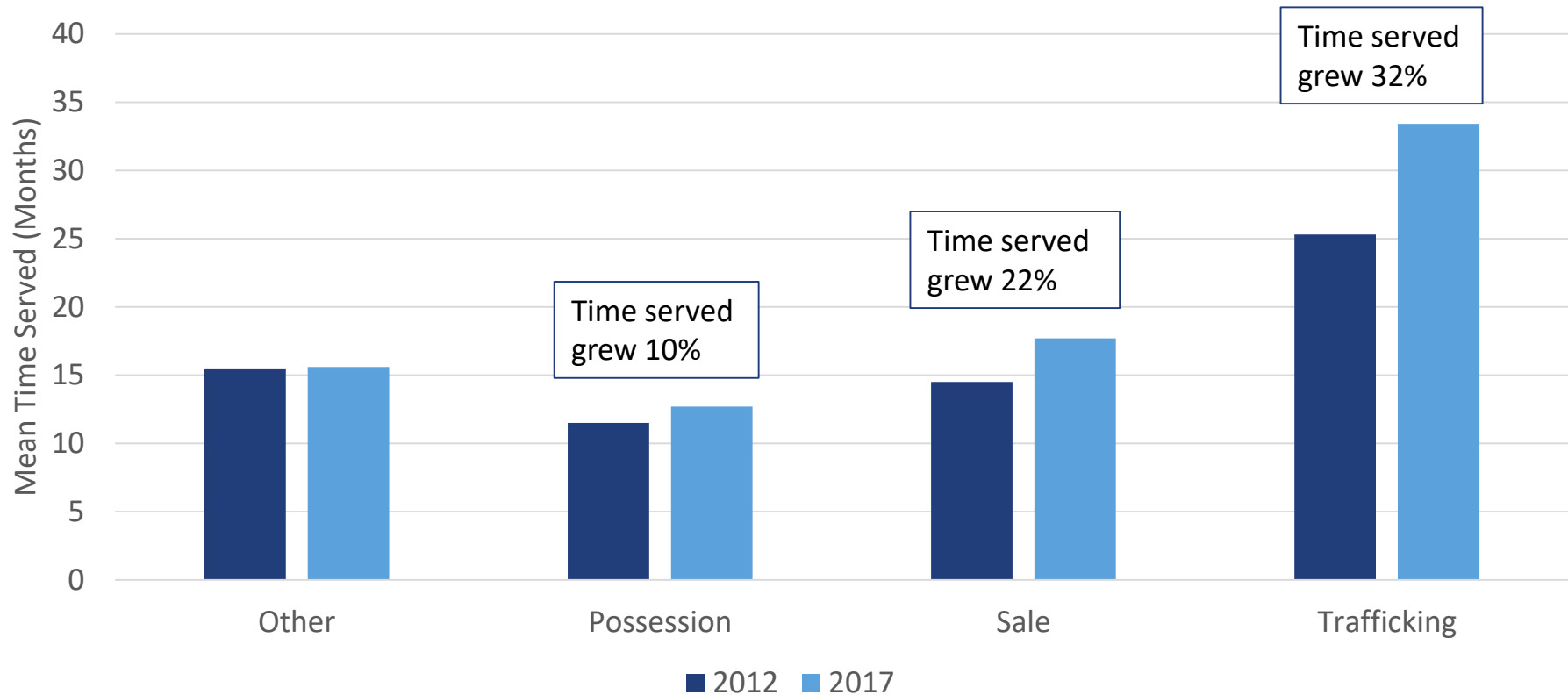
# Time Served Up 36% for Non-Person Felony B Offenses

Mean Time Served in Prison and Jail by Felony B New Prisoners by Offense Type, 2012 vs. 2017



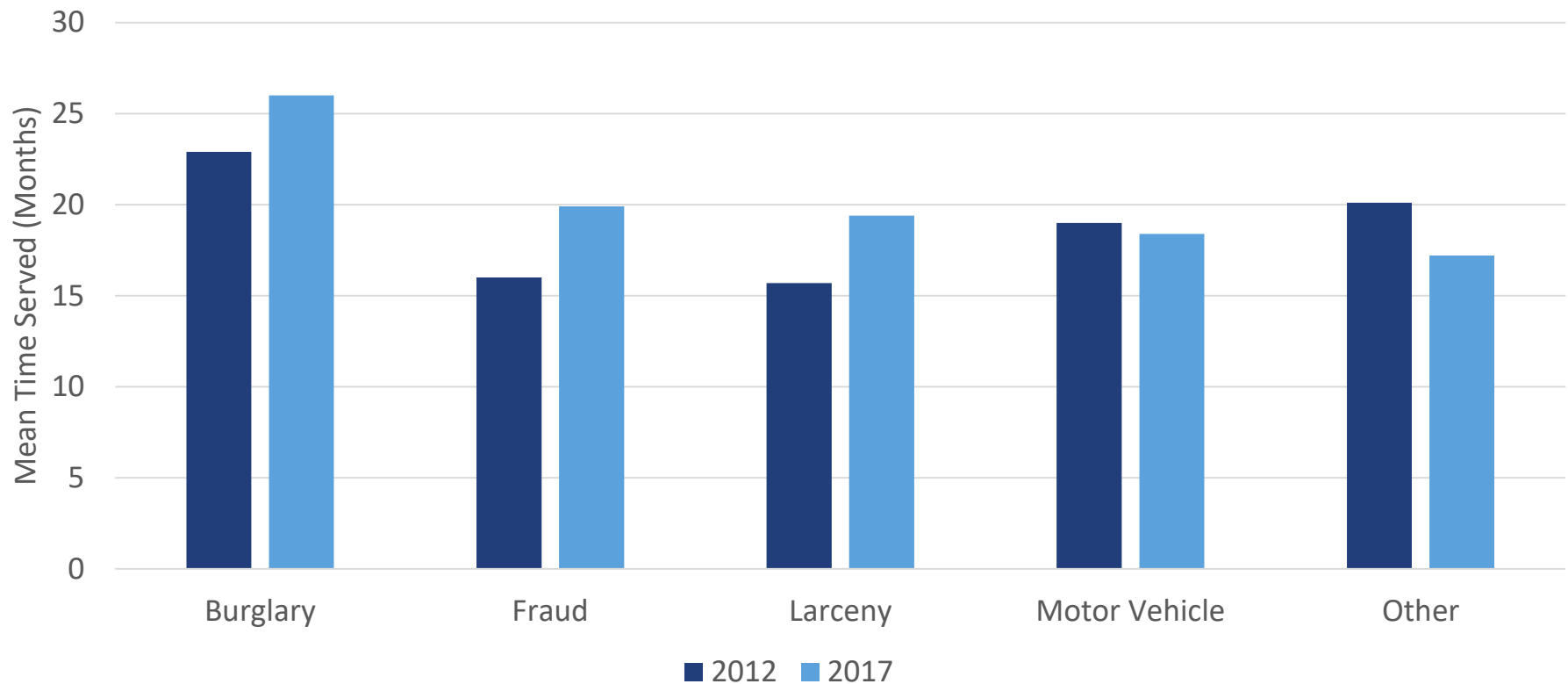
# Time Served Increased for All Drug Offenses; Largest Growth for Trafficking

Mean Time Served in Prison and Jail for New Prisoners by Drug Offense Type,  
2012 vs. 2017



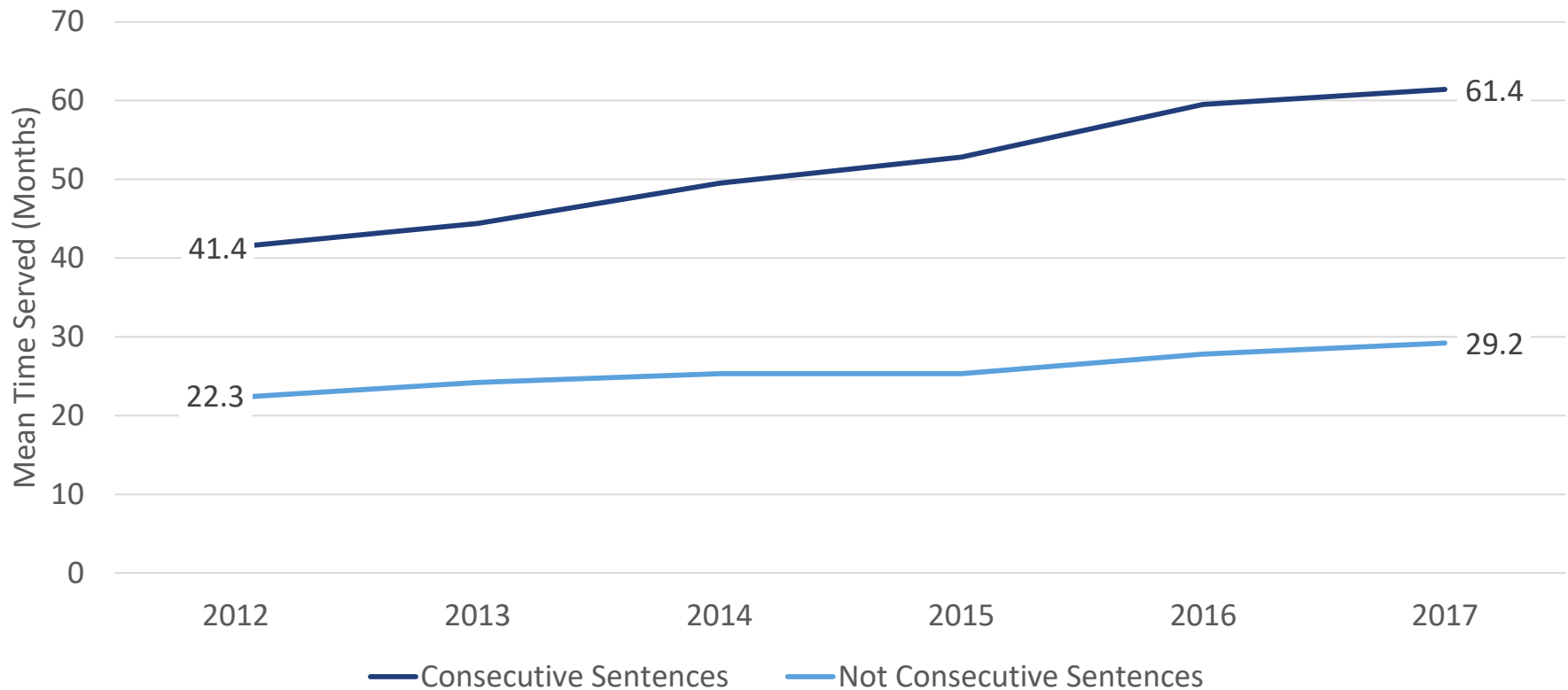
# Time Served Up 14% for Burglary, 24% for Both Fraud and Larceny Offenses

Mean Time Served in Prison and Jail for New Prisoners by Property Type, 2012 vs. 2017



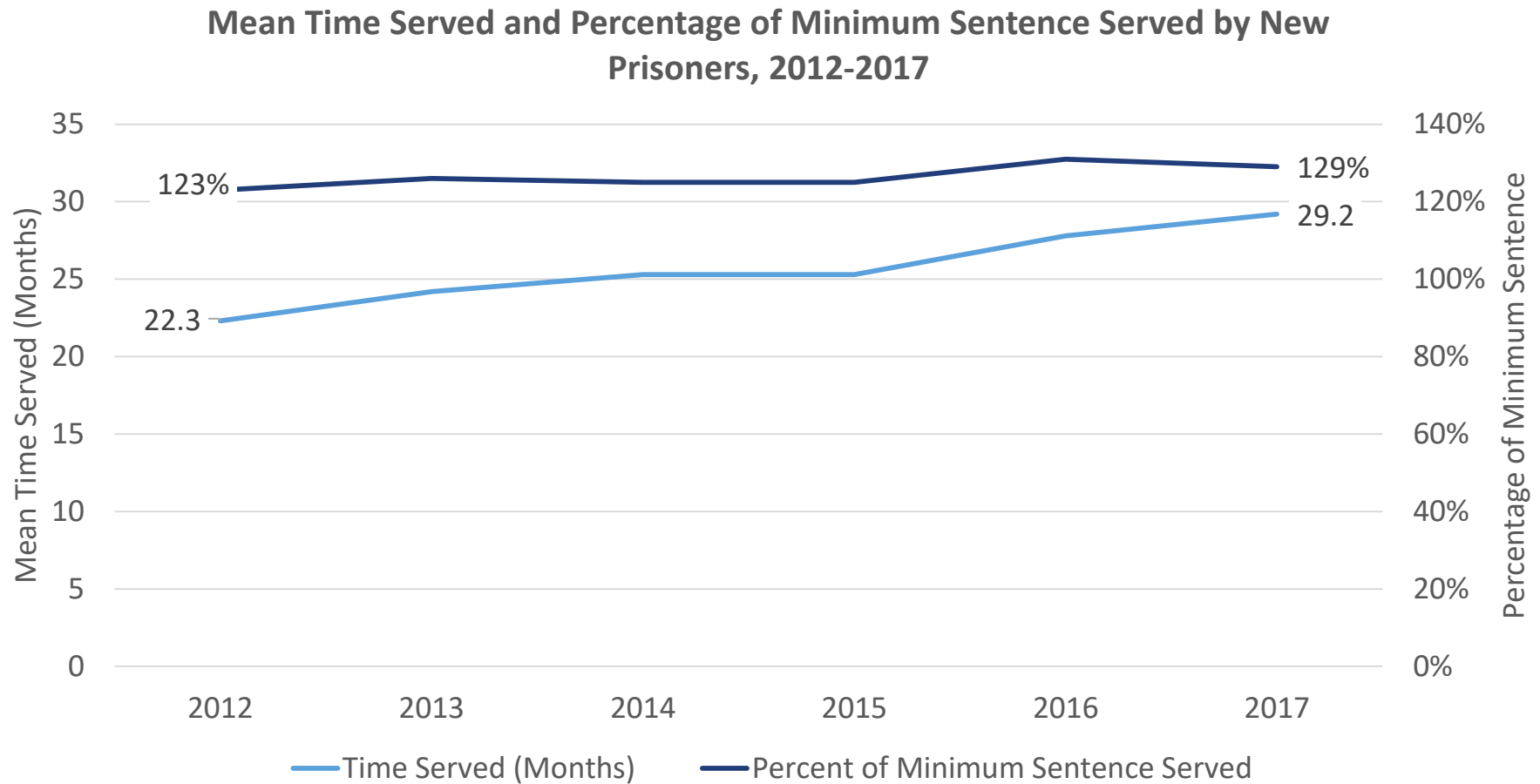
# Time Served for Consecutive Sentences Grew 48% Since 2012

Mean Time Served in Prison and Jail for New Prisoners by Consecutive and Not Consecutive Sentences, 2012-2017





# Time Served Growth Corresponds to Increase in Percent of Minimum Sentence Served



# Time Served Climbing for Top Offenses at Release

Offense	Mean Time Served (Months)	Percent Growth in Time Served (2012 to 2017)
Burglary	30.9	16%
Trafficking of a Controlled Substance, Schedule 1, Felony B Offense*	31.0	23%
DUI	27.0	30%
Robbery	47.4	29%
Attempted Burglary	17.5	5%
Possession of a Stolen Vehicle	19.2	-4%
Assault with a Deadly Weapon	31.4	17%
Possession of a Controlled Substance, Schedules 1-4, 1st Offense	12.5	10%
Ex Felon/Prohibited Person in Possession of a Firearm	22.8	6%
Possession of a Controlled Substance for Sale, Schedules 1 and 2, 1st Offense	14.4	11%

# Understanding Time Served



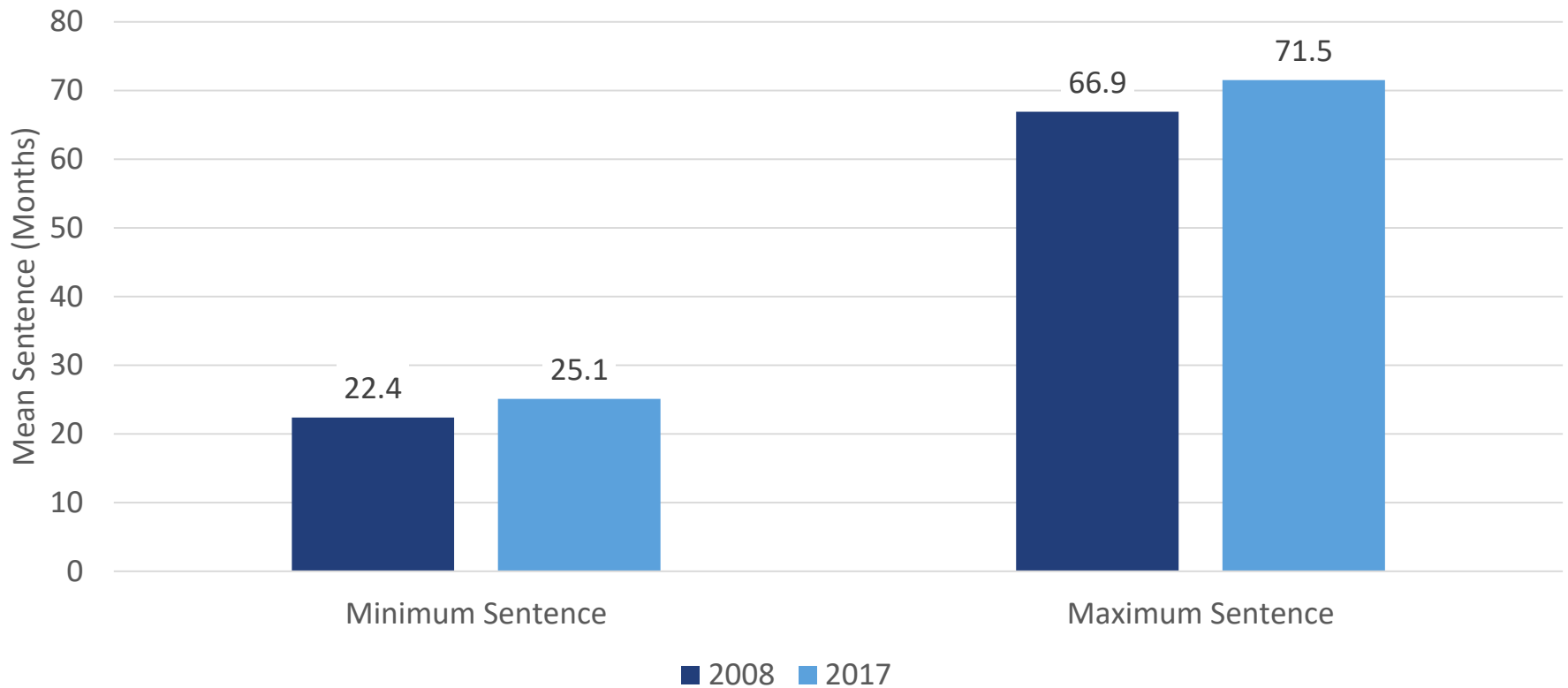
Sentence

Credit Accrual

Parole Consideration

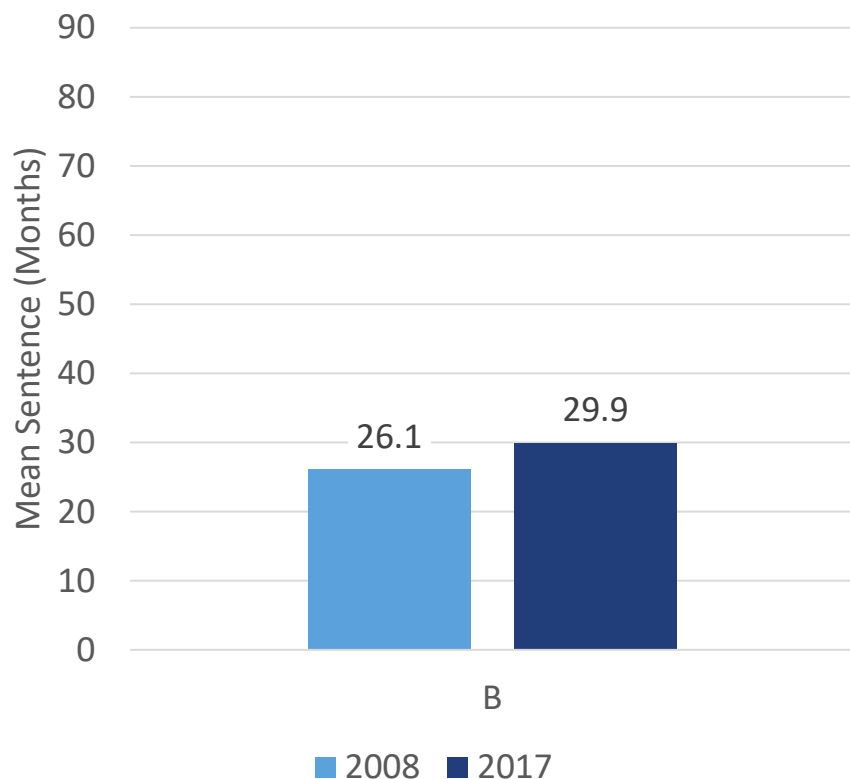
# Both Min and Max Sentences Have Increased for Newly Sentenced Prisoners

Mean Minimum and Maximum Sentences for New Prisoner Admissions,  
2008 vs. 2017

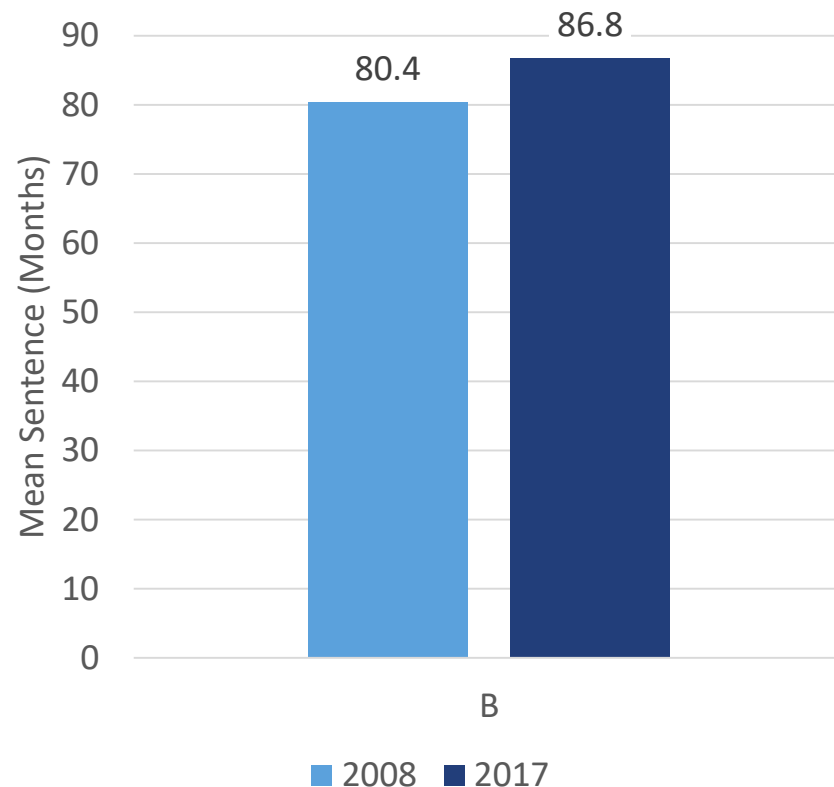


# Min Sentences Up 15%, Max Sentences Up 8% for Felony B Offenses

Mean Minimum Sentence for Felony B  
New Prisoner Admissions, 2008 vs 2017

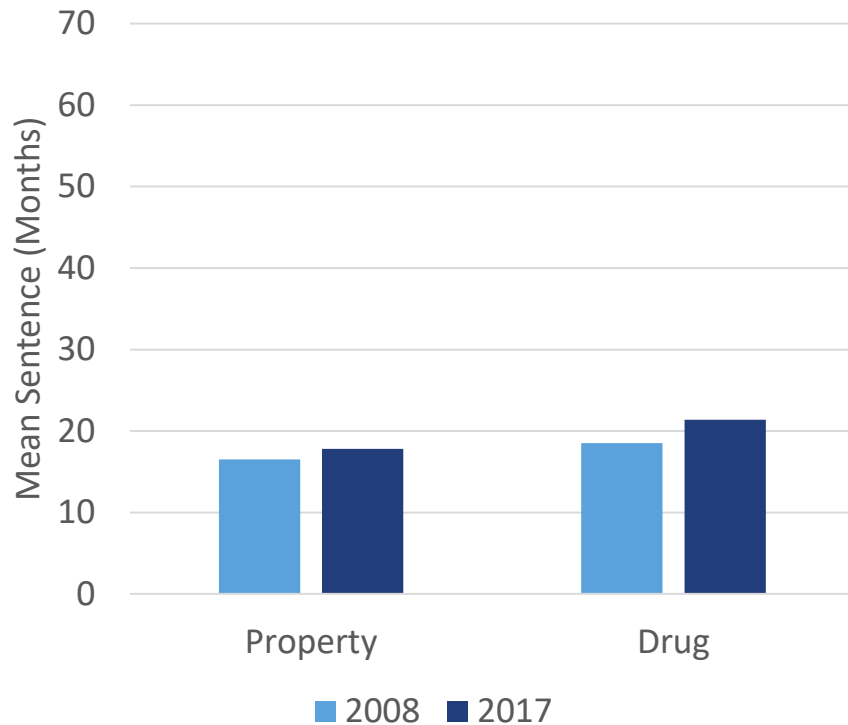


Mean Maximum Sentence for Felony B  
New Prisoner Admissions, 2008 vs 2017

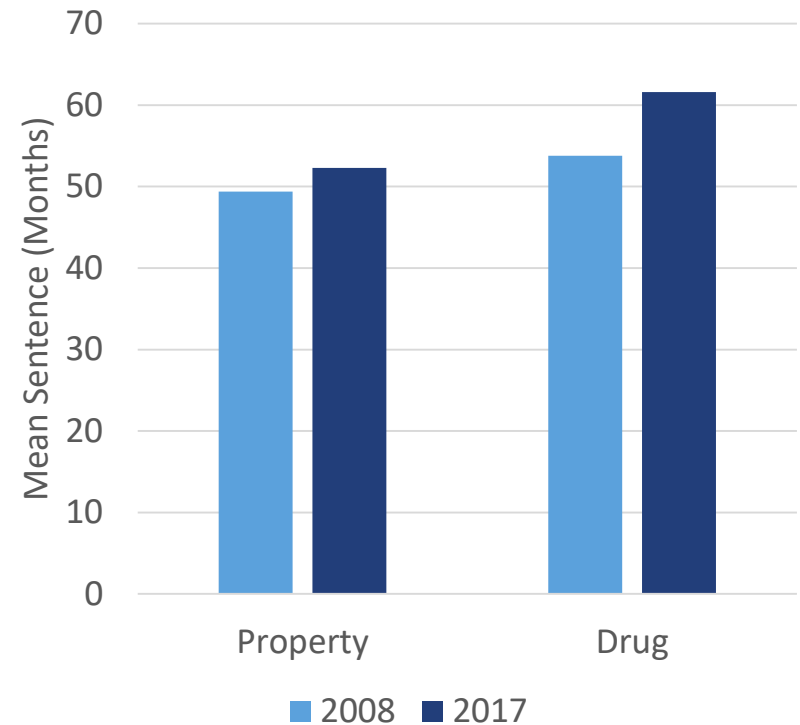


# Growth in Min and Max Sentences for Drug and Property Offenses

**Mean Minimum Sentence for New Prisoner Admissions by Property and Drug Offense, 2008 vs. 2017**



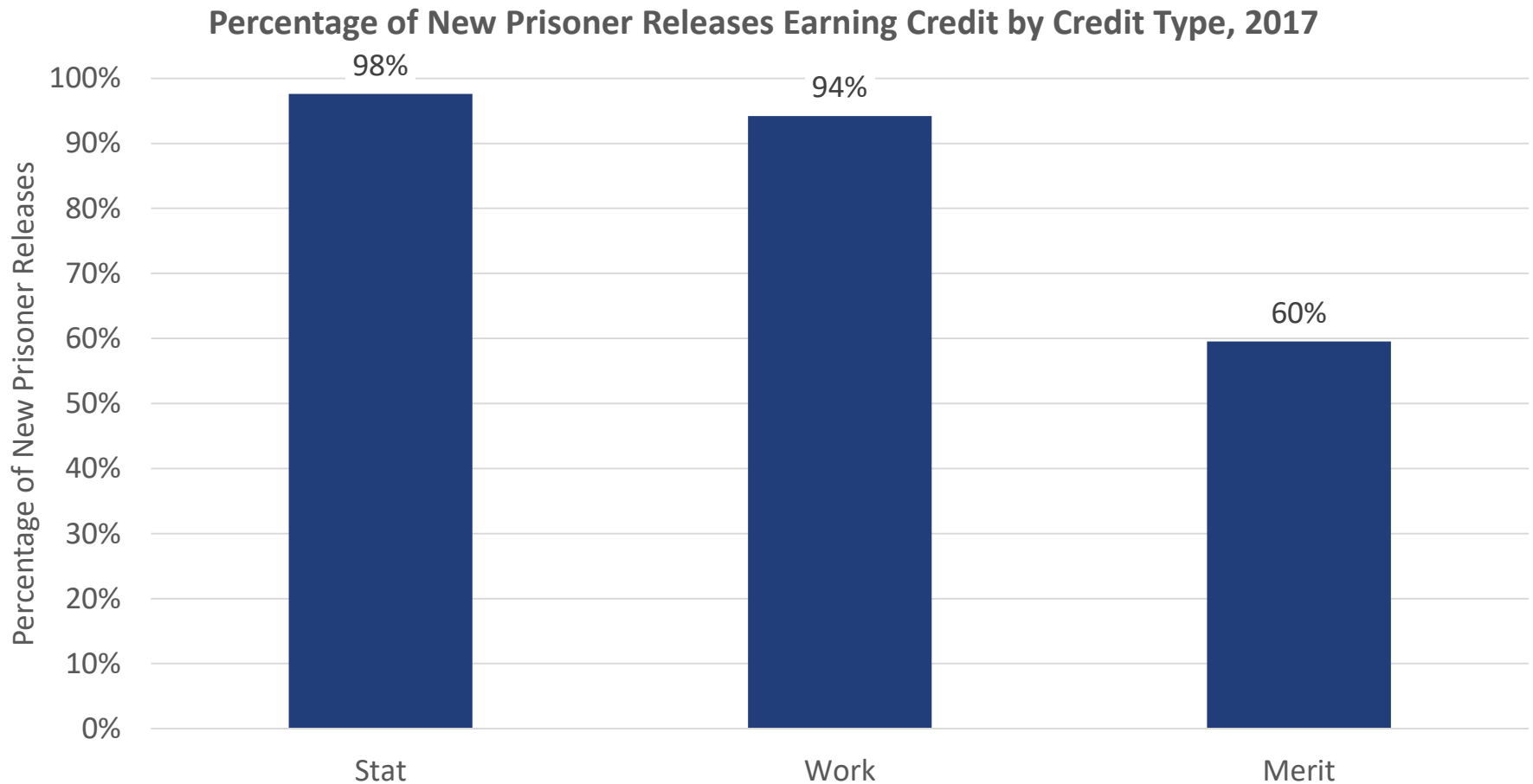
**Mean Maximum Sentence for New Prisoner Admissions by Property and Drug Offense Type, 2008 vs. 2017**



# Low-Level Trafficking Sentences Longer than Assault, Battery

Offense	2017 New Prisoner Admissions	Mean Minimum Sentence (Months)	Mean Maximum Sentence (Months)
Trafficking of a Controlled Substance, Schedule 1, Felony B Offense*	225	29.1	85.6
Burglary	201	21.7	67.6
DUI	140	22.3	66.5
Robbery	119	35.9	103.2
Attempted Burglary	111	15.3	42.2
Assault with a Deadly Weapon	100	18	53.1
Possession of a Controlled Substance, Schedules 1-4, 1st Offense	86	13.4	36.9
Ex Felon/Prohibited Person in Possession of a Firearm	79	19	52.6
Battery Causing Substantial Harm	76	17.4	47.7
Possession of a Stolen Vehicle	75	16.6	45.8

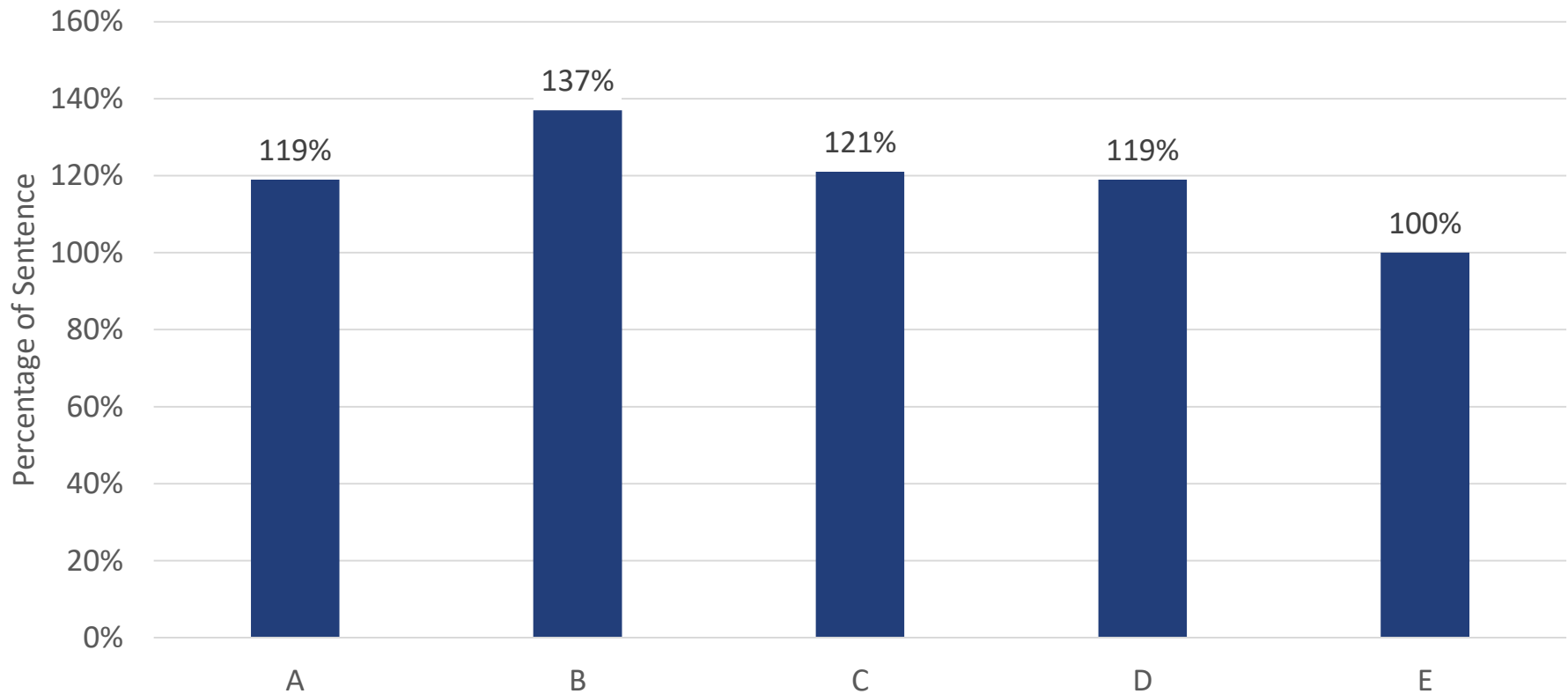
# Most New Prisoners Released in 2017 Earned Stat and Work Credits





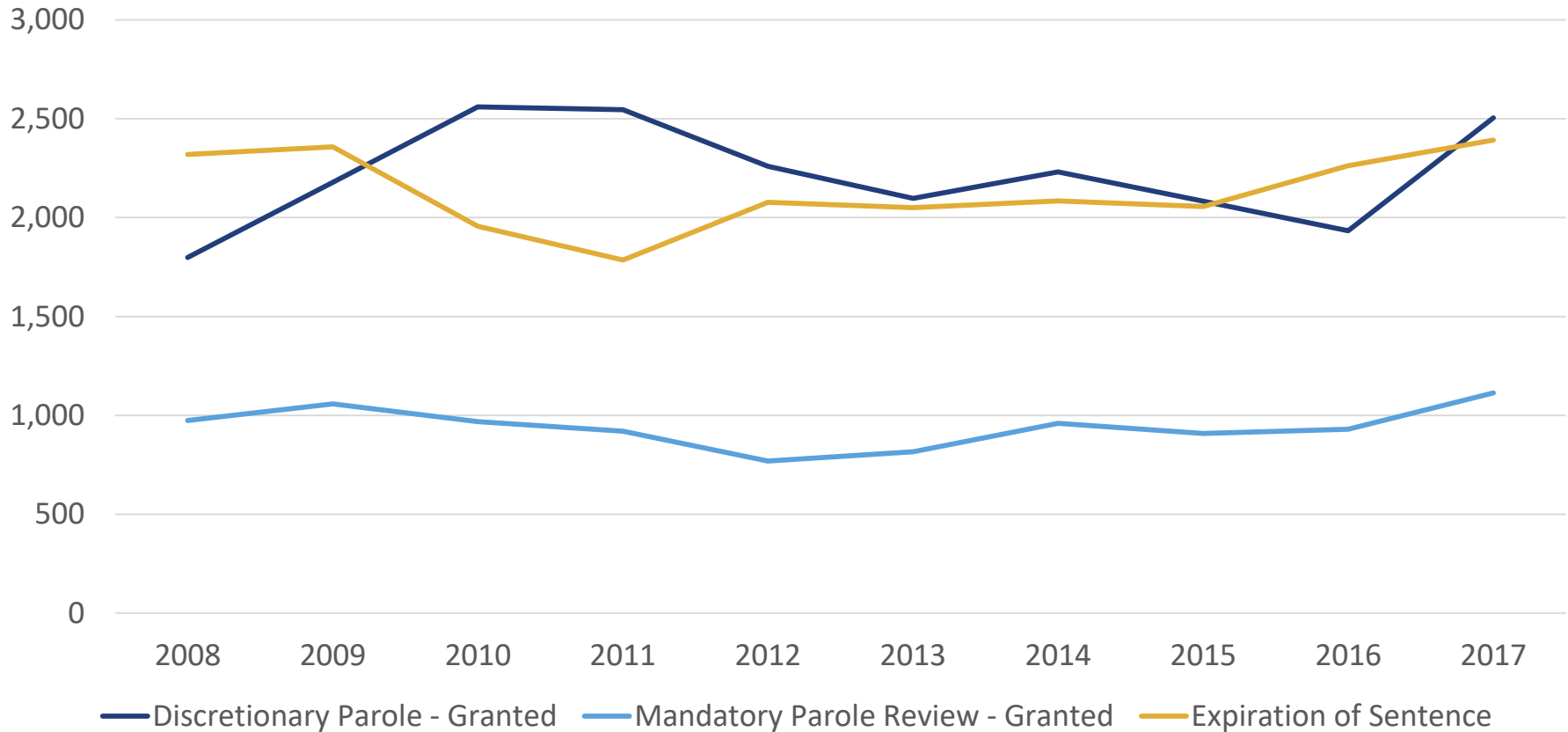
# Despite Credits Earned, New Prisoners Serving 129% of Minimum Sentence

Mean Percentage of Minimum Sentence Served for New Prisoner Releases by Felony Category, 2017



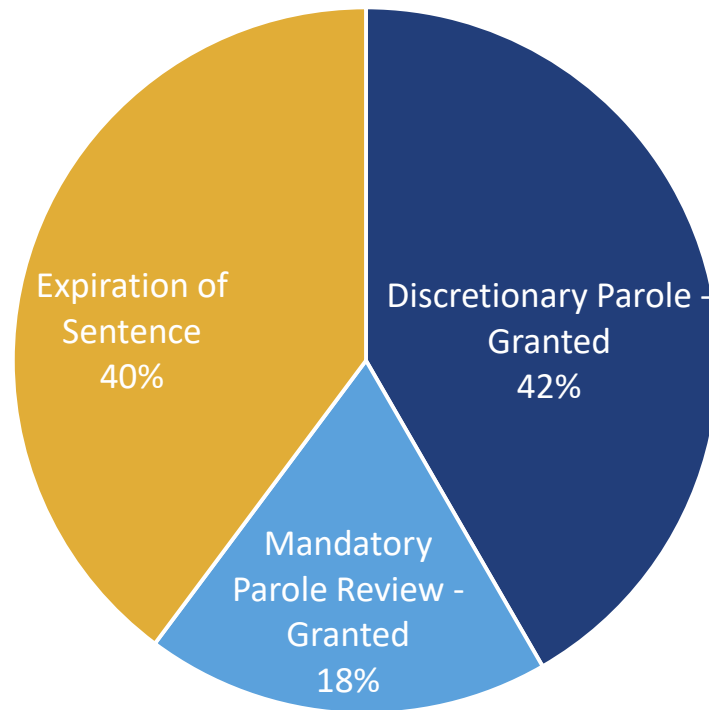
# Parole Releases Have Fluctuated Since 2008

Prison Releases by Release Type, 2008-2017



# 40% of Inmates Released Through Expiration of Sentence

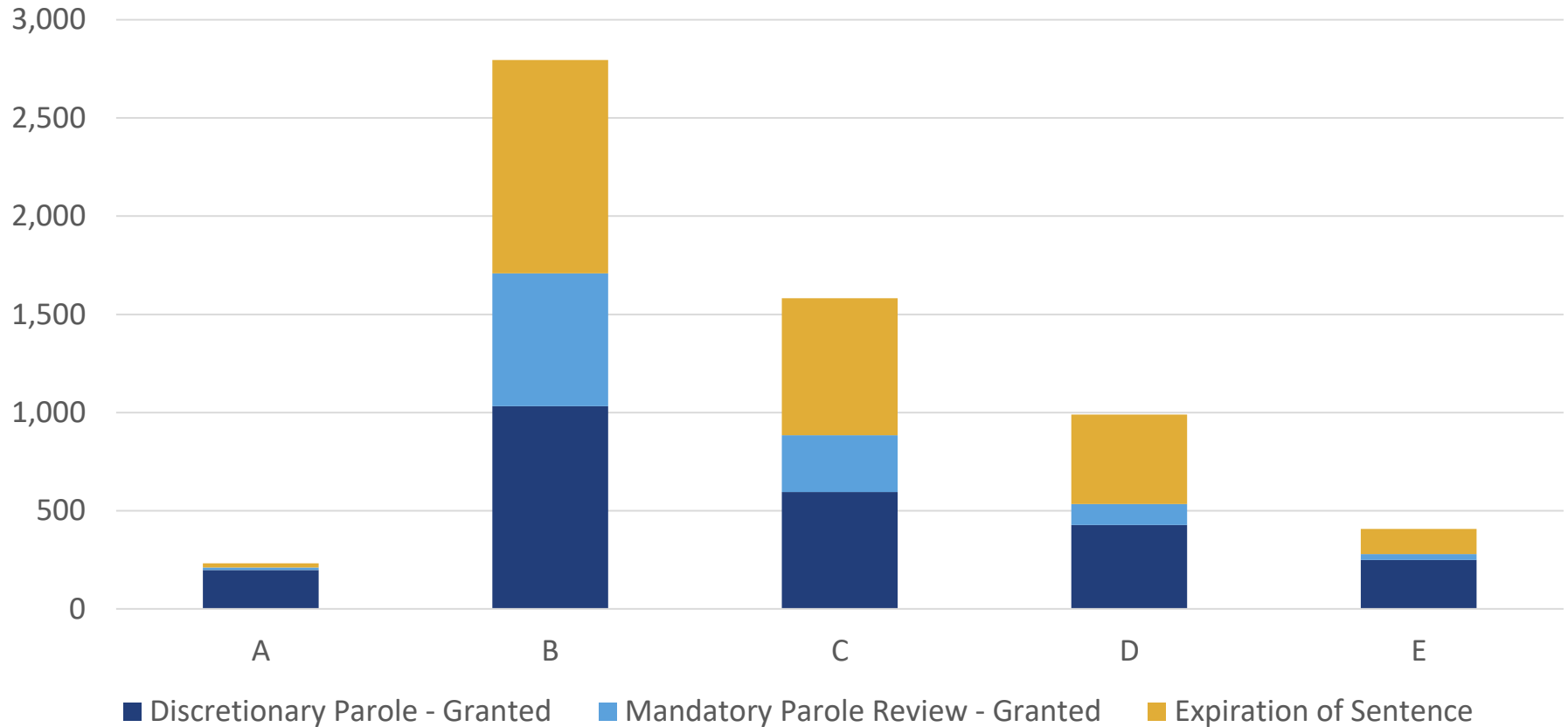
Prison Releases by Release Type, 2017



Note: Releases due to “Death – Natural Causes” excluded.

# Expiration of Sentence Accounts for Almost Half of Felony C and D Releases

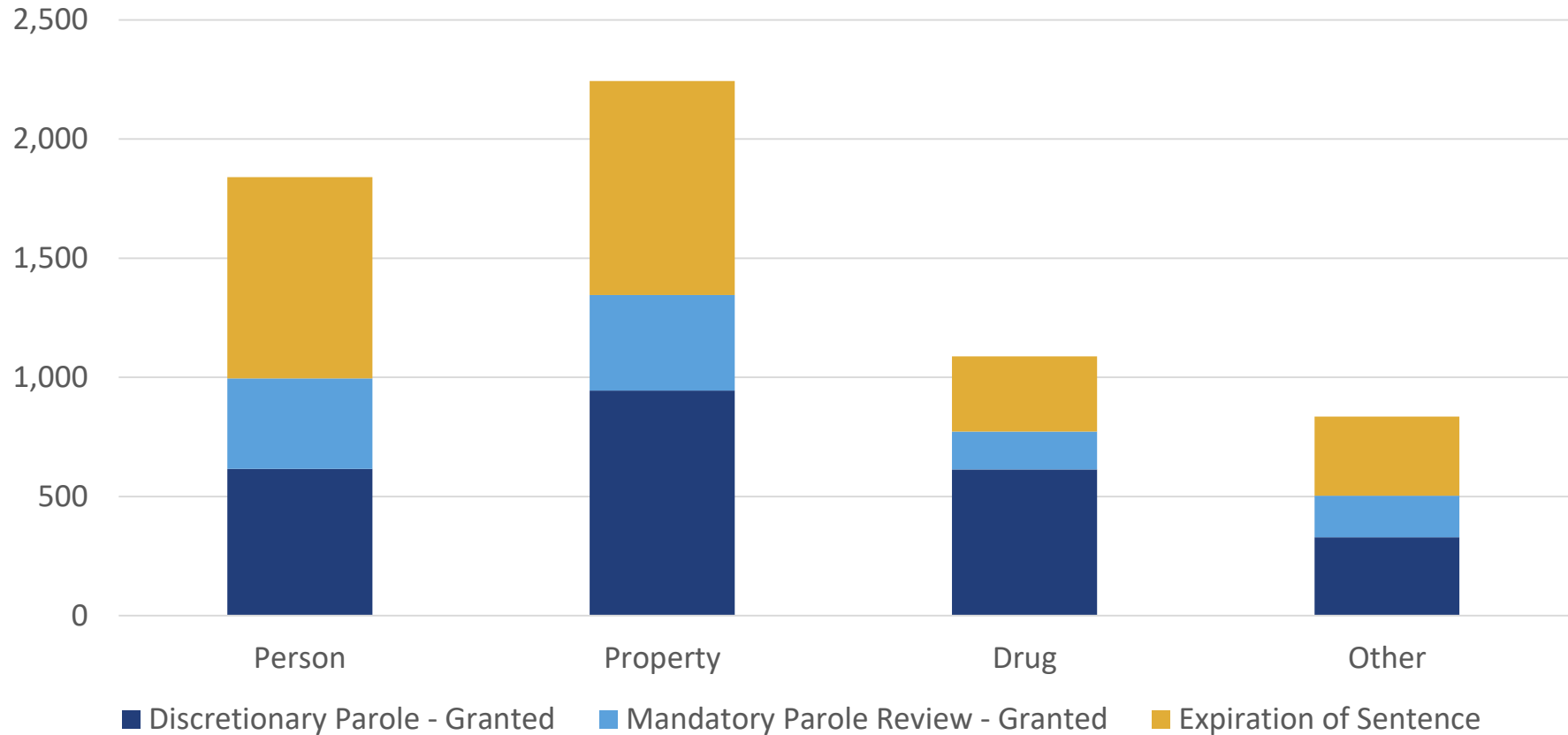
Prison Releases by Felony Category and Release Type, 2017



Note: Releases due to “Death – Natural Causes” excluded.

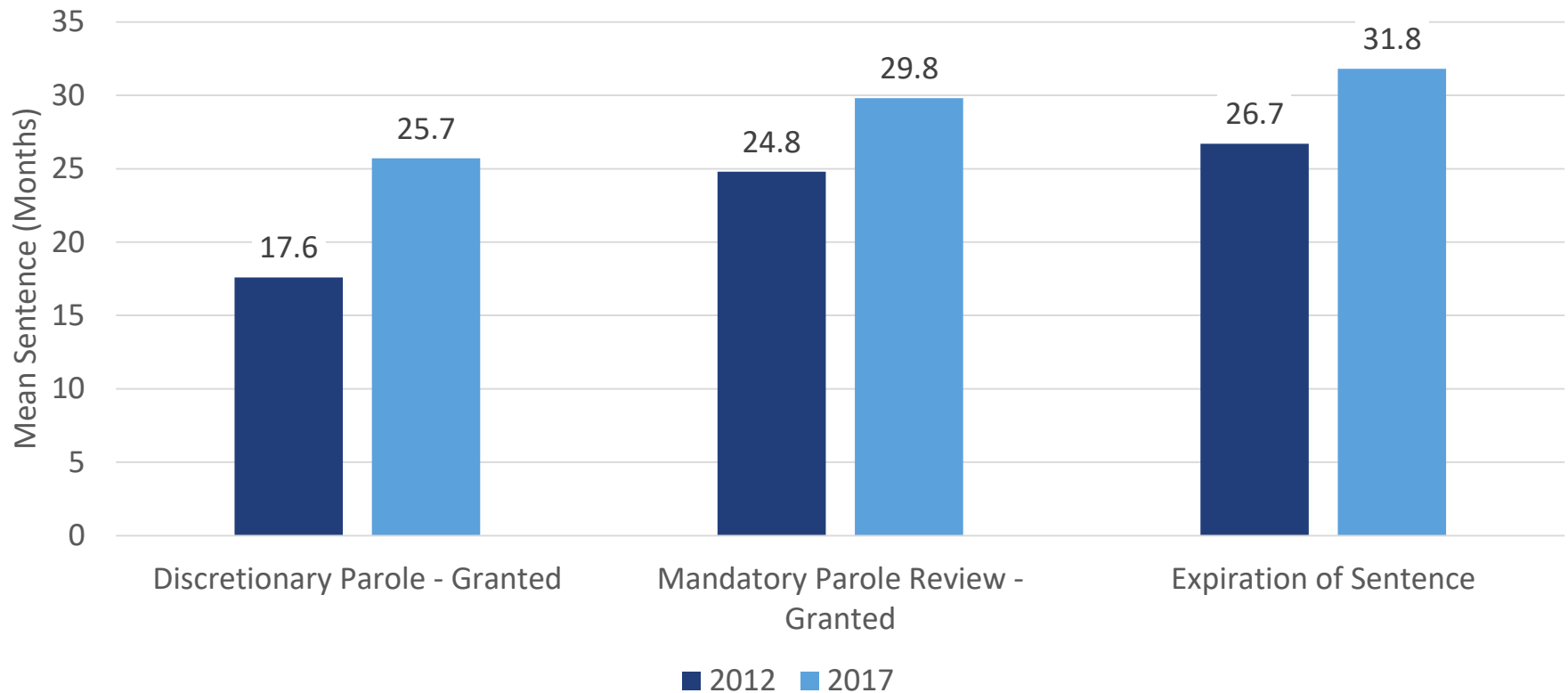
# Drug Offenders More Likely to be Released on Discretionary Parole

Prison Releases by Offense Type and Release Type, 2017



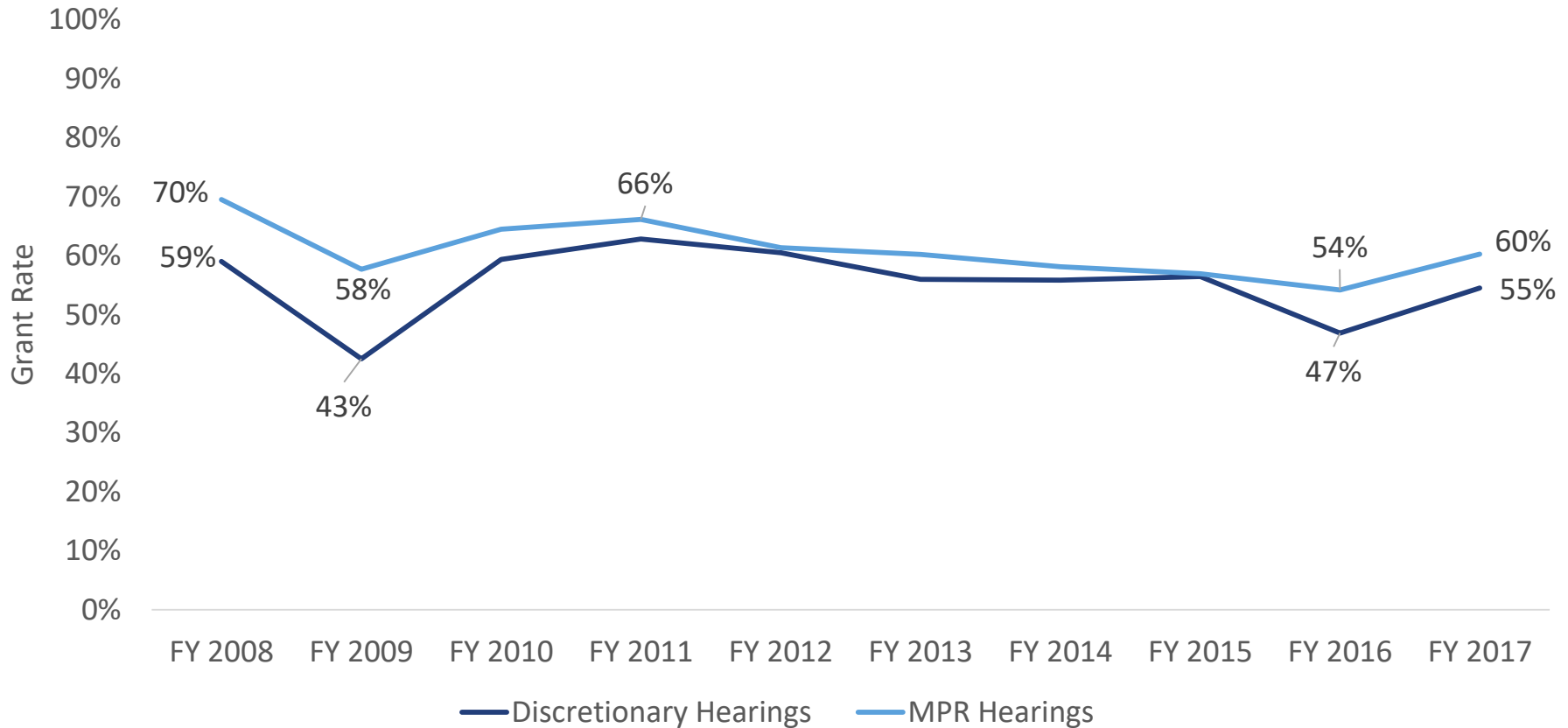
# Time Served Growth Across All Release Types

Mean Time Served in Prison and Jail by New Prisoners by Release Type, 2012 vs. 2017



# Parole Grant Rates Declined From FY2011 to FY2016

Parole Grant Rates by Hearing Type and Fiscal Year, FY 2008-2017



# Key Takeaways

- Time served for new prisoners has increased 31% since 2012
  - Up 15% for property offenses and 28% for drug offenses
  - Category B offenders are spending 10 months longer in prison than in 2012
- Minimum and maximum sentence lengths have increased for new prisoners
  - Minimum sentences up 8% for property offenses and 16% for drug offenses
- 40% of inmates released at expiration of sentence, with parole rates shifting over the past decade



# Summary of Key Findings

# Summary Takeaways

- Nevada's prison population is up 7% since 2009, driven by a 6% increase in admissions and a 20% increase in time served since 2008
  - Community supervision returns driving admissions growth
  - Time served growth is driven by longer sentences and fluctuating parole release rates
- 66% of prison admissions and 43% of the prison population were sentenced for non-person offenses
  - Burglary and attempted burglary are the most common offenses at admission
  - Drug possession, low-level trafficking increasingly common

# Summary Takeaways

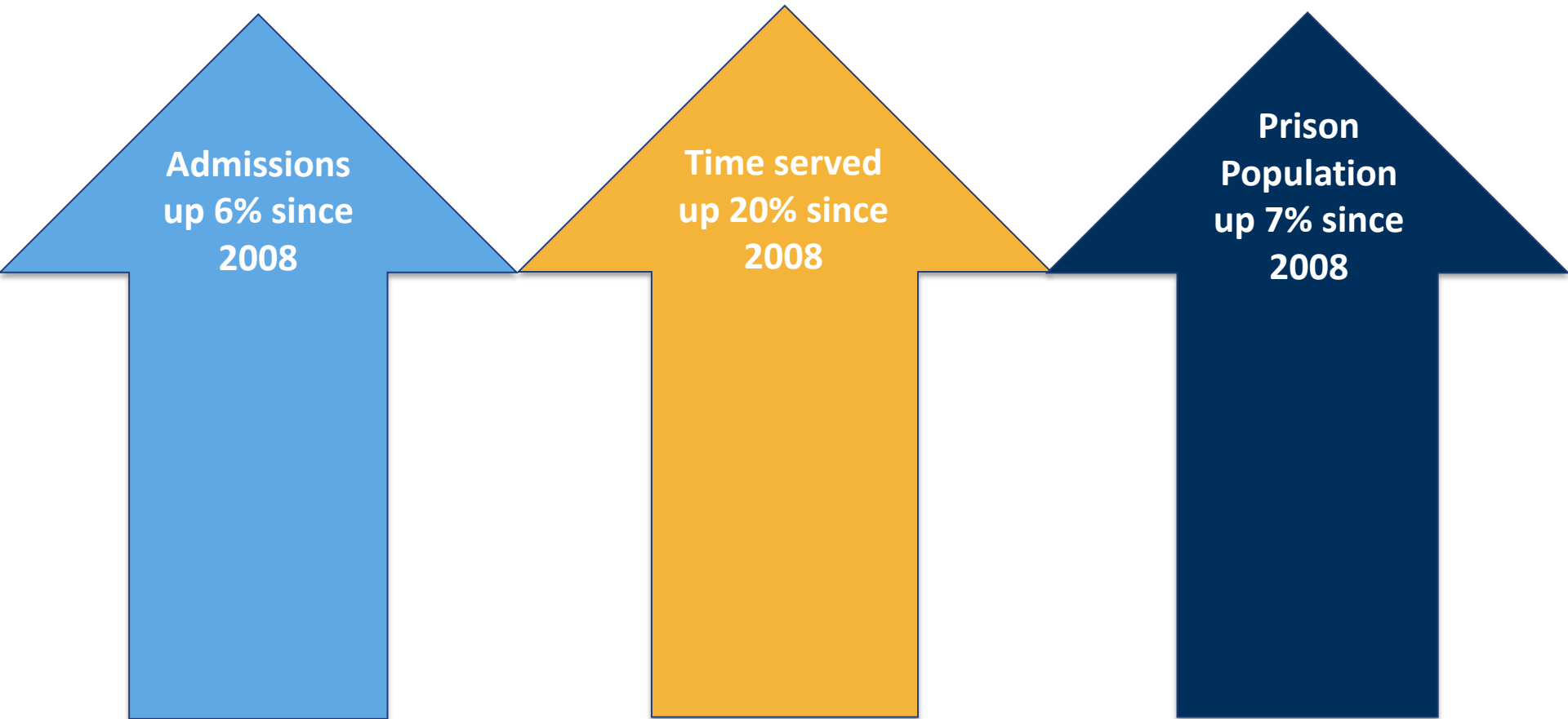
- Female prison admissions grew 39% in the last decade
  - 79% of female admissions are for non-person offenses
- Time served is up 30% for non-person offenses
  - Up 15% for property offenses and 28% for drug offenses
  - Up 10 months for Category B offenders released last year
- Parole rates have fluctuated over the past decade
  - 40% of inmates released last year served through sentence expiration

# Key Decision Making Points in the Criminal Justice System

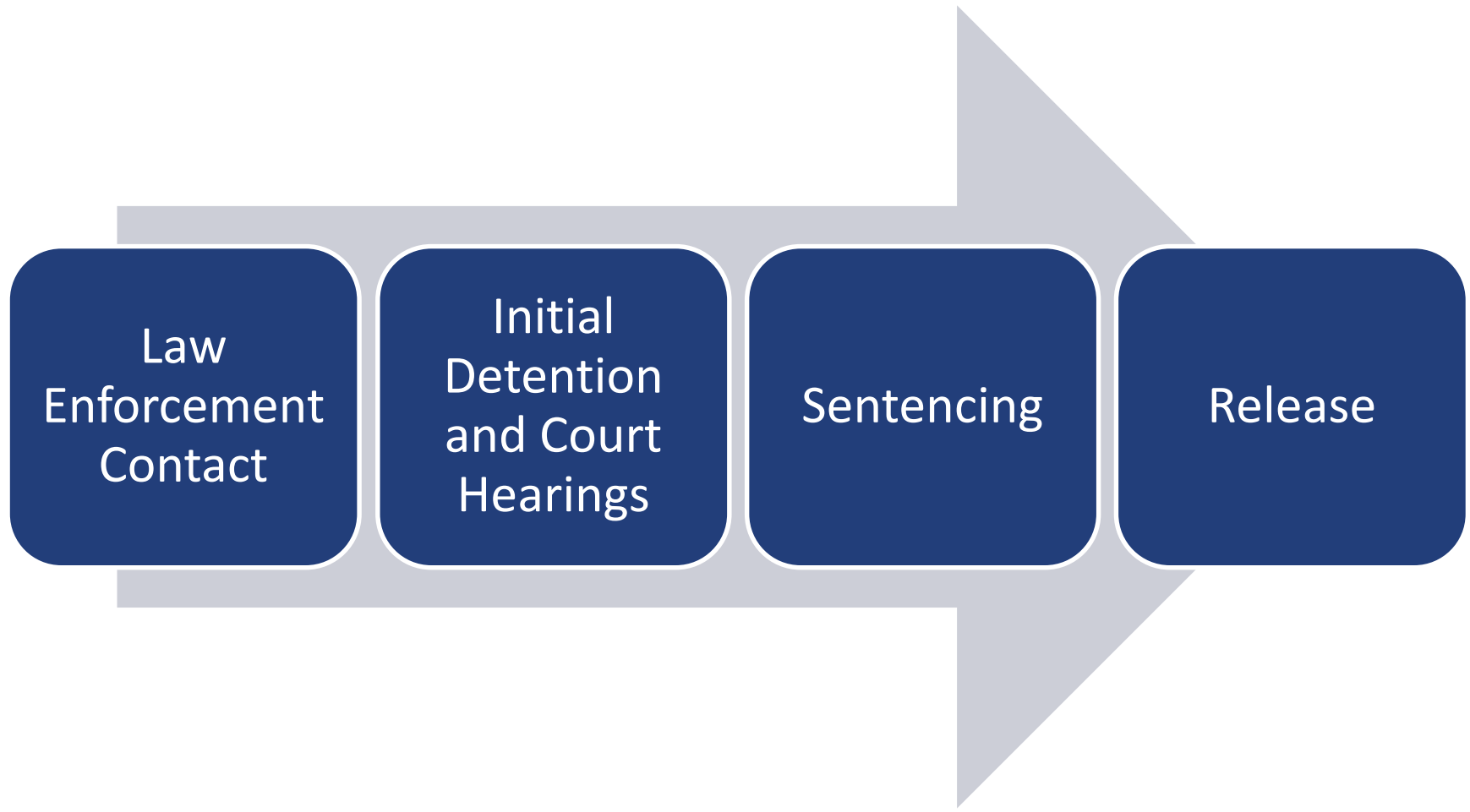
# Iron Law of Prison Population Growth

**Admissions + Time Served =  
NDOC Population**

# Overview of Data Trends



# Key Decision Making Points

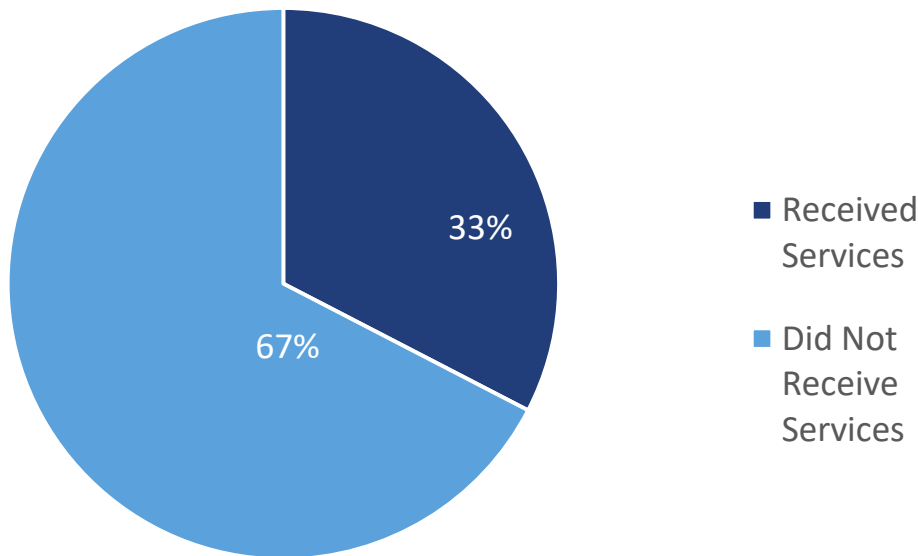


# Law Enforcement Contact

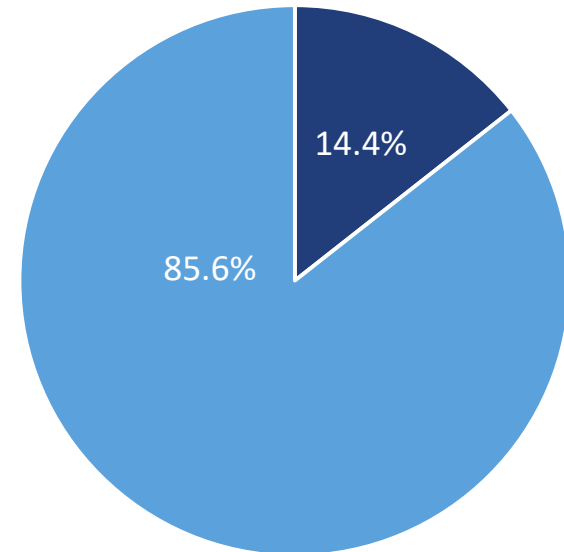


# Significant Population With Untreated Behavioral Health Needs

Past Year Mental Health Service Use Among Nevada Adults with Any Mental Illness (AMI), Annual Average, 2011–2015

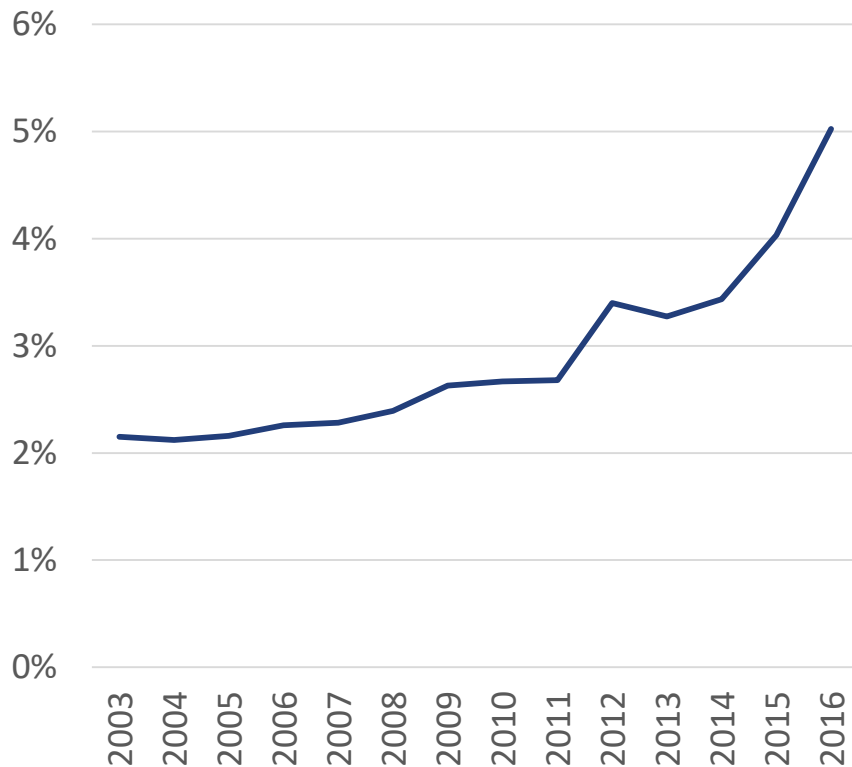


Past Year Illicit Drug Treatment Among Nevadans Aged 12 or Above with a Substance Use Disorder, Annual Average, 2010-2014

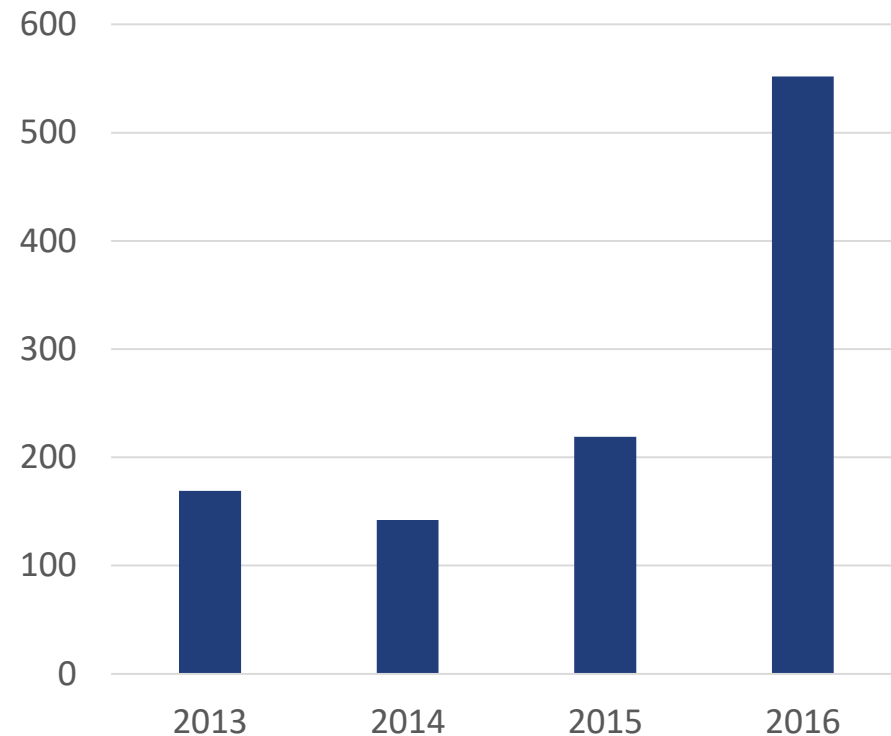


# Growing Number of 911 Calls for Mental Health Crisis

**Percent of 911 Calls Concerning Mental Health Crises in Carson City, 2003-2016**

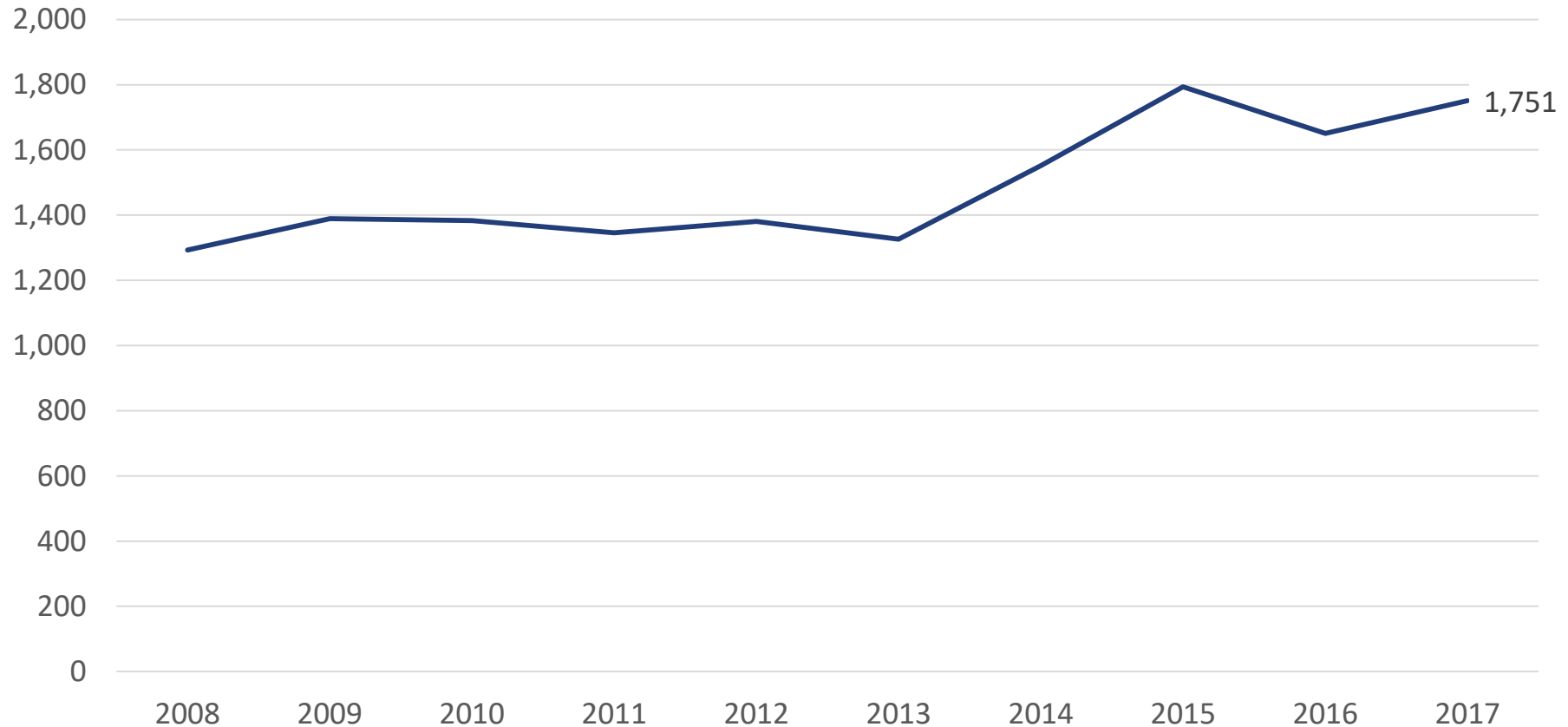


**Number of 911 Calls Concerning Mental Health Crises in Lyon County, 2013-2016**

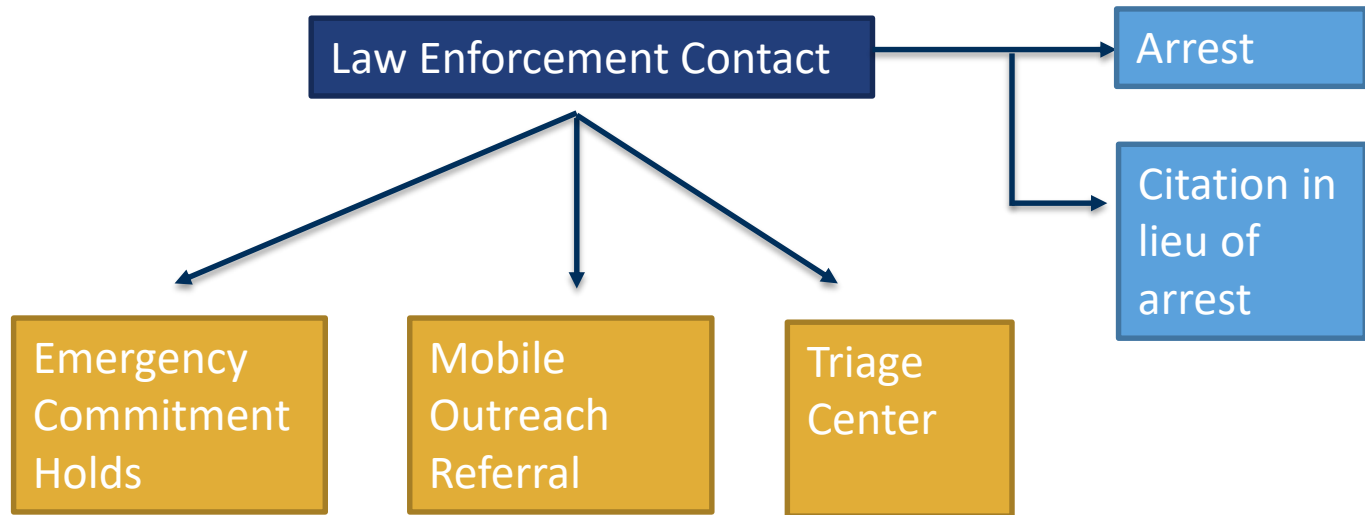


# Increasing Number of Offenders Admitted to Prison With a Mental Health Need

Prison Admissions Indicating a Mental Health Need, 2008-2017



# Law Enforcement Options



# Point of Entry: Law Enforcement Contact

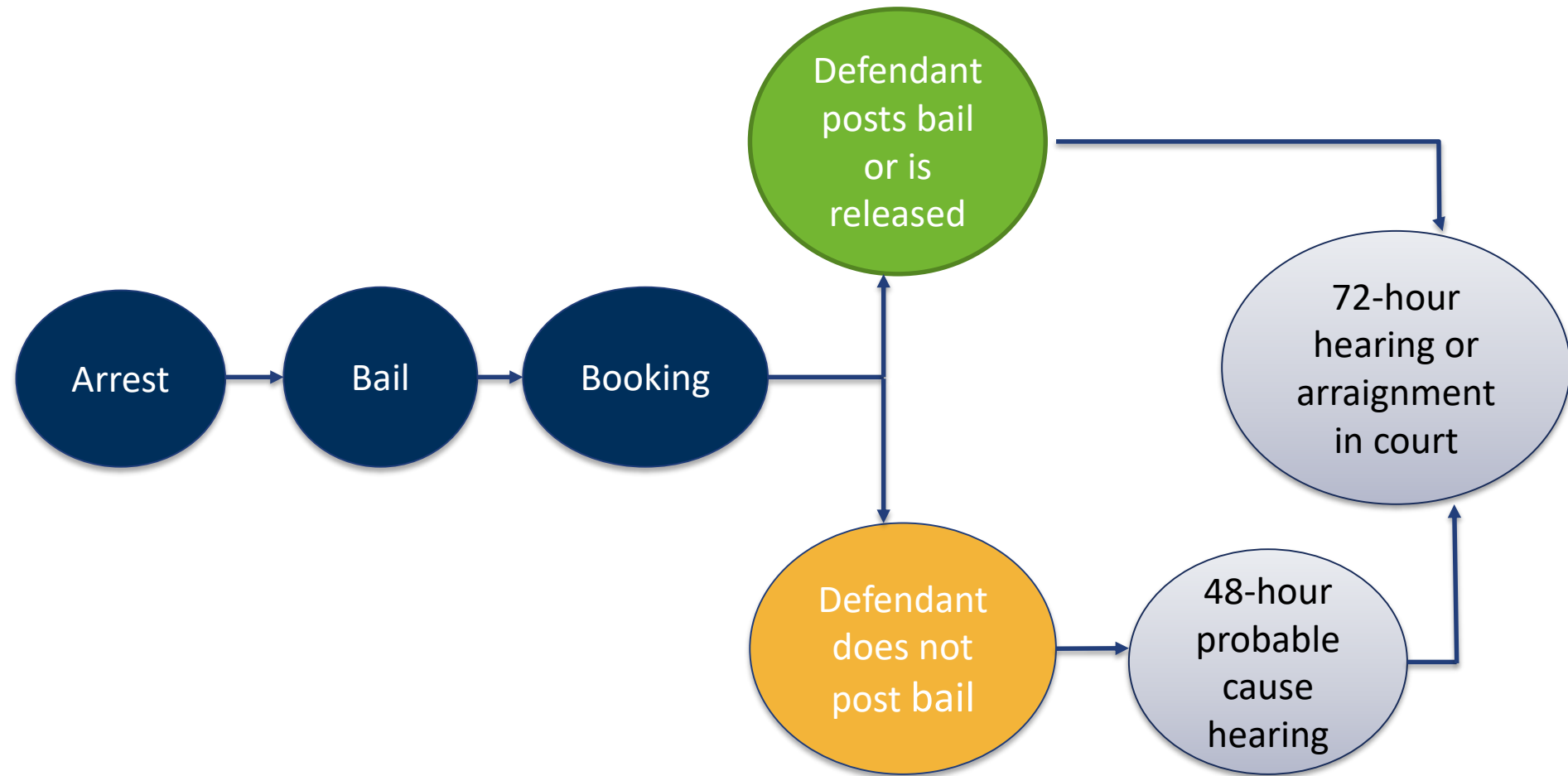
- Law enforcement contact is the first opportunity to divert an individual from the criminal justice system
- Nevada law authorizes law enforcement officers to issue a citation instead of an arrest for certain misdemeanor offenses
  - Exclusions include domestic violence offenses and DUIs

# Law Enforcement Response Options for Behavioral Health Crises

- Nevada utilizes specialized responses for individuals experiencing behavioral health crises
  - Emergency Commitment Holds
  - Crisis Intervention Training (CIT)
  - Mobile Outreach Safety Teams (MOST)
  - Triage Centers
- Options are not available in every jurisdiction and are implemented differently in those that have them

# Initial Detention and Initial Court Hearings

# First 72 Hours After Arrest





# Detention Determined At Arrest

- Bail is set at arrest based on county bail schedules
  - All offenses are assigned a bail amount by the schedule
    - Subcommittee to Study Bail Schedules reports significant variance in county bail schedules across the state
  - A judge can adjust bail or release the defendant with conditions at subsequent hearings
- Several jurisdictions use the Nevada Pretrial Risk Assessment tool to identify eligible offenders for pretrial release
  - Pilot Program: White Pine, Clark, and Washoe Counties
  - Douglas and Churchill Counties and Las Vegas Municipal Court

# Initial Opportunity for Release

- At the 48-hour hearing, a judge determines if probable cause exists to hold the defendant
  - Bail can be adjusted
  - Pilot program seeks to make release decision within 12 hrs
- At the 72-hour hearing or arraignment, the defendant appears in court before the judge and enters a plea
  - Bail can be adjusted
  - Opportunity for a referral to a Specialty Court program
  - Eligible misdemeanor offenders can participate in a pre-prosecution diversion program

# Identifying Mental Health and Substance Abuse Issues Post-Arrest

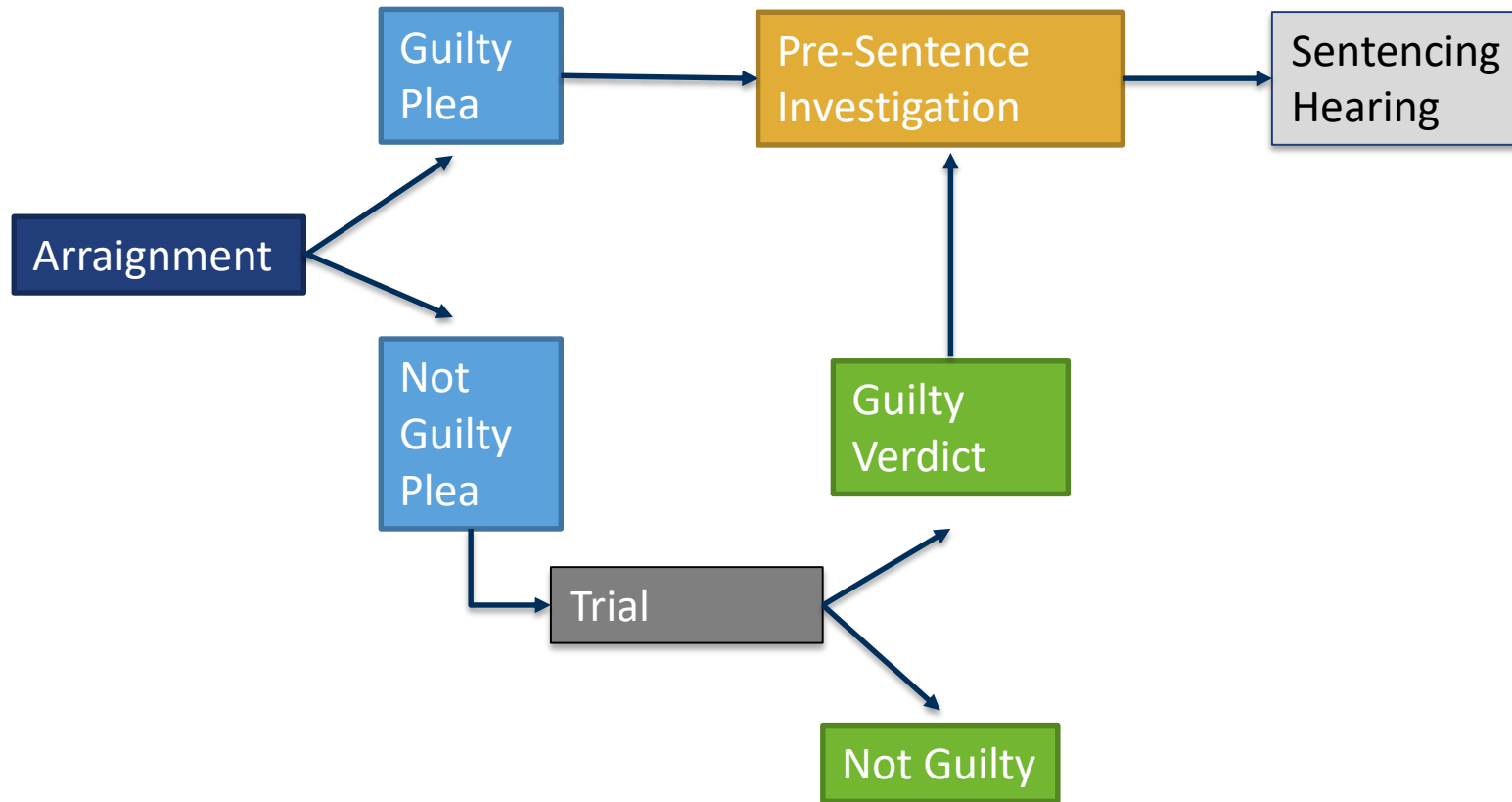
- No statutory requirement to use a screening or assessment tool to identify behavioral health issues at booking or initial court process
  - Across the state, jails use different screening tools and have varying responses to positive screens
  - Some jails have Forensic Assessment Services Triage Teams (FASTT) but these teams are not widespread across the state
  - Certain jurisdictions conduct clinical assessments to determine eligibility for Specialty Court programs but this is not a statewide practice

# Significant Behavioral Health Need in Jail Population

- The Clark County Detention Center (CCDC) is “the largest mental health facility in Nevada”
  - Approximately 25% of the inmate population is on a psychotropic medication
- People with mental illness stay in jail twice as long as others with similar charges
  - In 2017, CCDC found individuals that had four or more interactions with LVMPD and had a mental illness utilized
    - 4,478 bed days in 2017 at a cost of \$671,700
    - 5,167 bed days in 2018 YTD at a cost of \$775,050

# Sentencing

# Process Leading to Sentencing



# Pre-Sentence Investigation Reports Impact Sentencing Decisions

- The Division of Parole and Probation (Division) completes a Pre-Sentence Investigation Report (PSI) based on
  - Questionnaire
  - Interview
  - Probation Success Probability (PSP) Tool
  - Sentencing Recommendation Selection Scale (SRSS)
- The PSP and SSRS combined determine whether or not an individual will receive a sentence recommendation of probation or incarceration

# PSP Score Calculations

Category	Factors That Deduct Points
<b>Prior Criminal History</b>	Felonies, misdemeanors, prior incarcerations, jail sentences, years free of conviction, pending cases, juvenile commitments, prior formal supervision, criminal pattern
<b>Present Offense</b>	Circumstances of arrest, type of offense, psychological or medical impact, weapon, controlled substance, sophistication, premeditation, plea bargain benefits, financial impact, co-offender, under influence of drugs or alcohol
<b>Social History</b>	Age, employability, financial ability, family situation, education, military
<b>Pre-sentence Adjustment</b>	Commitment/ties, program participation, honesty/cooperation, attitude about supervision, resource availability, substance use, alcohol use, attitude about offense

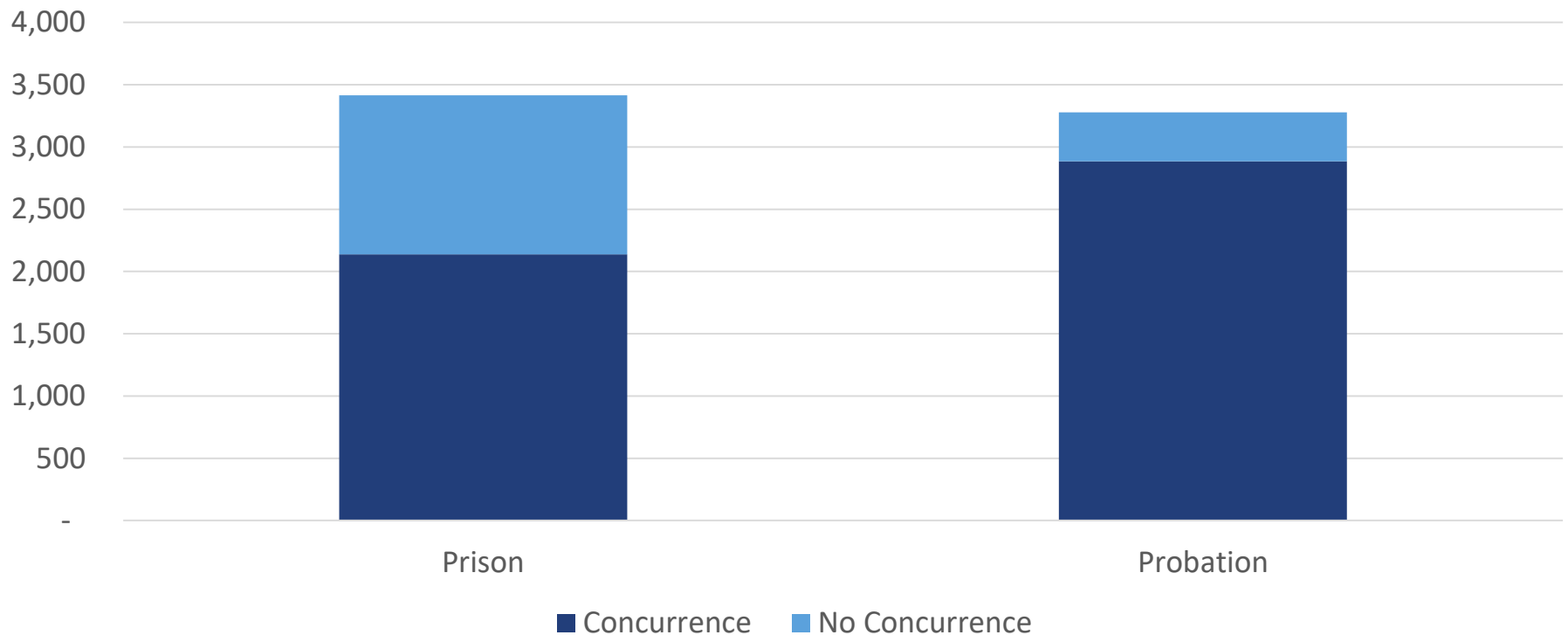


# Determining the Prison or Probation Recommendation

- Specialists use the defendant's answers from the questionnaire and interview to calculate the PSP score
  - Raw score = prior criminal history + present offense
  - Offense total score = raw score x 1.2%
  - Social total score = social history + pre-sentence adjustment
  - **PSP score total** = offense score + social score
- Specialists then input the PSP score and offense score into the SRSS worksheet to determine sentence recommendation

# Judicial Use of PSI Recommendation

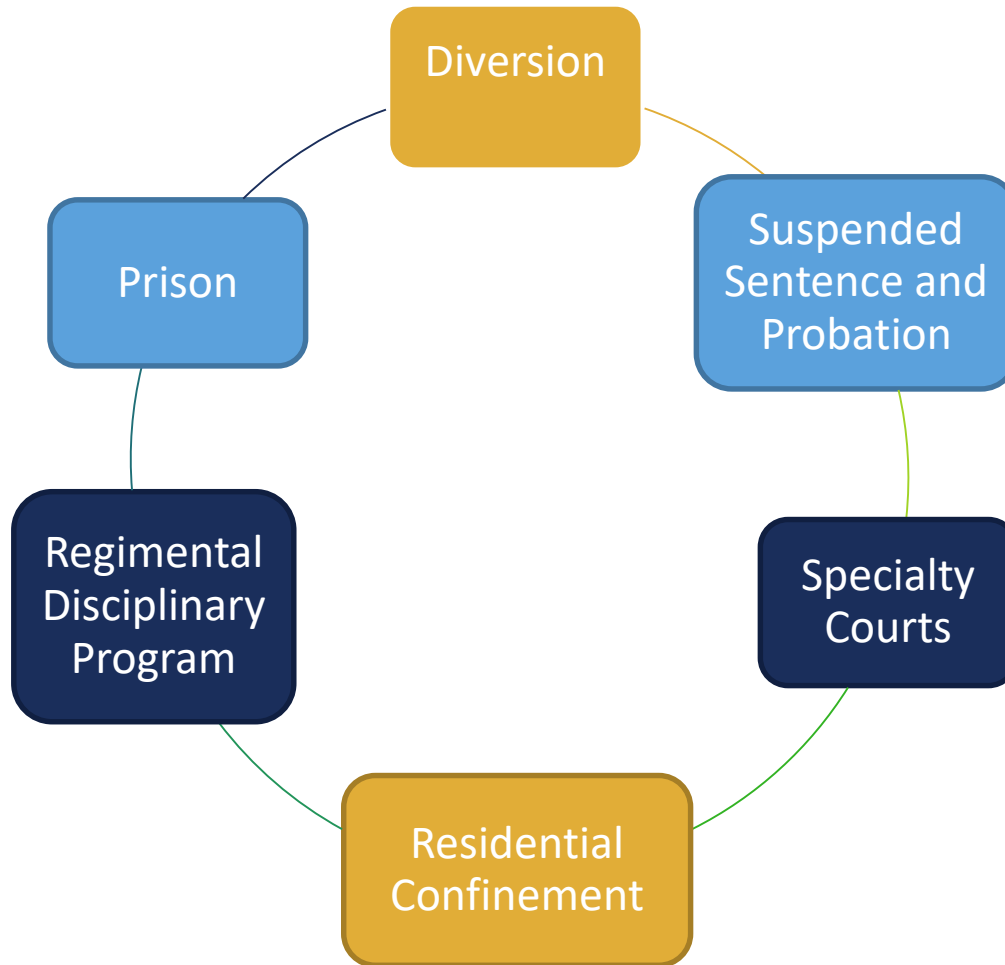
**Pre-Sentence Investigation (PSI) Report Recommendations by  
Sentence Recommended and Court Concurrence, 2017  
(Division of Parole and Probation)**



# Identifying Behavioral Health Needs At Sentencing

- Information on the PSI related to mental health and substance abuse is self-reported
- No statutorily required mental health assessment
- The required assessment to identify drug and alcohol use for sentencing decisions is limited to DUI offenders
  - Those receiving a deferred sentence into treatment will be evaluated after a judge holds a hearing to determine if he or she is an alcohol or drug user

# Felony Sentencing Options



# Access to Alternatives is Limited

Type	Description
Diversion/Deferred Sentence	Statute excludes those convicted of person offenses, sex offenses, domestic violence offenses, trafficking offenses, and those that have had previous treatment opportunities from eligibility.
Specialty Courts	Participation in Specialty Court programs relies upon a referral rather than identification by a needs assessment. Program eligibility and outcomes vary widely by jurisdiction.
Suspended Sentence and Probation	Recommendation depends on PSI report with subjective criteria. Presumption for probation excludes those who have previously participated in a treatment program and failed.
Residential Confinement	Limited to DUI felony offenses.
Regimental Disciplinary Program	Limited to male first-time offenders aged 18-25 years old.

# Statutory Range Dictates Sentence

- Judges have authority to sentence a person within the statutory range
  - Law requires the minimum term not to exceed 40% of the maximum term
- Statute does not require consideration of mitigating factors such as behavioral health issues, duress, age, or other criteria

# Review of Statutory Ranges

Offense Category	Sentence Range
Category A	Life with possibility of parole Life without parole Death for capital offenses
Category B	1 - 20 years Variance among ranges specified for each offense
Category C	1-5 years
Category D	1-4 years
Category E	1- 4 years Presumptive probation, with exceptions

# Expansive Conduct Underlies Drivers of Prison Population

- Burglary only requires entrance into almost any structure (22 location types enumerated)
- Trafficking (Schedule I substances) includes possession of any amount of a controlled substance greater than 4 grams, irrespective of intent to distribute, crossing state lines, or other factors
- Habitual Criminal (lesser) includes any three felony convictions in any period of time
- Grand Larceny includes any item valued over \$650



# Most States Have Different Levels of Burglary Distinguished by Conduct

## Oregon

- Different penalty for motor vehicle burglaries

## Nevada

- Undifferentiated burglary statute

## Ohio

- Different penalty for victim present
- Different penalty for threat of harm

## Arizona

- Different penalties for motor vehicle, nonresidential building, and dwelling

## Utah

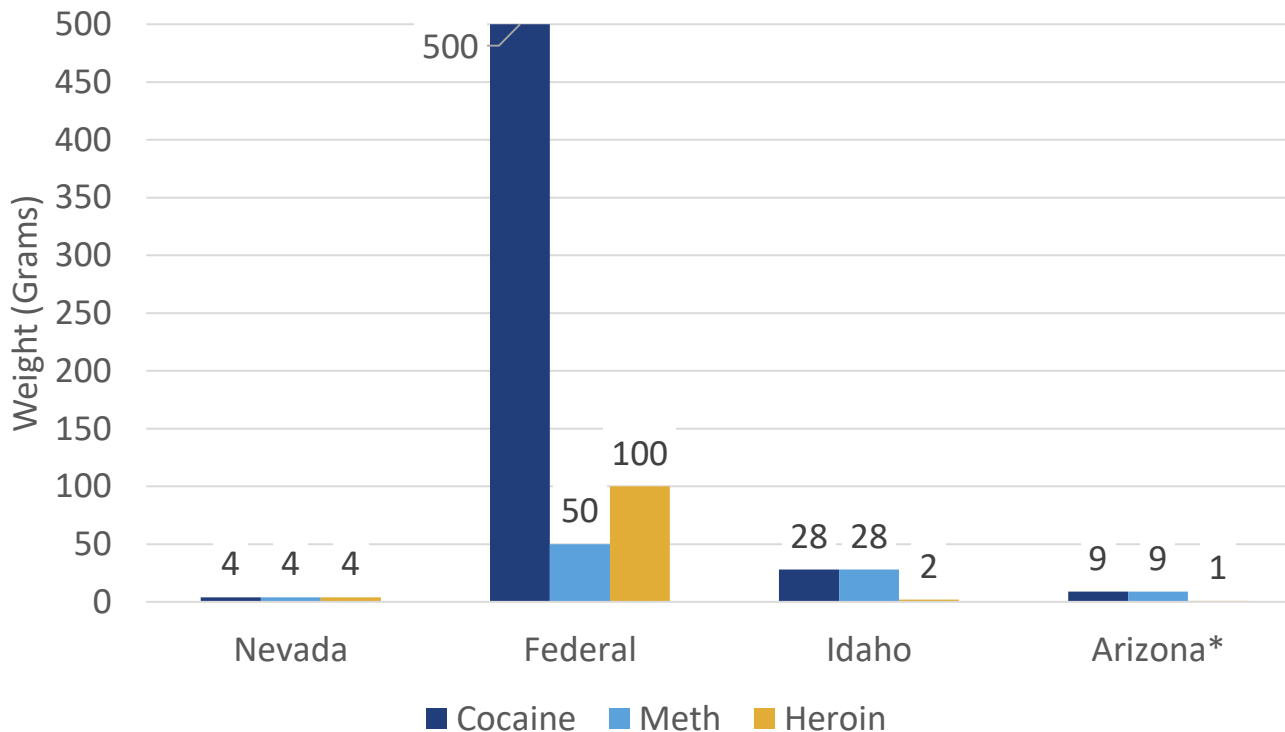
- Different penalties for motor vehicle, nonresidential building, and dwelling

## Oklahoma

- Different penalties for motor vehicle, nonresidential building, and dwelling
- Different penalty for victim present

# Nevada's Trafficking Threshold Lower than Other States

Trafficking Weight Threshold to Trigger Mandatory Minimum, 2018



Many states do not have a weight threshold to trigger a mandatory minimum, including:

- Oregon
- California
- Utah

The map displays the average annual salary by state. States with salaries below \$650 (light yellow) include NV, IL, KY, VA, NM, and FL. States with salaries above \$650 (blue) include WA, OR, ID, MT, ND, MN, WI, MI, IN, OH, PA, NY, ME, CA, UT, CO, KS, MO, IA, NE, SD, WY, AZ, TX, OK, AR, LA, MS, AL, GA, SC, NC, TN, WV, DE, MD, and DC. The legend on the right indicates that light yellow represents <\$650 and blue represents >\$650.

State	Salary Category
WA	>\$650
OR	>\$650
ID	>\$650
MT	>\$650
ND	>\$650
MN	>\$650
WI	>\$650
MI	>\$650
IN	>\$650
OH	>\$650
PA	>\$650
NY	>\$650
ME	>\$650
CA	>\$650
UT	>\$650
CO	>\$650
KS	>\$650
MO	>\$650
IA	>\$650
NE	>\$650
SD	>\$650
WY	>\$650
AZ	>\$650
TX	>\$650
OK	>\$650
AR	>\$650
LA	>\$650
MS	>\$650
AL	>\$650
GA	>\$650
SC	>\$650
NC	>\$650
TN	>\$650
WV	>\$650
DE	>\$650
MD	>\$650
DC	>\$650
NV	<\$650
IL	<\$650
KY	<\$650
VA	<\$650
NM	<\$650
FL	<\$650

# Other States' Habitual Statutes Do Not Enhance Nonviolent Offenses

## Oregon

- No habitual offender statute
- Repeat offender enhancements for certain offenses

## Nevada

- Habitual Criminal enhancement after any three felonies, including three nonviolent offenses

## Ohio

- Habitual statute strictly for violent offenses
- Repeat offender enhancements for certain offenses

## Utah

- Habitual statute strictly for violent offenses
- Repeat offender enhancements for certain offenses

## Louisiana

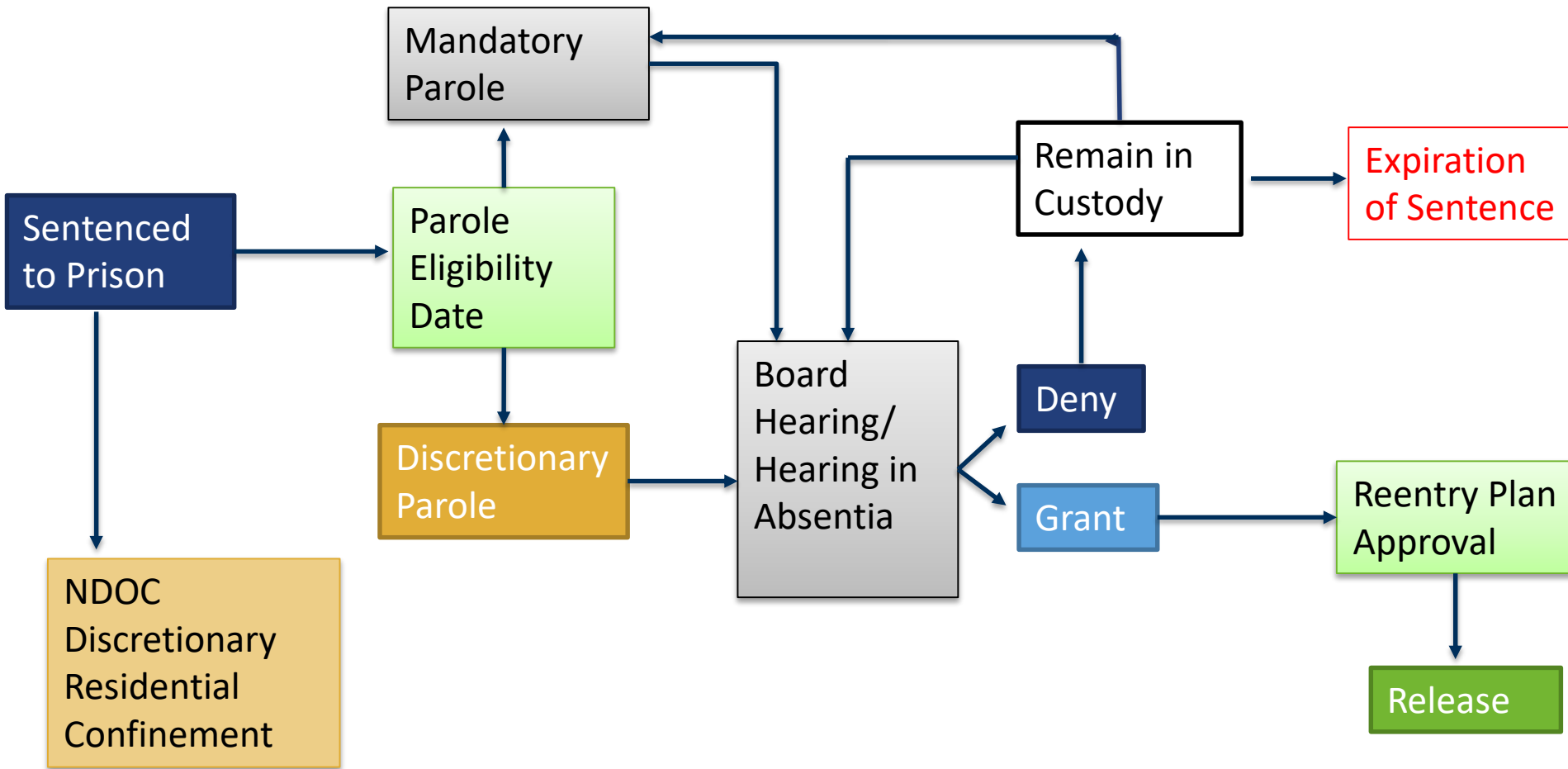
- Habitual statute closely tailored to conduct, with five-year cleansing period for nonviolent offenses

## Oklahoma

- Habitual statute specifically excludes enumerated nonviolent offenses

Release

# System Map of Releases



# Types of Release Mechanisms

- Residential Confinement
  - Authorizes NDOC to allow eligible inmates to serve the remainder of their sentence under electronic supervision
- Discretionary Parole
  - Requires the Board of Parole Commissioners (Board) to grant or deny parole at a hearing or in absentia
- Mandatory Parole
  - Requires all eligible inmates within 12 months of their maximum term to be released absent a finding by the Board that release would pose a danger to public safety
- Expiration of Sentence
  - Releases inmates after completion of maximum term

# Discretionary Parole Eligibility

- All inmates, excluding those sentenced to life without parole or death, are eligible for discretionary parole once they reach their parole eligibility date (PED)
  - NDOC generates the PED by counting all anticipated flat days, stat credits and work credits
    - Merit credits are added as they are earned
  - PED may change based on failure to earn credits or loss of credits due to institutional behavior
  - Inmates sentenced on or after July 2014 must serve at least 42% of their minimum sentence



# Mandatory Parole Eligibility

- All inmates who have been sentenced to prison for a term of 3 years or more, and do not have a consecutive sentence, must be released on parole 12 months before the end of their maximum term
  - Inmates who have previously been released on parole for that sentence are ineligible
- The Board of Parole Commissioners will see all eligible inmates prior to release to determine whether the inmate will pose a danger to public safety

# Credits Impact Parole Eligibility Date

- Credit types available
  - Stat Credit – 20 days per month
  - Merit Credit – ranges from 15 to 120 days per program
  - Work Credit – 10 or 20 days per month
- Credits are deducted as follows
  - C, D, and E felonies from minimum sentence
  - A and B felonies from maximum sentence
  - Offenses involving threat/use of force from maximum sentence
  - Sex offenses from maximum sentence
  - DUI offenses from maximum sentence

# Parole Release Decision

- The Board receives a packet of materials to guide its decision-making
  - Includes PSI report, release plan, summary of institutional conduct and programming, and results from a risk and needs assessment
- Statutory factors for consideration include
  - Likelihood to reoffend
  - Welfare of society
  - Seriousness of the offense
  - Criminal history
  - Board's Guidelines
  - Victim testimony

# No Medical or Geriatric Parole

- Parole release for terminally ill offenders was repealed in 1997
  - NDOC may instead release inmates who are physically incapacitated or within 12 months of death to residential confinement
- Nevada spent \$3,246 per inmate on prison health care in 2015
- Nevada's over 55 population has grown 70% since 2008 and continues to grow

# Residential Confinement Eligibility

- NDOC may assign an inmate to a program of residential confinement if the inmate is eligible and willing and able to
  - Secure employment
  - Enroll in an education or rehabilitation program
  - Pay for all or part of the costs of their confinement in addition to any restitution required
- Certain convictions and certain types of institutional infractions make an inmate ineligible

# Key Takeaways

- Law enforcement officers have limited options to divert an individual from the criminal justice system
- There is no standardized method to identify an individual with behavioral health needs at multiple key decision points
- There is no pre-adjudication diversion option for defendants charged with felony offenses

# Key Takeaways

- Sentencing decisions are influenced by the PSI report which includes subjective analysis and self-reporting
- Certain offenses encompass a wide range of conduct and result in broad sentencing ranges
- Access to alternatives to incarceration are severely restricted by eligibility and by the inconsistent referral process
- Parole is the primary opportunity for release and is at the complete discretion of the Board of Parole Commissioners

# Next Steps

- Next meeting: November 8<sup>th</sup>
  - Community supervision and reentry practices, court data and file reviews, and introduction to policy development
- Victims' Roundtable
  - November 8<sup>th</sup>: Reno
  - November 9<sup>th</sup>: Las Vegas
- Subgroup Meetings
  - November 27<sup>th</sup>, 29<sup>th</sup>
  - December 18<sup>th</sup>
- Final Meeting: January 11<sup>th</sup>



# Questions?

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