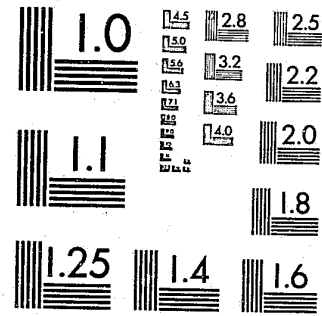


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National Institute of Justice
United States Department of Justice
Washington, D. C. 20531

8/16/83

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POLICIES AND PROCEDURES MANUAL
STATE OF NEVADA
DEPARTMENT OF PAROLE AND PROBATION
1980

U.S. Department of Justice
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A. A. CAMPOS, CHIEF
PAROLE AND PROBATION OFFICER

FORWARD

This is the most recent edition of the Departmental Manual for Parole and Probation, State of Nevada. It incorporates the sound and valuable contributions and suggestions of field officers and supervisors as well as administrative and clerical staff of the Department.

The essence of parole and probation work can never be totally captured in any written form. This can come only with time, experience, and continuous effort. The employee will find that invaluable insights are to be gained from fellow workers in both formal and informal exchanges.

The purpose of the Manual is to provide a practical guide and source of reference for officers and other staff. A general philosophic framework has been established which will give common direction to all who work or participate in this Department.

An attempt has been made to cover most aspects of the Department and the roles of an officer. The Manual is not, however, designed to provide specific answers to all questions or situations which may arise. Sound judgment will be required of each individual in application of the Manual.

The Manual has been divided into four (4) sections:

1. Orientation Skills.
2. Technical Skills.
3. Investigation Skills.
4. Supervision Skills.

This Manual has been designed to accommodate changes in policy, procedures, or Nevada Revised Statutes. Revisions will be made accordingly and will be distributed as the changes occur.

A. A. CAMPOS, CHIEF
DEPARTMENT OF ADULT PAROLE AND PROBATION

DEPARTMENT OF PAROLE AND PROBATION

STATEMENT OF PURPOSE

NCJRS

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ACQUISITIONS

Probation and Parole emerged as a part of the criminal justice system in response to humanitarian concerns and to the rise of social sciences. It provided a means of avoiding destructive influences of prolonged incarceration and of implementing knowledge gained by the criminal justice system and behavioral sciences. Although probation has roots in the last half of the 19th century, the establishment of the juvenile court system at the turn of the century marks the beginning of the current concepts of parole and probation.

Probation and Parole, part of a total correction system, has at one extreme very minor forms of interventions (such as warning) used for those whose misconduct is viewed as nonthreatening and not likely to be repeated. At the other extreme, there are interventions (such as long term imprisonment) used for those whose misconduct is viewed as dangerous, destructive and/or repetitive.

The Department of Parole and Probation is dedicated to the principle that those for whom services are provided are capable of constructive change and are entitled to dignified treatment, respect, and consideration regardless of how minor or short termed the service might be. We are an Agency established by the community to work as a unified force in cooperative effort with the Courts, Law Enforcement and other agencies with persons whose behavior is viewed as deviant from social norms - - as defined by law.

Our principle goal is the protection of the community and that of reintegration of the offender into the community. Our services must be assessed in terms of their effect on reaching this goal. The greater the offender's alienation from the community, the greater the likelihood of the offender's use of unacceptable means to meet needs. As a result, the task of assisting the offender in reintegration magnifies. We recognize that there are persons for whom parole and probation services are inadequate and/or inappropriate. Some need control and restraint provided by other parts of the correctional system. Others, although designated as law violators, are living lives basically in accord with the community and need very minor services, if any.

In our relation with the offender we seek to identify and explore the offender's problems, to examine causes and to select from a variety of available interventions, those which are consistent with his/her motivations and capacities and with our policies, expectations, capacities, and limitations. Programs may take the form of confinement, specialized placement, insistence on routine compliance with Court orders, referrals to other agencies, family or individual counseling, group treatment and activities in which the officer plays an intermediary role.

The relationship with the client and the interventions used must be planned, continuously evaluated and, when necessary, modified in terms of the client's adjustment. When satisfactory adjustment is achieved by the client, consideration must be given to termination of services, to freeing the individual from the correctional system and setting into motion legal processes which signify his/her successful reintegration into the community.

In maintaining our creativity and professional vitality, we must continuously examine and assess our knowledge, techniques, and procedures, keeping what is useful and discarding what is not. We must remain aware of new and relevant knowledge and be willing to experiment, to accept and integrate innovations which are found to be workable and which assist in the achievement of Agency goals.

The material contained in any Manual of the Department of Parole and Probation becomes the Policy of the Department. All staff are obliged to comply with the policies and procedures of the Agency as set forth herein.

The material contained within this Manual supercedes any other data relevant to the subjects addressed herein.

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PART I

ORIENTATION SKILLS: SECTIONS 1 TO 6

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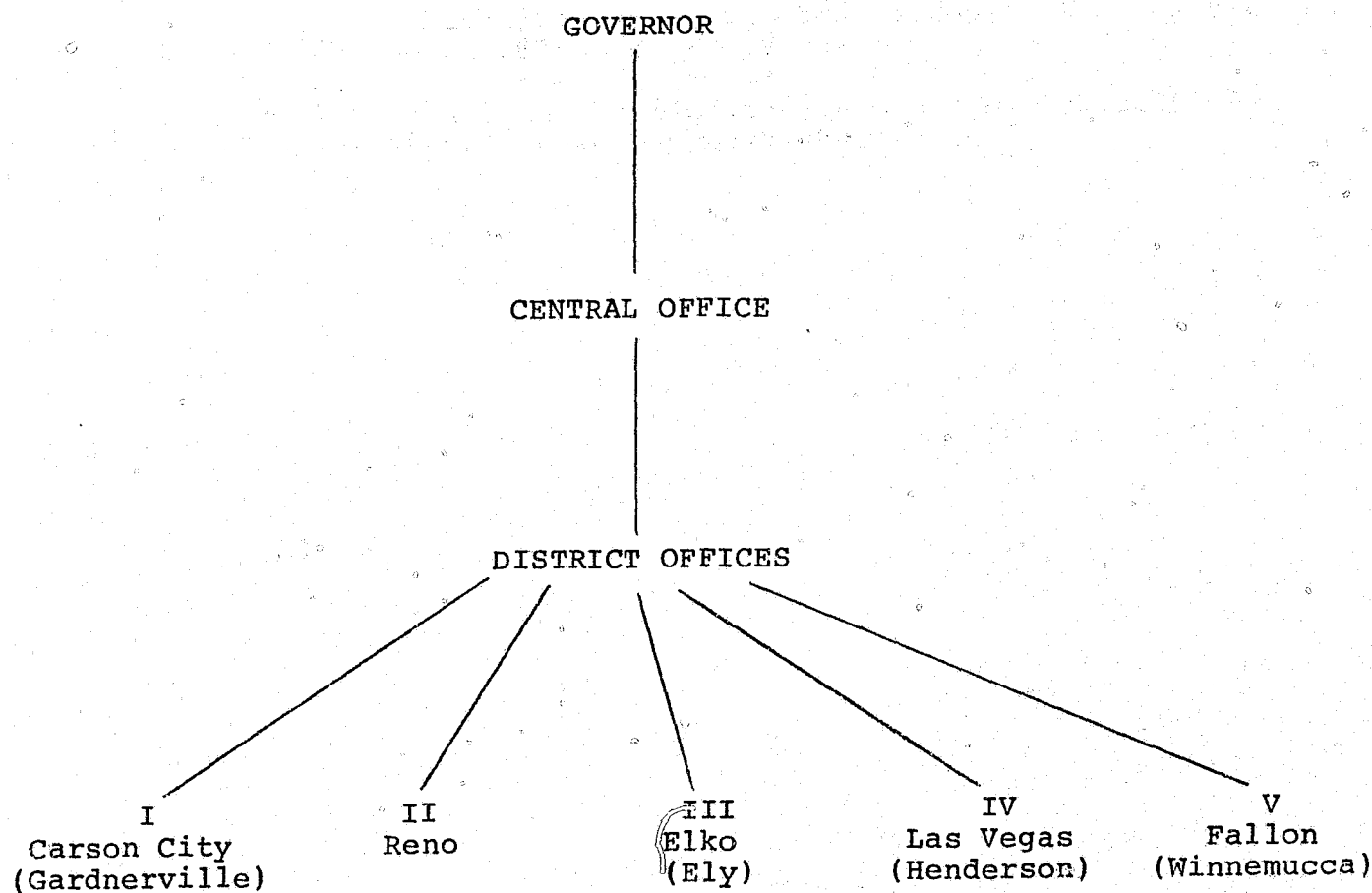
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DEPARTMENT OF PAROLE AND PROBATION
GENERAL ORGANIZATIONAL CHART



The following Nevada Revised Statutes generally outline the creation of the Department, the appointment, duties and powers of the Chief Parole and Probation Officer including the appointment of "assistants required to administer duties."

213.1071---Department of parole and probation: Creation; composition; executive officer.

1. There is hereby created the department of parole and probation.
2. The department consists of the executive officer and such divisions or sections as the executive officer may create with the approval of the governor.
3. The executive officer of the department is the chief parole and probation officer.
(Added to NRS by 1969, 596; A 1977, 286)

213.1092---Chief parole and probation officer: Appointment; qualifications; principal office.

1. The governor shall appoint the chief parole and probation officer, who shall be in the unclassified service of the state.
2. The chief parole and probation officer shall:
 - (a) Be selected on the basis of his training, experience, capacity and interest in correctional services.
 - (b) Have had at least 5 years experience in correctional programs, of which at least 3 years were in a responsible administrative position.
3. The principal office of the chief parole and probation officer shall be in Carson City, Nevada. (Added to NRS by 1959, 797; A 1969, 597; 1977, 287)

213.1072---Executive Officer: Duties. The Executive Officer shall:

1. Administer all activities and services of the Department in accordance with the policies, standards, rules and regulations established by the Board.
2. Be responsible for the management of the Department.
(Added to NRS by 1969, 596)

213.1073---Executive Officer: Powers. The Executive Officer may:

1. Organize the Department to provide maximum efficiency in carrying out its duties.
2. Appoint the heads of divisions or sections as established.
3. Appoint such assistants and other employees as may be required to administer the duties imposed by law upon the Board and the Department within the limits of appropriation.
4. Set standards of service. (Added to NRS by 1969, 596)

213.1096---Powers and duties of assistant parole and probation officers. Assistant parole and probation officers shall:

1. Investigate all cases referred to them for investigation by the board or by the chief parole and probation officer, or by any court in which they are authorized to serve.

2. Supervise all persons released on probation by any such court or released to them for supervision by the board or by the chief parole and probation officer.
3. Furnish to each person released under their supervision a written statement of the conditions of parole or probation and instruct him regarding those conditions.
4. Keep informed concerning the conduct and condition of all persons under their supervision and use all suitable methods to aid and encourage them and to bring about improvement in their conduct and conditions.
5. Keep detailed records of their work.
6. Collect and disburse all money in accordance with the orders of the chief parole and probation officer of the court.
7. Keep accurate and complete accounts of all money received and disbursed in accordance with such orders and give receipts therefor.
8. Make such reports in writing as the court or the chief parole and probation officer may require.
9. Coordinate their work with that of other social agencies.
10. File identifying information regarding their cases with any social service index or exchange operating in the area to which they are assigned.
(Added to NRS by 1959, 799; A 1977, 288)

213.1097---Parole and probation officers have powers of peace officers. The chief parole and probation officer and assistant parole and probation officers shall have the full powers and authority of peace officers in every county of the state.
(Added to NRS by 1959, 799)

Primary Responsibilities: A parole and probation officer's primary responsibility shall be parole and probation work and thus, such officers shall, insofar as possible, confine law enforcement activities to parolees and probationers. Other matters, such as crimes committed by persons not under supervision, shall be referred to the proper police agency. This action does not preclude working with police in matters of mutual interest.

In situations where there is no other choice due to the unavailability of other agency assistance or that failure to become involved would create an immediate hazard to the public, arrestee or participating officers, officers are expected to pursue the arrest.

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CHIEF

213.1095---Powers and duties of Chief Parole and Probation Officer. The Chief Parole and Probation Officer shall:

1. Be responsible for and supervise the fiscal affairs and responsibilities of the department.
2. Present, in conjunction with the budget division of the department of administration, the biennial budget of the department to the legislature.
3. Establish, consolidate and abolish sections within the department.
4. Establish, consolidate and abolish districts within the state to which assistant parole and probation officers are assigned.
5. Appoint, in accordance with the provision of chapter 284 of NRS, the necessary supervisory personnel and other assistants and employees as may be necessary for the efficient discharge of the responsibilities of the department.
6. Be responsible for such reports of investigation and supervision and other reports as may be requested by the board or courts.
7. Direct the work of all assistants and employees as may be assigned to him.
8. Formulate methods of investigation, supervision, record keeping and reporting.
9. Develop policies of parole and probation work, including the work release program, in the light of other acceptable and recognized correctional programs and conduct training courses for the staff.
10. Furnish or cause to be furnished to each person released under his supervision a written statement of the conditions of parole or probation, instruct or cause to be instructed any parolee or probationer regarding the same, and advise or cause to be advised the board or the court of any violation of the conditions of parole and/or probation.
11. At the close of each biennium, submit to the governor and the board a report, with statistical and other data, of his work.
12. Perform such other duties as are defined by law. (Added to NRS by 1959, 798; A 1969, 597; 1973, 1565; 1977, 120, 288).

DEPUTY CHIEF PAROLE AND PROBATION OFFICER

The Deputy Chief shall:

1. In the absence of the Chief, make decisions concerning all matters pertaining to the Department of Parole and Probation.
2. Supervise all duties as performed by the Program and Training Manager and district supervisory staff.
3. Supervise all operations in all districts.
4. Maintain ongoing contact with supervisory staff of field services in all districts. Provide direction, supervision, coordinate and establish training in case management in conjunction with activities of the Program and Training Manager.
5. Review and sign all petitions for honorable, dishonorable and general discharges from parole.
6. Review, approve or disapprove requests for early termination from probation.
7. Review presentence investigations and recommendations and coordinate the quality of such with the districts.
8. Represent the Department at the northern meetings of the Board of Parole Commissioners including comprehensive presentation of cases involving parole violators.
9. Attend Pardons Board Hearings semiannually or as scheduled. Screen and assign to all districts for investigation, applications for Pardons as referred to the Department by the Executive Secretary of the Pardons Board. Review and refer applications to the Chief for recommendation to the Pardons Board. Provide followup on all paperwork processing prepared by the Department for the Pardons Board.
10. Maintain and develop an ongoing contact with law enforcement personnel and agencies including, but not limited to, Prison personnel, Parole Board personnel, judges, defense and prosecuting attorneys, etc.
11. Assist in proposing and writing legislation, as required by the Chief, and appear for testimony of such.
12. Review, revise and update all department manuals as required by the Chief. Review, revise and develop new department policies.

PROGRAM AND TRAINING MANAGER

Under the direction of the Chief and Deputy Chief, the Program and Training Manager shall:

1. Plan, organize and be responsible for the overall departmental program, resource, and training areas including prerelease, preparole, work release, interstate compact, special services, records, volunteers, training and staff development, resources, grants, community involvement and activities, etc.
2. Oversee the routine functions of each area ensuring compliance with Departmental policies and procedures throughout the state and in so doing, shall develop and maintain close communication with supervisors and assigned staff in each area.
3. Directly supervise Central Office units including: Pre-Parole Unit, Work Release Unit, Interstate Compact Unit, Special Services Unit, Records Unit and shall be responsible for training and staff development.
4. Perform operational duties as recorded, but not limited to:
 - a. Recruitment and training of volunteers; development, application and modification of volunteer programs;
 - b. Development and coordination of staff training statewide; conducting, monitoring and evaluating staff training programs;
 - c. Development of resources for departmental use, for example - departmental participation in training programs established for related career personnel staff;
 - d. Writing, reviewing and assisting department personnel in grant processing;
 - e. Coordinating and facilitating departmental involvement on the community level;
 - f. Facilitating the Department's Affirmative Action and Equal Employment Opportunity Program.

PRE PAROLE SUPERVISOR

The Preparole Supervisor shall:

1. Under the direction of the Program and Training Manager be responsible for prerelease affairs for inmates granted parole in Districts, I, II, III and V; the Prerelease Supervisor in District IV shall be responsible for preparole and work release affairs solely in District IV.

2. Be responsible for processing all communications and documents necessary to facilitate inmate release as granted by the Board of Parole Commissioners.
3. Develop and conduct preparole planning classes for all inmates of Nevada State Prison, Northern Nevada Correctional Center.
4. Assist parolees in developing and evaluating release programs. The parolee shall receive counseling in educational/vocational programming, residence, employment and in all other areas affecting release.
5. Send preliminary release programs to the appropriate district supervisor for purposes of verification via the assignment of preparole investigations.

Effect the final program decision (approval or disapproval) after receipt of preparole investigation replies from field officers, and facilitate the subject's release on such date as indicated by the Board of Parole Commissioners.
6. Be the sole individual acting in the capacity of liaison between prison and district staff in coordinating pre-release matters. Communications shall not travel directly from district to prison staff regarding prerelease affairs.
7. Perform duties of the Workrelease Supervisor in the latter's absence.

INTERSTATE COMPACT SUPERVISOR

Under the direction of the Program and Training Manager the Interstate Compact Supervisor shall:

1. Plan, organize and direct the Interstate Compact program for the State of Nevada.
2. Be responsible for the receipt, distribution and approval or denial of all parole and probation cases referred to Nevada or referred out-of-state.
3. Assign and coordinate work within the districts and within Central as such relates to Compact caseload processing.
4. Approve and review all documents flowing through the Interstate Unit for example, violation reports and progress reports.
5. Develop and implement methods to change, coordinate, simplify and/or standardize procedures and systems to insure that Department and Compact objectives are met.

6. Develop and maintain a working relationship with other compact administrators, departmental staff and law enforcement agencies as required.
7. Attend National and Regional Interstate Compact Conferences in the capacity of a State and Department of Parole and Probation representative.
8. Compile information and prepare reports to be made available to the Courts, Board of Parole Commissioners, Board of Pardons, etc., as required.

WORK RELEASE SUPERVISOR

Under the direction of the Program and Training Manager, the Work Release Supervisor shall:

1. Coordinate and facilitate all facets of the Work Release program in District I, II, III and V; the Prerelease Supervisor in District IV shall perform like duties.
2. Develop and maintain open rapport and communications with community and state and federal government resource personnel and agencies.
3. Perform the role of liaison officer between the Department of Parole and Probation and the Department of Prisons on matters relating to 120 day evaluation commitments. The Supervisor shall correlate and expedite reports from the districts to the Department of Prisons and from the Department of Prisons to the court via the districts.
4. Notify the court of inmate enrollment in the work release program subsequent to the Board of Parole Commissioners granting work release privileges to an applying inmate.
5. Insure that inmates enrolled in the Work Release Program meet the criteria for participation. All documents and agreements necessary for ongoing enrollment shall be completed, signed and witnessed appropriately.
6. Conduct pre work release classes on a monthly basis.
7. Develop (or assign to the districts for development) employment opportunities and coordinate arrangements for transportation and lodging in city and county jails and/or in a Nevada State Prison facility.
8. Maintain accurate and up-to-date records of enrollee hours, wages, net earnings, etc., for all enrollees in all districts.
9. Provide ongoing supervision of enrollees, conduct

surveillance and investigations, make and assist in making arrests, transport and assist in transporting violators, assist other law enforcement agencies as needed as requested, prepare and present violator cases to the Parole Board, file criminal complaints and assist in prosecution of enrollees who commit new crimes.

10. In addition, perform preparole functions in facilitating job placements for parolees, aiding in planning for release of inmates granted parole, initiating and checking parole agreements and transporting parolees from NSP to program areas.
11. Perform duties of the Pre Parole Supervisor in the latter's absence.

SENIOR PAROLE SPECIALIST

Under the direction of the Program and Training Manager, the Senior Parole Specialist shall:

1. Be responsible for the operations of the Special Services Unit and the staff assigned thereto.
2. Act as Department Rangemaster.
3. Be responsible for security systems throughout the State.
4. Perform as otherwise outlined in the Special Services Unit herein. (Investigation Skills).

ACCOUNTING UNIT

Under the direction of the Chief Parole and Probation Officer the Accounting Unit shall:

1. Prepare administrative budgetary programs.
2. Prepare all administrative accounting including payment for travel expenses, billing claims, etc.
3. Prepare all payroll documents for processing.
4. Evaluate and approve all purchase requisitions and warehouse orders.
5. Maintain, track and record all Department inventory.
6. Prepare all Motor Pool requisitions.
7. Process restitution payments in accordance with Court Orders.

8. Prepare and process parolee loan fund.
9. Prepare statistical data as requested by the Department.
10. Prepare all financial reports as required by the Department.

MANAGEMENT ASSISTANT

Under the direction of the Chief Parole and Probation Officer the Management Assistant shall:

1. Process all documentation for the northern districts for presentation to the Board of Parole Commissioners.
2. Review, on a timely basis, the files of each alleged violator assuring the proper filing of all required documents and data and follow up on district officers where documentation is lacking.
3. Prepare packets for Districts I, II, III and V for all Board members and for counsel for revocation hearings.
4. Be responsible for all personnel paperwork and shall act in a liaison capacity with line clerical staff in district offices in processing such paperwork.
5. Conduct annual training management workshops for all department support staff with the assistance of the Program and Training Manager.

STATISTICAL CLERK

Under the direction of the Chief Parole and Probation Officer, the Statistical Clerk shall:

1. Collect, analyze and log all data on convicted persons in the State of Nevada. Such data shall be drawn from presentence and disposition reports.
2. Collect, analyze and log all data on parolees released after July 1, 1980, referencing discharge and revocation. Such data shall be utilized for processing follow up studies on parole.
3. Record those individuals granted probation consecutive to parole, probation consecutive to a prison term and/or, either concurrent or consecutive with a prison term in another state. The Statistical Clerk shall forward a letter of notification to the appropriate prison and shall coordinate such data with the Preparole Supervisor, Central Office.

4. Process data as requested by the Department for report writing purposes: Contribute Department data for the Uniform Parole Reports and reports for the National Council on Crime and Delinquency.
5. Provide information as requested and approved by the Department, to government, community and private individuals and agencies.
6. Enter all data into the Department word processing machine to be retrieved and made available for report writing and information purposes.

OTHER SUPPORT STAFF

Other support staff shall be assigned to both specific and general duties including, but not limited to:

1. Maintenance of Central case files on all probationers and parolees.
2. Maintenance of all personnel files.
3. Performance of assignments as requested by the Preparole, Work Release and Interstate Supervisors (Central Office) or by the Special Services Unit and other staff.
4. Clerical duties for executive officers, etc.

SECTION 3: DISTRICT OFFICES

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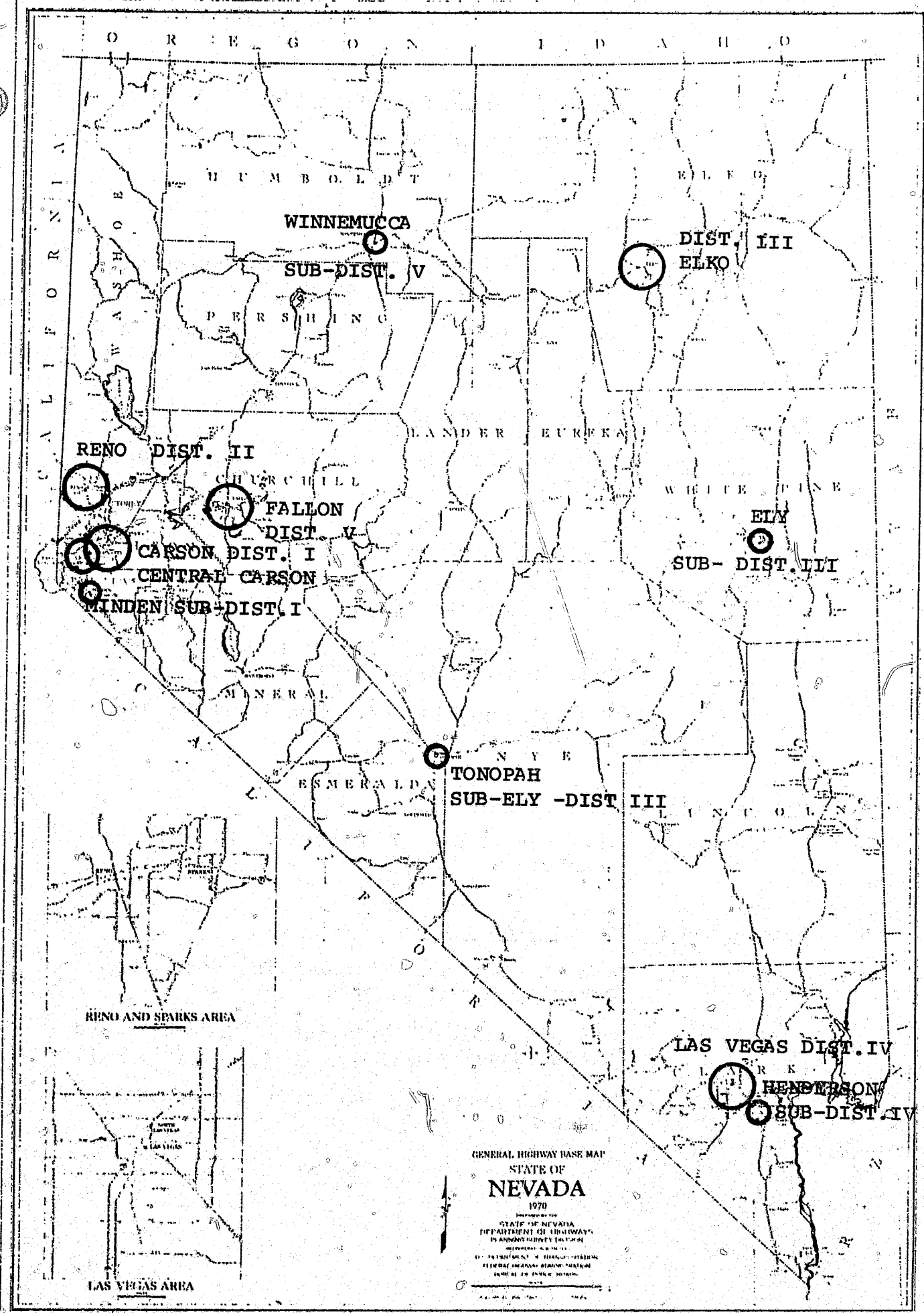
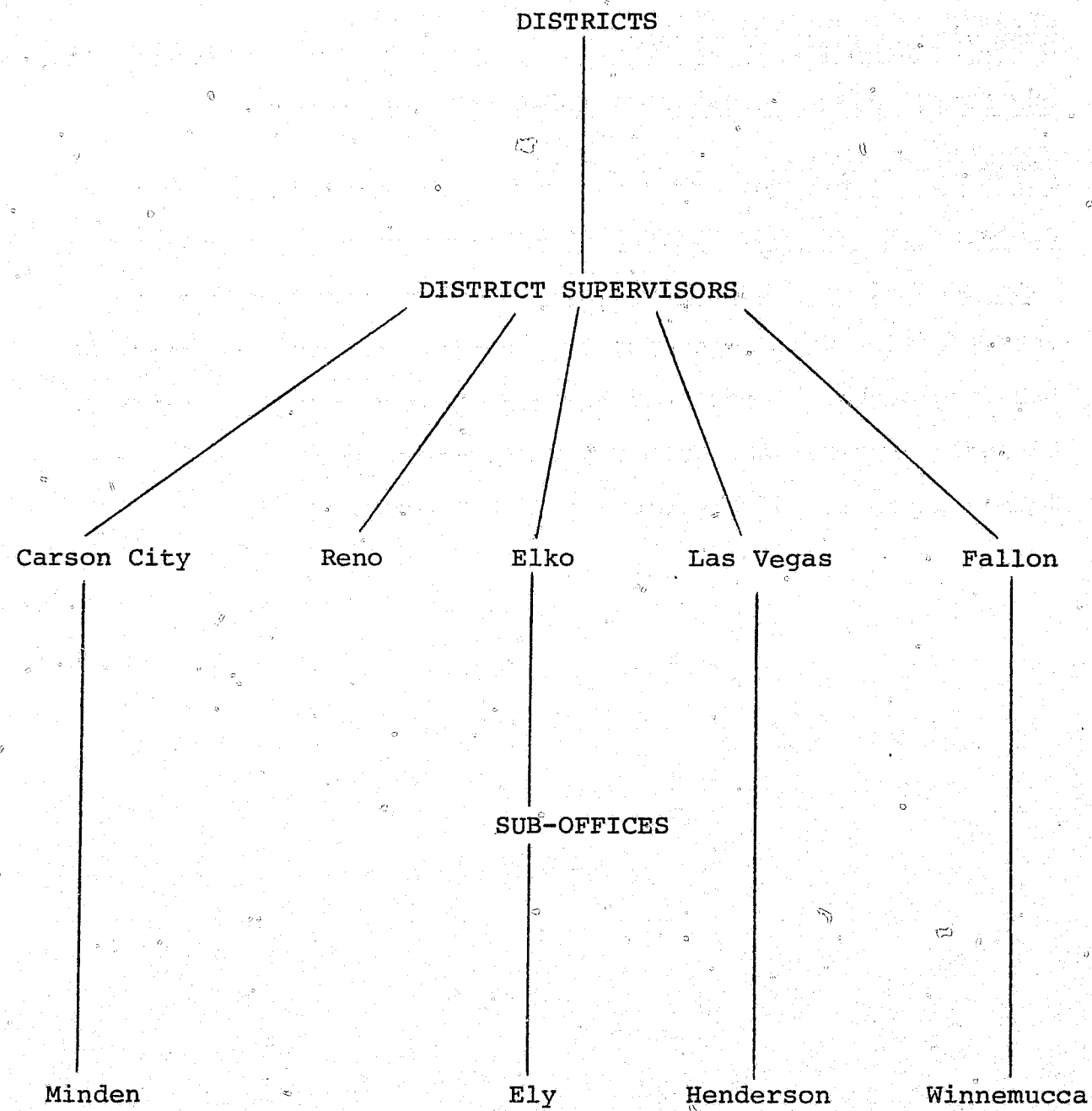
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JUDICIAL AND PAROLE AND PROBATION

DISTRICTS IN NEVADA

1. Parole and Probation District I:

Serves: The 1st Judicial District in Carson City and Storey Counties, and;

The 9th Judicial District in Douglas and Lyon Counties.

2. Parole and Probation District II:

Serves: The 2nd Judicial District in Washoe County.

3. Parole and Probation District III:

Serves: The 4th Judicial District in Elko and Eureka Counties, and;

The 5th Judicial District in Nye and Esmeralda Counties, and;

The 7th Judicial District in White Pine, and Lincoln Counties.

4. Parole and Probation District IV:

Serves: The 8th Judicial District in Clark County.

5. Parole and Probation District V:

Serves: The 6th Judicial District in Humboldt and Pershing Counties, and;

The 3rd Judicial District in Churchill and Lander Counties, and;

The 5th Judicial District in Mineral County.

DISTRICT SUPERVISORS/GENERAL DUTIES

District Supervisors under the direct supervision of the Deputy Chief are responsible for administering, supervising and directing the Parole and Probation Program within their district.

A major responsibility of District Supervisors includes administering and assisting new staff in the development and implementation of new programs within the districts in efforts to enhance effective functioning.

Overseeing and defining training needs of staff members with the assistance of the Program and Training Manager is a continual responsibility along with performing the role of liaison officer with courts, law enforcement and criminal justice agencies.

District Supervisors need to maintain a working knowledge of: the principles of parole and probation casework techniques and applications, court procedures relative to their specific districts, up to date knowledge and awareness of case decisions and law effecting parole and probation administration, etc.

UNIT SUPERVISORS/GENERAL DUTIES

The Unit Supervisor under the direction of their respective district supervisor shall facilitate all matters pertaining to their particular area of supervision within the district and shall perform all other duties as assigned by the district supervisor.

Areas of supervision are defined as specialty units established to meet unique needs within the districts. For example, District II also services an Intensive Services Unit on a small scale. In District IV, four specialty units are serviced including: Investigation, and Restitution (CPR Unit).

Investigation Unit Supervisor: General Duties

The Unit Supervisor in the Investigation Unit assumes responsibilities including the overall supervision and control of all investigative matters assigned to the Unit by higher authorities, for example, by the courts, the Chief, etc. The Unit Supervisor reviews all presentence reports, meets training needs within the Unit, appears in court as a representative of the Department, attends sentencings, etc.

In District IV, the Investigation Unit Supervisor is further responsible for the control and administration of Court Services in that the Supervisor performs the role of liaison in maintaining contact with the district court system, and law enforcement agencies and personnel within the district.

Supervision Unit Supervisor: General Duties

The Supervisor oversees activities of all parole and probation officers involved in active field supervision of probationers in District IV and of probationers and parolees in District II and as otherwise detailed in the work performance standards of the position.

Intensive Supervision Unit Supervisor: General Duties

The Supervisor is responsible for functions and duties of both investigation and supervision unit supervisors in addition to supervising special interest cases, for example, intensive supervision of drug addicts, etc.

Compact, Parole and Restitution Unit Supervisor (CPR): Duties

The CPR Unit presently exists in District IV. The Supervisor is responsible for directing the activities of all officers assigned to active field supervision of interstate compact cases, Nevada parolees and Nevada probationers owing restitution.

SECTION 4: GENERAL INFORMATION AND POLICIES

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GIFTS AND GRATUITIES

For Staff

It is the policy of the Department of Parole and Probation that staff never accept, on behalf of staff, any gift, gratuity or contribution from any source, when such a showing of appreciation is related to his/her work in the Department. This would not preclude having a cup of coffee with a client when making a call or accepting a cigarette during an interview but would exclude most other occurrences.

Staff shall at no time purchase anything from or sell anything to a client. Staff shall not loan money or any item to a client. Staff shall not be permitted to borrow money or any item from a client. This subject is further addressed in the Departmental Incompatible Activities, Section C(1-2).

For the Department

Offers of money or materials for the Department's use from clients or interested parties shall be politely but firmly rejected. A similar offer from a non-client, non-interested party or group shall be tentatively accepted without specification of application and with an understanding that the matter shall be referred by the officer to the administration for processing.

Any gifts received by the Department shall be approved by the Nevada State Legislature.

SPEECHES

All members of the Department are encouraged to participate in a public education program on behalf of the Department. Speakers shall generally be made available to groups such as service organizations, PTA groups, church organizations, etc.

Assignments to make speeches shall generally be made by the District Supervisor or Central Office. Assigned persons or panels may contact Central to gather background information and materials along with statistical data. Assigned staff shall coordinate their efforts with the chairperson of the group requesting the program.

A brief report of the program shall be made subsequent to the engagement. The report should address the overall nature of the presentation including audience reaction and participation and should point out any unusual developments which might be of interest or concern or which might require attention by the administration of the Department. Submit the report to the Unit/District Supervisor.

COMMUNITY COMPLAINTS

Employees in government service are the subject of criticism and complaint from time to time. It is even more the case with probation and parole employees because of the nature of the work and special problems of the clients.

As a public agency, the administration shall inquire into complaints and concerns voiced by the community. Each complaint shall be processed as an individual matter. However, as a general rule, the inquiry shall be conducted involving as few people as possible and whenever possible, at the supervisory staff level. The staff member shall be fully informed regarding the complaint.

Complaints involving possible criminal activities shall generally be processed by Central Office Administrators and shall be dealt with in a confidential manner.

THE PRESS

All press releases designed by members of the Department shall be approved by the Chief Parole and Probation Officer prior to distribution. A copy of such shall be filed in Central Office.

Questions posed by members of the media to Department staff shall be referred to District Supervisors for response. District Supervisors shall offer that information which is an established part of public record, i.e., discharge dates, length of sentence, etc. Any questions covering other information should be referred to the Chief or Deputy Chief.

POLITICAL ACTIVITY

Employees have the right to vote as they desire and to express their political opinion on all subjects with the following exceptions.

1. No employee shall directly or indirectly solicit or receive or be in any manner concerned in soliciting or receiving any assessment, subscription, contribution, or political service, whether voluntary or involuntary, for any political purpose from anyone on any employment list or holding any position in the classified service.
2. No employee shall engage in any political activity during the hours of his/her state employ with the purpose of improving the chances of a political party or individual seeking office.
3. No Employee shall engage in political activity for the purpose of securing preference for promotion, transfer or salary advancement.

4. No employee shall, while off duty, engage in political activity to an extent that it impairs his or her attendance or efficiency as an employee.
5. No employee shall, as an employee in an agency administering federally aided programs, engage in political activity at any time which is forbidden by federal law.

OFFICER COMMUNICATIONS WITH INMATES OF NSP/GUIDELINES

Telephone Correspondence: It is a breach of institutional rules for inmates of the Nevada State Prison to telephone any state agency. Such communications shall be immediately reported to supervisory staff who will report this.

As a general guideline, employees of the Department shall not furnish any inmate with information but shall refer the inmate to his/her correctional classification counselor or the attorney of record.

Written Correspondence: In the event an officer receives correspondence from an NSP inmate, the officer, in answering the correspondence, shall submit a copy of the inmate's letter and officer's response to the correctional classification counselor at the respective institution.

If the name of the counselor is not available, the correspondence shall be submitted to the program director at the respective institution.

Note: This directive is per agreement with the Nevada State Prison and compliance is expected.

CORRESPONDENCE: GUIDELINES

All correspondence requiring an answer shall be answered promptly and without undue delay.

Occasionally, correspondence may be answered via a phone conversation. When the material discussed via the phone should be made part of a permanent record, documentation shall be made, for example, in the chronological entries.

TELEPHONE COMMUNICATIONS

Long Distance Calls: All long distance calls shall be charged to the Department. No personal long distance calls shall be permitted.

All long distance, direct dial calls, shall be approved by the Unit or District Supervisor prior to dialing.

Telephone Log Book: (See Attached) The Telephone Log Book shall be maintained as an official Department record, with the exception of the staff recorded below, all staff shall log each long distance call providing information as requested in the Log. Calls to Central Office need not be logged by any staff member unless this procedure is required by district policy.

The following district staff shall be exempt from recording in the Log: District/Unit Supervisors, staff directly charged with district compact duties and with restitution responsibilities, and the Parole Supervisor.

Monitoring/Supervisory Responsibility: The Unit or District Supervisor shall collect and review log sheets on a monthly basis and at that time provide officers with log sheets for the following month. Phone logs shall be forwarded to Central Office Accounting after supervisory review.

INSTATE AND OUT-OF-STATE WATS LINE INFORMATION

Instate: The Department is billed for three minutes for each long distance/instate call. After three minutes, the Department is charged on a per-minute basis.

WATS Lines for instate calls exist from Carson City, Reno, Elko and Las Vegas.

Dialing Instate: In Carson City, dial 180, after dial tone, dial 4 digit code + area code + number.

From Reno, connect into the University System. Dial 180. When you receive a dial tone, dial one and the seven digit number. The 180 code connects into the WATS Line. The call will be automatically timed for billing by the University.

From Elko, all WATS Line calls are placed through Elko State Office Building support staff.

In Las Vegas, dial operator and request the number. The operator will connect the caller to the WATS Line.

From Fallon, direct dial.

From Department sub-offices, dialing instate, long distance is accomplished by direct dial.

Outside Nevada: The Department is billed on a per-minute basis for all out-of-state dialing.

WATS Lines for out-of-state dialing exist from Carson City, Reno and Las Vegas. Connections into the system are available for these districts throughout the continental United States.

Dialing Outside Nevada: From Carson City, dial 180. After dial tone, dial 4 digit code + area code + the number.

From Reno, dial 185. When you receive a dial tone, dial 1 + the seven digit number. 185 connects the caller to the WATS Line. The call will be automatically timed for billing by the University.

From Elko, all WATS Lines are placed through Elko State Office Building support staff.

From Las Vegas, dial operator and request the number. The operator will connect the WATS Line.

From Fallon, direct dial.

From Department sub-offices, dialing out-of-state calls is accomplished by direct dial.

DRESS

As professionals and representatives of the Department, staff shall be expected to use basic common sense in selecting dress as well as meeting Department guidelines:

Women: Coordinated suits, pantsuits, slacks, dresses, skirts and blouses shall be acceptable attire. Bare midriffs and revealing necklines and hemlines are neither professional nor permitted.

Men: Coordinated suits, slacks and sport coats shall be acceptable attire. A tie should always be available. Shoes and boots shall be polished and shined.

In All Cases:

1. Jeans and t-shirts are not appropriate. The exception being denims which are a part of a suit or coordinated apparel.
2. Dress shall be appropriate for court, field and office.
3. Dress shall be neat, clean and pressed, and shall establish suitable example for clients.

Department Expectations:

Staff is also expected to be well groomed at all times. As professionals, simple cleanliness is a very basic expectation. This includes proper personal grooming and care of wearing apparel.

It is the responsibility of all supervisors to insure that

Department guidelines are met at all times which may include the necessity of a corrective conference to alleviate unacceptable dress or grooming.

Exceptions to Dress Code:

Exceptions apply in cases of planned searches, surveillance, etc.

Note: Direct further questions regarding dress to the District Supervisor.

USE AND CARE OF STATE CARS

1. Use: In accordance with NRS 204.080, state autos shall be used for state business only.
2. State employees and/or other persons on official state business may be transported in state cars.
3. State vehicles may be used for transport to and from work in those cases where officers shall be involved in evening case supervision for the Department of Parole and Probation.
4. State vehicles shall not be used for other private purposes, i.e., shopping, recreation, etc.

Care and upkeep: The individual assigned to the use of the vehicle shall:

1. Insure that the vehicle receives regular maintenance checks. Insure that the vehicle is kept clean on an ongoing basis.
2. Insure that reports are submitted on a monthly basis including Vehicle Requisition and Trip Report and Motor Pool Fuel Consumption Record. Insure that charge slips are attached to the Fuel Consumption Record if fuel is purchased from non-state facilities.

Insure that Form 7M, Return of Violators by Cars for Parole and Probation is submitted as appropriate along with the Vehicle Requisition and Trip Report (See Attached).

3. Insure that all supplies are maintained in the vehicle including gas logs, credit cards, evidence kits, first aid supplies, flares and other emergency equipment.

AUTO ACCIDENTS/PROCEDURES

The following procedure shall be followed if an employee of the Department is involved in an auto accident:

1. Give emergency first aid treatment to any person who sustains injury to the best of your ability per the "Good Samaritan" principle.
2. Make use of flares which may be found in the trunk of the auto. Flares shall be used in emergencies or accidents occurring during evening hours. Request replacement flares from State Motor Pool.
3. Summon a law enforcement officer and do not leave the scene of the accident until the officer has arrived and indicated that you may do so.

If the officer issues a citation, sign and accept it.
4. Record the names and addresses of all injured persons and the names and addresses of all persons who were in vehicles involved in the accident.
5. Record the names and addresses of any persons you believe to have witnessed the accident.
6. Make no statement concerning the accident, except to the investigating officer.
7. If your auto is disabled, call the Motor Pool (collect if necessary) and advise them of the circumstances. They will process arrangements for towing.

If you are a considerable distance from the Motor Pool, arrange to have the car towed to a nearby garage and request the state be billed for the service.

Reporting Procedures: Complete the formal Accident Report (attached) immediately upon your return to the office. Motor Pool shall provide you with instructions for processing the report.

In addition to those procedures set forth herein, copies of all accident forms and reports, and any other data regarding an accident with a state vehicle, shall be immediately sent to the Chief Parole and Probation Officer.

HIGH SPEED CHASES/PROHIBITED

High speed chases shall under no circumstances be conducted or engaged in by a Department of Parole and Probation Officer.

ACCIDENT/DAMAGE REVIEW BOARD

I. The purpose of the Review Board is:

- a. Standardize review of incidents.
- b. Eliminate potential problems/causes.
- c. Reduce negative impact trends.
- d. Reduce loss.
- e. Provide analysis of factors contributing.
- f. Make recommendations regarding disposition of case including corrective action, if required.

II. Board Hearing:

- a. To be held within 5 working days of incident.
- b. Finding and recommendation to be reported to Central within 24 hours of hearing.
- c. Written report to follow within 48 hours of hearing.
- d. Chief or Deputy Chief to make decision on disposition.

III. Responsibilities of Board:

- a. Review facts of incident.
- b. Interview those involved including drivers, vehicle assignee, witnesses, etc.
- c. Determine if incident was, 1) preventable, 2) actionable (i.e. discipline due), 3) non-preventable.
- d. Make determination.

IV. Guidelines:

- a. Intersection Accidents - It is the responsibility of the drivers to approach, enter, or cross intersections in a safe manner, and they should

be prepared to avoid any accident that might occur through the action of other drivers. Complex traffic movements, blind intersections or failure of the "other driver" to conform to law or traffic control devices will not automatically discharge an accident as non-preventable. Intersection accidents can be preventable even though the state driver has not violated traffic regulations. The failure to take precautionary measures prior to entering the intersection is a factor to be studied in making the final decision.

- b. Backing Accidents - Almost all backing accidents are preventable. A driver's responsibility is to back safely even when someone is assisting by giving the driver directions. A driver's responsibility is to check all clearances personally. Backing a vehicle should be avoided as much as possible.
- c. Front End Accidents - Regardless of the abrupt or unexpected stop of the vehicle ahead, the driver should be following at a distance that will allow a safe sudden stop if necessary without colliding with the vehicle in front of him.
- d. Rear End Collisions - It is also determined that an accident should be preventable if the driver does not signal his intentions to stop. Allowing a vehicle to stop and then roll back into another vehicle is preventable.
- e. Passing Accidents - Failure to pass a vehicle safely indicates poor judgment. There are several important factors that must be considered prior to making a passing movement.
- f. Being Passed - It is important to allow sufficient clearance for a vehicle which is passing. To speed up or cut off a vehicle when that vehicle is in such a vulnerable position is failing to yield to that vehicle.
- g. Approaching Vehicle Accidents - When a vehicle is approaching and is on a collision course, every attempt should be made to avoid that collision, i.e. slowing down, pulling to the right, blinking lights or sounding horn if time permits.
- h. Turning Accidents - A turning movement is the responsibility of the driver making the turn. Failing to signal, improper position for the turn,

Motor Pool Use Only: Amount to be billed \$

185079

NEVADA STATE MOTOR POOL VEHICLE REQUISITION AND TRIP REPORT

Agency to be charged Department of Parole & Probation

Division to be charged District I

Vehicle No. BMW900

Budget account No. 3740

Return date July 31, 1980 Return time 5:00 p.m. Ending 3948

Departure date July 1, 1980 Departure time 8:00 a.m. Beginning 3248

Destination Statewide Estimated date of return Continuous Total miles driven 700

Approved by Signature of agency head Vehicle received by Assigned Vehicle Officer Signature of driver

MOTOR POOL USE ONLY Charges: Airport pick up, Airport delivery, Parking, Total charges, Motor pool attendant Signature

Social Security No. 116-42-4242

NOTE: By signature above, driver certifies that he has a valid Nevada Operator's license, and that he is cognizant of State Law concerning misuse of State-owned vehicles.

Vehicle returned by [Signature] Signature of driver

NOTE: By signature above, driver certifies that he has reported any accidents involving the vehicle during his use, any citations received resulting from vehicle use, that he has reported any vehicle defects to the Motor Pool Attendant, and that speedometer readings and miles driven as shown above are accurately reported.

REMARKS: (Include vehicle malfunctions or adjustments required, accidents, citations received, etc.) Car in service at Motor Pool for 2 weeks from 7-7-80 through 7-25-80. Used #WBM 385 in place of the above.

MT01 MT03

STATE OF NEVADA - FUEL USE LOG LICENSE NUMBER BMW900 AGENCY NUMBER 3740

Table with columns: DATE, ODOMETER READING, GALLONS, COST, INITIALS. Rows include dates 4/30, 7/1, 7/18, 7/30 with corresponding odometer and gallon readings.

TOTAL GALLONS THIS MONTH 3110

FORM 7M (3/81) DEPARTMENT OF PAROLE & PROBATION
MC5473 RETURN OF VIOLATORS BY CAR

OFFICER: _____

DATE OF TRANSPORT: _____

VIOLATOR (Parolee or Probationer): _____

DESTINATION: _____

MILEAGE: BEGINNING: _____ MOTOR POOL CAR#: _____

ENDING: _____

DEPART: _____ RETURN: _____

SIGNATURE: _____

FORM 7M (3/81) DEPARTMENT OF PAROLE & PROBATION
MC5473 RETURN OF VIOLATORS BY CAR

OFFICER: _____

DATE OF TRANSPORT: _____

VIOLATOR (Parolee or Probationer): _____

DESTINATION: _____

MILEAGE: BEGINNING: _____ MOTOR POOL CAR#: _____

ENDING: _____

DEPART: _____ RETURN: _____

SIGNATURE: _____

FORM 7M (3/81) DEPARTMENT OF PAROLE & PROBATION
MC5473 RETURN OF VIOLATORS BY CAR

OFFICER: _____

DATE OF TRANSPORT: _____

VIOLATOR (Parolee or Probationer): _____

DESTINATION: _____

MILEAGE: BEGINNING: _____ MOTOR POOL CAR#: _____

ENDING: _____

DEPART: _____ RETURN: _____

SIGNATURE: _____

SECTION 5: PERSONNEL, POLICIES AND PROCEDURES

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HIRING AND PROMOTIONAL POLICY STATEMENT

In order to secure and retain competent staff and to foster effective staff teamwork, it is the administrative policy of this Department to employ and promote the best person available for each position, irrespective of race, creed, national origin or sex.

Eligibility for employment in the various positions within the Department shall follow the guidelines set forth by the State Division of Personnel.

DEPARTMENT POLICY: TRAINING AND DEVELOPMENT

Policy Statement: The training and development policy of the Department rests with the belief that people are the greatest asset to any organization, and hence, that development of Department employees shall be of the highest priority to the management of the Department.

Training Programs: Three training programs have been designed for the new employee incorporating Basic Skill Development (Department Orientation, Technical Skills, Investigation Skills and Supervision Skills); On the Job Training; and P.O.S.T. (Peace Officer Standards Training).

Training programs shall be offered and completed within the first twelve months of one's employ with the Department with the exception of special circumstances.

As opportunities arise, ongoing training via non-departmental and departmental programs shall be offered to all Department staff.

Continued Training: The Department encourages continued training and education in those areas which will afford staff the ability to perform assigned duties with expertise, effectiveness and efficiency. See Department Training Manual for further discussion.

The Department encourages staff to submit requests for continued training, and likewise, encourages Unit and District Supervisors to screen such requests in a supportive manner when requests are deemed beneficial to the individual's training and development.

TR17: Form TR17, Request for Training, shall be submitted and routed in accordance with directions provided herein. (See Attached).

Training and Working Hours: Mandatory training shall be treated as work time; however, attendance at optional training sessions may require the individual to maintain up-to-date assignments and supervision.

Upon approval it shall be possible for staff to be involved in continued training programs. In this case staff will request adjusted workday schedules provided such schedules do not interfere with the smooth functioning of the district. Adjusted schedules would entail using lunch hour for work, working later in the evenings, etc.

WORKING HOURS/WORK SCHEDULES

Working Hours: All probation and parole officers shall work a 40 hour, 5 day, work week. Due to the nature of work, an officer shall anticipate a flexible schedule on approval by the District Supervisor.

Working evenings as a matter of case supervision is not unusual. Officers shall be expected to adjust schedules in order to avoid exceeding an eight hour work day; hence, compensatory time shall not be accumulated. When necessary, the officer shall arrange to work, for example, from ten to seven or noon to nine. Shift work and adjusted work day schedules may be mandatory.

State Administrative Manual per Rule VII A dictates:

The normal work week for state employees shall be 40 hours... The normal work day for state employees shall consist of two, four hour work periods separated by a one-half to one hour meal period. During each four hour work period, an employee shall receive a rest period of fifteen minutes.

S.A.M. further permits vacations upon approval by agency administrators.

Overtime/Compensatory Time Off

With the exception of emergencies, all overtime shall be approved by the Unit or District Supervisor in advance of earning such overtime, not subsequent to it.

An emergency would be a situation where the employee could not take the time to call or locate the Supervisor to advise of the critical situation at hand. In most instances, such emergencies would be rare and would not normally occur during regular working hours in urban offices.

In the case of an emergency, the officer is to contact the Supervisor and advise same of the situation and obtain appropriate approval.

Requests for Overtime: Supervisors shall not rubber stamp requests for overtime. If, for example, an officer requests overtime or additional back-up for purposes of a search, arrest,

etc., the Supervisor shall determine if, in fact, the action must be taken at the immediate time or if the action could be temporarily postponed to a time which would not require the approval of overtime.

Individual District Supervisors may require that the prior approval be in writing. The administration neither solicits nor is opposed to volunteer time.

Compensatory Time: In all cases including emergencies, Department personnel shall compensate for overtime work during the week in which overtime was accumulated. Therefore, the time shall not be considered as overtime hours and shall be considered as part of the normal 40 hour work week.

OUTSIDE EMPLOYMENT

In accordance with the State Administrative Manual, 11th Edition, 1980, Rules for Personnel Administration, Rule XI:

Employees shall not engage in any employment activity or enterprise which has been determined to be inconsistent, incompatible or in conflict with their duties as state officers and employees, or with the duties, functions or responsibilities of their appointing authorities or agencies by which they are employed.

Approval: Every officer, before engaging in any outside employment, or enterprise, shall submit a statement to his/her Supervisor naming the prospective employer, address and phone number, and outlining the proposed duties or activities. The Supervisor shall make a recommendation regarding approval and shall refer such to the Chief Parole and Probation Officer who has the sole authority to grant permission. Permission must be received in writing by the requesting party before being considered official. (See IC,pg.1).

Guidelines:

In accordance with Department Policy, an officer's first duty regarding employment shall be to the Department of Parole and Probation. Should any outside work or activity in any way interfere with the officer's performance, the officer shall be asked to decide between terminating the outside employment or leaving the Department.

Restrictions in light of outside employment shall be referenced in the departmental Incompatible Activities Schedule.

PROCEDURES GOVERNING DISCIPLINARY ACTIONS OF EMPLOYEES

The following policies adopted by the Chief Parole and Probation Officer shall be in accordance with the State Administrative Manual, Rules for Personnel Administration, Rule XII. In addition to Section D therein, officers are held responsible for the Department Incompatible Activities.

The Chief Parole and Probation Officer shall be responsible for the orderly administration of the Department and the discipline of the employees therein.

The Chief Parole and Probation Officer may dismiss, suspend, or demote any employee of the Department in a classified service provided the rules and regulations of the State Division of Personnel are followed and provided that the employee has a right of appeal to the Division of Personnel.

EMPLOYEE GRIEVANCES

The following policies adopted by the Department of Parole and Probation shall be in accordance with the State Administrative Manual, Rules for Personnel Administration, Rule XV.

The following procedures shall be adhered to in the matter of grievances. The party filing the grievance shall:

Step I: Discuss the problem area with the immediate Supervisor. Clerical staff shall discuss the problem with their immediate Supervisor while officers shall discuss the problem with their Unit Supervisor or equivalent officer. Staff in the rural areas shall bypass this process and continue with Step II in seeking problem resolution.

Step II: If the problem is not resolved, discuss the situation with the District Supervisor. If the problem is not resolved, write to the Deputy Chief as is instructed below.

Step III: Within ten (10) working days of the final discussion in Step II, write to the Deputy Chief through the supervisory chain of command, stating the matter of grievance. At this time, if it has not already been accomplished, a written appeal should also be filed with the Personnel Advisory Commission, pursuant to NRS 284, for any action involving dismissal or suspension. The Departmental procedure should be exhausted before appealing directly to the commission. However, by filing an appeal an individual's rights are protected should it be necessary for the matter to go before the Commission. The Deputy Chief shall have ten (10) working days from the date of the original correspondence to make a decision. The individual shall continue with Step IV if the problem has not yet been resolved.

Step IV: Within ten (10) working days of the decision in the above Step, appeal to the Chief in writing for a review of the decision. Within ten (10) working days from the date of the request for review the Chief shall render a final departmental decision. The employee, if not satisfied, may proceed with Step V.

Step V: Within (5) working days from the date of the decision of the Chief, file a written request to the State Personnel Division to place the entire matter on the agenda of the State Personnel Advisory Commission if the grievance involves dismissal, suspension, salary or classification. Those matters involving suspension or dismissal must be heard by the State Personnel Advisory Commission within forty-five (45) days from receipt of the employee's request.

Decisions from the State Personnel Advisory Commission may be directed to the Court for civil action.

STATE OF NEVADA—PERSONNEL DIVISION
 RESOURCE DEVELOPMENT AND TRAINING SECTION

REQUEST FOR TRAINING

A. Department Parole and Probation Division District II Office/Section Court Unit

Office/Section Address 511 E. 2nd Street, Reno, NV Date Submitted 10-16-90

B. Training for: Name(s) Officer Title(s) P&P II Grade(s) 32

C. REQUEST Release Time Payment for Costs
 D. PROGRAM INFORMATION Course Title Work Performance Standards No. of Credits Univ. 0 CEU's _____

E. TRAINING IS Division Directed Employee Requested
 Location Transportation Building, Reno Total Hours of Training 6
 Offered by R, D, & T, State Personnel Total Hours of Administrative Leave 6
 Date(s) 10-30-90 Hours 9-4 p.m.

F. Officer signs Participant's Signature _____ Office Phone 784-6441

G. State the objectives of the training and how it will improve work performance. How can the results of the training be measured?
 Attach an outline or description of the training program if available. Part of Staff Development program required.

H. EXPENSES List of A-G Is Required
 A. \$ _____ Transportation
 B. _____ Per Diem
 C. _____ Tuition
 D. _____ Fees
 E. _____ Books/Supplies
 F. _____ Other
 G. \$ _____ Total
 Agency Cost Code Number _____

I. IMMEDIATE SUPERVISOR (Note reason in comments)
 Approve Cost Approve Adm. Lv. Disapprove
 Signature _____ Date _____

J. TRAINING REPRESENTATIVE (Note reason in comments)
 Approve Cost Approve Adm. Lv. Disapprove
 Signature _____ Date _____

K. OTHER (If required) (Note reason in comments)
 Approve Cost Approve Adm. Lv. Disapprove
 Signature _____ Date _____

COMMENTS:
 Sections H to L, inclusive shall be completed by the Department of Parole and Probation.

L. DEPARTMENT/DIVISION
 Reimbursement of Cost Approved Disapproved
 Administrative Leave Approved Disapproved
 Approving Authority or Representative _____ Date _____

M. RESOURCE DEVELOPMENT AND TRAINING SECTION
 Approved Disapproved Project Number _____
 Resource Development and Training Representative _____ Date _____

FORM 29M (REV. 9/80)
 MC22745

DEPARTMENT OF PAROLE AND PROBATION
 EMPLOYEE GRIEVANCE FORM

TO: DEPUTY CHIEF _____ DATE: _____

NAME: _____ CLASSIFICATION: _____

DESCRIPTION OF PROBLEM:

ACTION REQUESTED:

VERBAL REVIEW:

I discussed this verbally with my immediate supervisor on
 Date: _____ Signature: _____

I discussed this verbally with my District Supervisor on
 Date: _____ Signature: _____

SECTION 6: CONFIDENTIALITY AND RELEASE OF INFORMATION

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PRIVILEGED INFORMATION

Per NRS 213.1098: All information obtained in the discharge of official duty by a parole and probation officer or employee of the Board shall be privileged and shall not be disclosed directly or indirectly to anyone other than the board, the judge, district attorney or others entitled to receive such information, unless otherwise ordered by the board or judge or unless necessary to perform the duties of the department.
(Added to NRS by 1959, 799; A 1975, 179).

In addition to NRS 213.1098, the basic principle when dealing with release of confidential information is that no information relating to any client may be released to any unauthorized person or agency. Such information relates to both verbal and written communication.

RELEASE OF INFORMATION: GUIDELINES

Compliance with the Nevada Records of Criminal History Act, Nevada Revised Statutes, Chapter 179A is initially assumed. In addition:

1. No information of any nature should be released to persons who request it merely because they are curious or interested.
2. No information of any nature should be given to persons who request it when such persons have no formal connection with the matter.
3. Adequate information should be provided to agencies having a mutual interest in a client. Information should be presented as an overview. See Nevada Records of Criminal History Act, NRS 179A.070.
4. Information should be presented in a complete format when transferring cases from district to district or to other states, federal and selective private agencies and institutions.
5. Full and complete information should be released to such investigative groups as the grand jury upon proper authorization or order. See Nevada Records of Criminal History Act.

PHYSICAL ENVIRONMENT

1. Case File Security: Information contained in the files of the Department is deemed confidential. Files and other confidential materials shall be placed in an area which will provide maximum security. Hence, confidential materials shall not be left in accessible areas, i.e., unattended

on desk tops during the day or night hours on filing cabinets, in unlocked automobiles or, when left in locked automobiles, files shall be placed out of sight or in a manner where identifying data is not visible.

2. Movement of Files: Unless absolutely necessary, files shall not be taken from the office. The exception arises with the officers receipt of a subpoena duces tecum. The officer shall take the original file and/or file documents as specifically requested. In all instances, the officer shall be certain to copy the file or documents for the district files. Reference, Testifying. Technical Skills.
3. Dissemination of Information in Files: When releasing any information to authorized others, a chrono entry shall be made indicating the date of the release, to whom, for what purpose, by whom and documents distributed.

RELEASE OF INFORMATION TO SUPERIORS

Periodically, developments may surface which contain information which should be communicated to the administration. Such notification should flow through the chain of command en route to the administration.

Examples of situations in which the administration should be advised of case developments follow:

1. When public and/or police opinion runs high.
2. When the press may express an unusual interest.
3. When political implications exist.
4. When major policy decisions are affected.
5. When repercussions because of Departmental or mechanical staff error, appear likely.
6. When sound professional judgment suggests that the administration should be informed.

RELEASE OF INFORMATION TO EMPLOYERS

Reference Nevada Records of Criminal History Act, NRS Chapter 179A.100: Records which may be disseminated without restriction; persons to whom records may be disseminated upon request.

Department Policy: It shall be the policy of the Department of Parole and Probation that supervising officers advise employers, both pending and current, of the criminal background of clients under their supervision in cases as outlined below:

1. Crimes Against the Person and Sex Offenses

In those cases where the client has ever been convicted of a

crime against the person, or a sex crime, the officer shall:

- (a) Advise the employer or prospective employer of the conviction.
- (b) Advise the employer or prospective employer of the circumstances of the offense as well as aggravating and mitigating circumstances.
- (c) Disclose to the employer or prospective employer the full criminal record.

2. Crimes of Violence and/or Sex Offenses

In addition to disclosure and employer acceptance, no person with a conviction for an offense in which actual violence was proven, or a sex offense was proven, shall be permitted to accept employment wherein the public is placed in jeopardy.

Recognizing that most clients must work, and some jeopardy could be argued in any situation, the above policy shall apply to employment which does not entail continuous supervision yet, does deal with the public. For example, in hotel work, a client shall be permitted to work as a dealer or bus boy, yet the client shall not be permitted to work in room maintenance or room services.

Clients in the above referenced grouping shall not be permitted jobs dealing with patients or students.

Clients in the above referenced grouping shall not be permitted to work in jobs which take them into private homes. This would include construction remodeling jobs, service delivery, yard maintenance, etc., unless under direct supervision of a work supervisor who has knowledge of the criminal background.

As all job categories cannot be recorded, it shall be the responsibility of the supervising officer to confer with the appropriate supervisor if any doubt or question surfaces.

3. Property Offenses

In any case where the Department of Parole and Probation assists in the employment of clients with backgrounds of property offenses, including those cases simply involving referrals, direct or via other sources, the employer and/or prospective employer shall be informed of the status and criminal conviction background of the client. Details of the offenses need not be enumerated.

Clients presently under supervision for property offenses who have previous convictions in criminal activities referenced herein, shall be dealt with as indicated.

RELEASE OF INFORMATION TO EMPLOYERS, AUTHORIZATION:

PROCESSING FORM 164M

Release of information to programs and agencies, authorization, Form 165M, shall be completed and used for mental health counseling, alcohol and drug treatment programs and medical or hospital personnel. The client authorizes the department to release specific information to the above referenced parties. A copy is to be filed on the district level.

RELEASE OF INFORMATION TO MEDIA

Reference General Information and Policies, Orientation Skills, for authority to release confidential record information to the Media. The Nevada Records of Criminal History Act, NRS Chapter 179A, specifically outlines what records are to be distributed to the Media.

RELEASE OF INFORMATION TO EMPLOYERS, AUTHORIZATION

TO: DEPARTMENT OF PAROLE AND PROBATION

THIS WILL AUTHORIZE THE DEPARTMENT TO RELEASE ANY INFORMATION INCLUDING MY CRIMINAL CONVICTION HISTORY TO PENDING EMPLOYERS AND TO THOSE FOR WHOM I AM PRESENTLY EMPLOYED.

MY PERMISSION HAS BEEN SECURED. I HEREBY RELEASE THE DEPARTMENT OF PAROLE AND PROBATION AND ITS EMPLOYEES FROM ANY DAMAGE OR LIABILITY IN FURNISHING SUCH TO MY PROSPECTIVE AND/OR CURRENT EMPLOYERS.

DATE: _____

CLIENT SIGNATURE: _____

DATE: _____

WITNESS: _____

CASE FILE# _____

Original: District File

RELEASE OF INFORMATION TO PROGRAMS AND AGENCIES, AUTHORIZATION

I AUTHORIZE: THE DEPARTMENT OF PAROLE AND PROBATION

TO RELEASE TO: _____
(PERSON/AGENCY RECEIVING INFORMATION)

ADDRESS _____

THE FOLLOWING INFORMATION: _____

The above information is released for the following purpose and that purpose specifically. Any other use is forbidden.

THIS CONSENT SHALL EXPIRE ON: _____
(DISCHARGE DATE)

Information given or received pursuant to this consent is confidential. Further disclosure to other persons or agencies is strictly forbidden by Federal Law without the specific written consent of the client with the exception of program or physical audit where such information is kept confidential.

DATE: _____

CLIENT SIGNATURE: _____

PARENT/GUARDIAN IF NEEDED: _____

DATE: _____

WITNESS: _____

CASE FILE#: _____

Original: District File

PART II

TECHNICAL SKILLS: SECTIONS 7 TO 20

Section 7-----Arrest

Section 8-----Search

Section 9-----Evidence Policy and Processing

Section 10-----Hold Order

Section 11-----Bench Warrants (Felony)

Section 12-----Bench Warrants (GM)

Section 13-----Retake Warrants

Section 14-----Violation Reports: Instruction for Completion

Section 15-----Preliminary Inquiry Narrative

Section 16-----Document Flow: Preparation for Warrant Issuance and PI

Section 17-----Document Flow: Preparation for Court or Parole Board Revocation Hearing

Section 18-----Transport of Prisoners

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Section 20-----Firearms

SECTION 7: ARREST

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ARREST/DEFINED

Definition: An arrest is the taking of a person into custody in order that such person may be held to answer for a crime. The arrest is effected by actual restraint of the individual; per NRS 412.208, "directing him to remain within certain specified limits."

Authorization to Arrest: An arrest may be made by a peace officer or a private person as confirmed by NRS 171.124 and 171.126 respectively.

NRS 171.124: Arrest by peace officers.

1. A peace officer may make an arrest in obedience to a warrant delivered to him, or may, without a warrant, arrest a person:
 - (a) For a public offense committed or attempted in his presence.
 - (b) When a person arrested has committed a felony or gross misdemeanor although not in his presence.
 - (c) When a felony or gross misdemeanor has in fact been committed, and he has reasonable cause for believing the person arrested to have committed it.
 - (d) On a charge made, upon a reasonable cause, of the commission of a felony or gross misdemeanor by the party arrested.
 - (e) When a warrant has in fact been issued in this state for the arrest of a named or described person for a public offense, and he has reasonable cause to believe that the person arrested is the person so named or described.
 - (f) When the peace officer has probable cause to believe that the person to be arrested has committed a battery upon that person's spouse and the peace officer finds evidence of bodily harm to the spouse.
2. He may also, at night, without a warrant, arrest any person whom he has reasonable cause for believing to have committed a felony or gross misdemeanor and is justified in making the arrest, though it afterward appear that a felony or gross misdemeanor has not been committed.

Authorization to Arrest on Parole and Probation Violations: Probation and parole officers or any peace officer with power to arrest may, with or without warrant, arrest a probationer or parolee in violation of a probation or parole rule or regulation. Nevada Revised Statutes state that the officer shall arrest any subject for whom an outstanding warrant exists:

213.151:1 The board's written order, certified to by the chief parole and probation officer, is sufficient warrant for any parole and probation officer or other peace officer to arrest

any conditionally released or paroled prisoner.

213.151:3 Any parole and probation officer or any peace officer with power to arrest may arrest a parolee without a warrant if there is probable cause to believe that he has committed acts that would constitute a violation of his parole.

176.215:2 At any time during probation or suspension of sentence, the court may issue a warrant for violating any of the conditions of probation or suspension of sentence and cause the defendant to be arrested. Any parole and probation officer or any peace officer with power to arrest may arrest a probationer without a warrant or may deputize any other officer.

PROBABLE CAUSE

A peace officer possesses the right to effect an arrest upon establishing probable cause to believe a crime or violation has been committed. The courts have held that probable cause for an arrest is shown where an individual of ordinary prudence would be prone to believe that a crime has been committed. The evidence need not prove the individual's guilt beyond a reasonable doubt.

Knowledge that a crime has been committed in addition to one or more of the following would, for example, constitute probable cause:

1. Direct observation.
2. Fingerprint identification which indicates the subject was at the scene of the crime.
3. Identification by the victim or witness.
4. Attempt to hide or leave the area of the crime.
5. Information from a reliable informant.
6. Identification by unusual characteristics.

PROCEDURES AND PRECAUTIONS IN EFFECTING THE ARREST

Step I: The Decision to Arrest

The most important decision the officer will make, at this time, is whether or not an arrest should be effected. The officer needs to consider a number of elements including:

1. Has there actually been a violation of parole or probation conditions or has there actually been a (new) violation of the law?
2. Is there strength to the evidence against the individual?
3. Is arrest appropriate in light of the violation?
 - (a) Is there danger to persons (yourself and others) or

property if an arrest is not immediately made?

- (b) Would it be most beneficial to arrest now or at a later time after further investigation, after securing adequate backup, etc.?
- (c) Is it possible to process violation proceedings (Preliminary Inquiry Hearing/Revocation Hearing) without taking the client into custody?

4. Is arrest realistic in light of the expiration date of parole or probation?

Step II: Precautions - Operational Safeguards

Skill in effecting the arrest is a matter of training and experience. Certain basic rules shall be observed: Caution, preparation and planning and adequate backup are necessities.

The arrest shall be planned and consideration given to the safety of those making the arrest as well as to any other individuals in the area. The officer shall study the known information and, where advisable, process further investigations prior to effecting the arrest. In all cases, the officer shall anticipate and provide for difficulties. Although each situation varies, the officer must never attempt the arrest without "some" plan of action.

Adequate Backup: The officer, in processing the decision to make the arrest, must be certain the situation is "safe."

1. In the Field: When an officer is alone and views a parole or probation violation, or comes in contact with an individual for whom a warrant is outstanding, or performs in accordance with NRS 176.124, the officer's duty is to effect an on-site arrest with adequate backup present.

The officer may proceed to effect the arrest without backup present when, in the officer's good judgment, it is safe to proceed without backup or when there is an immediate threat to the life or safety of others.

2. In the Office: The following three mistakes most often occur in the office setting and inhibit the officer's professional performance in effecting an arrest:

- (a) The officer will discuss the arrest with the client prior to actually making the formal arrest thereby indicating an impending arrest without taking the proper precautions.
- (b) The officer effects the arrest without planning and preparation. The office situation, in most instances,

is not conducive to an arrest without planned and adequate backup. The client usually sits closest to the door and can easily flee unless backup is present.

- (c) The officer permits the client to discuss the arrest with a supervisor without first taking the precaution of placing the individual in restraints.

If an officer plans an arrest in the office, the arrest and follow-up actions (restraints, search, etc.) shall be completed prior to additional discussions or conversations regarding the arrest.

If an officer is uncertain about his/her intention to arrest, adequate backup shall be provided before discussions begin. The officer must plan around his/her feeling that an arrest may be appropriate action.

In all cases, it shall be the officer's responsibility to properly structure the office setting prior to effecting and/or announcing or discussing the arrest.

Step III: Use of Force

In every arrest instance, the officer must be in control and be prepared to protect him/herself and others. Only that amount of force necessary to effect the arrest is appropriate.

It is the responsibility of each peace officer to become familiar with the legal and moral limitations governing the use of weapons and the use of force. Department procedure and policy governing the use of firearms is detailed in the Section titled - Firearms, Technical Skills. It is incumbent upon the officer to become familiar with and knowledgeable of Statutes as they relate to the use of force.

In accordance with NRS 171.122:1: The defendant must not be subjected to any more restraint than is necessary for his arrest and detention, but if the defendant either flees or forcibly resists, the officer may use all necessary means to effect the arrest.

NRS 171.138, and NRS 171.142 address the breaking of a door or window in effecting an arrest and the breaking of a door or window in leaving a house entered into to make an arrest.

In utilizing the provisions of these statutes, the officer must use judgment in the need for making an immediate arrest and as a rule he will not use the authority of these statutes in making an arrest for a minor technical violation of the parole or probation agreement.

However, if the arrest is for a violation that would amount to

a gross misdemeanor, a felony, or is based upon the execution of a warrant, the provisions of these statutes may be utilized.

As stated in NRS 171.144: To retake a person arrested who has escaped or been rescued, the person pursuing may break open an outer or inner door or window of a dwelling house, structure or other place of concealment, if, after notice of his intention, he is refused admittance.

Step IV: Restraint

Upon making the arrest, the officer shall immediately place the subject in restraint using accepted and approved methods. Whenever possible (except in exceptional circumstances) the officer shall place the handcuffs on the subject with the subject's hands behind his/her back. The officer shall immediately double lock the handcuffs and shall not remove them until the prisoner is within the confines of a detention facility.

After applying the restraints, the officer must maintain control over the subject in order to lessen the subject's mobility which may produce injuries or afford an opportunity for escape.

Step V: Search

Immediately after being restrained, the subject shall be searched. Guidelines common to all searches include: Alertness, control of the subject and thoroughness of the search. The officer shall in all cases, search the subject from behind, never in the front. The officer should develop a systematic approach to search. Search using the same technique in each situation to insure a thorough search; use one hand to search, and control the subject with the other hand.

As cited in NRS 171.146: Any person making an arrest may take from the person being arrested all dangerous and offensive weapons which he may have about his person.

At the time of the initial search, the officer may remove other items of contraband from the subject, i.e., narcotics, etc.

Step VI: Miranda Warning

It is the officer's responsibility to advise the subject of his/her rights as soon as possible after the arrest or after depriving subject of his/her freedom of action in any significant way. The officer will communicate the Miranda Warning in light of a new offense and/or for an act which may be construed as a new offense. The subject must "knowingly and intelligently" waive his/her rights before any statement made can be used against him/her in a court of law. Except in exceptional cases, the subject must verbally waive his/her rights.

The United State Supreme Court has held (Miranda v Arizona, 1966) that a subject must (1) be made aware of four basic rights; (2) Understand his/her rights; (3) Determine if he/she wishes to make a statement or wishes to waive his/her rights.

The Miranda Warning whall be administered prior to any question-
ing of the subject. It is suggested that officers make use of
the "Rights of Persons Arrested Card:"

RIGHTS OF PERSONS ARRESTED

You have the right to remain silent. Anything you say can and will be used against you in a court of law. You have the right to talk to a lawyer and have him present with you while you are being questioned. If you cannot afford to hire a lawyer, one will be appointed to represent you before any questioning, if you wish. You can decide at any time to exercise these rights and not answer any questions or make any statements. Do you understand each of these rights I have explained to you? Having these rights in mind, do you wish to talk to us now?

.....
Date Signed
Witness.....

Step VII: Transport of Prisoner

As soon as possible after arrest, the officer shall transport the subject to the nearest county jail and book the subject. Transportation should be delayed only for the purpose of conducting a search as previously mentioned. Reference Transport of Prisoners. (Technical Skills Segment of the Manual).

Step VIII: Booking

In all instances, the officer shall present a warrant or hold order to jail personnel. The officer shall complete the booking slip charging the subject with a parole or probation violation or with a new charge(s). The arresting officer shall remain with the subject until the booking process has been completed or until the booking officer has given instructions to leave.

Hold Order: The hold order may be utilized to detain the subject for not more than 15 days while the officer is awaiting the arrival of the appropriate warrant. The hold order serves to provide the officer with adequate time to investigate possible parole or probation violations.

The hold order may be utilized to detain the subject for not more than "...30 days after the arrest if he is on probation from another state and under supervision in this state," per NRS 176.216:3.

In all cases, the hold order must be replaced by the warrant with expediency. Reference Warrants, Technical Skills.

PROCESSING NEW CHARGES

The officer shall proceed immediately with the case after arrest. After arresting and charging a subject on new charges, the officer must process the following documents:

1. Write an Arrest Report, Form 27M. (Attached)
2. Make contact with the District Attorney: If the District Attorney determines the case to be sound, criminal charges will be processed.

File a complaint. As stated in NRS 171.102: The complaint is a written statement of the essential facts constituting the public offense charged. It shall be made upon oath before a magistrate or notary public.

NRS 171.106 further states: If it appears from the complaint or a citation issued pursuant to NRS 484.795, 488.360 or 501.386, or from an affidavit or affidavits filed with the complaint or citation that there is a probable cause to believe that an offense, triable within the county, has been committed and that the defendant has committed it, a warrant for the arrest of the defendant shall be issued by the magistrate to any peace officer. Upon the request of the district attorney a summons instead of a warrant shall issue...

3. Assure the arrested subject is brought before a magistrate within 72 hours after arrest (to hear the charges against him). In accordance with NRS 171.178:
 1. ...a peace officer making an arrest under a warrant issued upon a complaint or without a warrant shall take the arrested person without unnecessary delay before the magistrate who issued the warrant or the nearest available magistrate empowered to commit persons charged with offenses against the laws of the State of Nevada.

In accordance with subsection 3:

If an arrested person is not brought before a magistrate within 72 hours after arrest, excluding nonjudicial days, the magistrate: (a) Shall give the prosecuting attorney an opportunity to explain the circumstances leading to the delay; and (b) May release the arrested person if he determines that the person was not brought before a magistrate without unnecessary delay.

4. Complete a Violation Report or Incident Report:

Violation Report: The officer shall immediately begin revocation proceedings regardless of new charges when charging the subject with a technical parole or probation violation with the request for warrant issuance and recommendation for revocation.

The Violation Report shall be completed and the Preliminary Inquiry Hearing held determining if probable cause exists for the alleged violator. The subject may choose to waive the PI and appear before the court or Parole Board for a Revocation Hearing.

NOTE: Document action taken as a chrono entry.

5 and 15 Day Rule

In those instances where the subject does not choose to waive the PI, the PI shall be concluded within 15 days of the arrest or hold, and not before 5 days or 120 hours after service of Form 40, excluding Sundays and legal holidays. This time requirement is in accord with NRS 213.1511 and NRS 176.216 as they relate to parole and probation.

Incident Report (See Attached)

1. The Incident Report replaces the Violation Report where continued supervision is recommended in cases where arrests and violations (as cited below) have occurred:

- (a) Technical Violations of serious nature.
- (b) Minor misdemeanor arrests or convictions excluding DUI, assaults and other potentially dangerous behavior.
- (c) Gross misdemeanor arrests excluding potentially dangerous behavior - disposition pending.
- (d) Felony arrests excluding potentially dangerous behavior - disposition pending.

2. In reference to new arrests, documentation by way of the incident Report may be made while awaiting case processing on new charges due to a variety of case factors.

3. The Incident Report shall be used for Nevada cases only. A Cooperative Case Report shall be processed for interstate cases.

4. All violations which do not warrant revocation proceedings and which have not been satisfied with approved chrono entries shall be documented by use of the Incident Report.

Document in Chronos: Technical violations judged not of a serious nature shall be documented in the case file and submitted

to the Unit/District Supervisor for approval; such cases shall be continued under supervision.

5. Attachments: Other supporting documents (if available).

6. Distribution:

- (a) Original to Central (Parole Cases)/Sentencing Court.
- (b) Copy: District Files.
- (c) Copy: Central Office in Probation Cases.

7. Note: In a case where a future Violation Report would be submitted requesting a Warrant, the Incident Report shall be referenced under the section titled, Summary of Supervision (Previous Violations).

ARREST TRACKING LOG, FORM 149M AND ARREST DATA FORM 134M

1. All districts and each supervision unit within the districts shall keep an Arrest Tracking Log and Arrest Data Form on all arrestees.

2. Arrest Tracking Log: The Log shall record the following factors: (See Attached).

- (a) Date of arrest.
- (b) Arrest reference number as assigned by the unit, i.e. CPR80-001; ISU80-001.
- (c) Subject's name.
- (d) District case file number.
- (e) Disposition and date of disposition.

3. Arrest Data Forms shall be completed and filed in a binder with the Arrest Tracking Log Serving as the "table of contents." Only active cases shall be kept in the binder. Data Sheets for cases which have been disposed of shall be filed in the subject's case file.

4. Arrest Data Forms shall be kept for:

- (a) A case shall be tracked if an arrest is effected by an outside agency and a parole/probation hold is placed on the subject.
- (b) A case shall be tracked if an arrest is effected or a hold placed by the Parole and Probation Department.

Hold Criteria: In those cases where a hold is placed on a subject not in the subject's supervision district, the assigned supervision district and the holding district (that district where the subject is in custody) shall be responsible for (maintaining Arrest Log and Arrest Data Sheets) case tracking.

5. **Officer Responsibility:** As soon as possible after arrest, the supervising officer shall initiate an Arrest Data Form with the Unit or District Supervisor. At that time, the arrestee's name, date of arrest, arrest reference number and case file number shall be entered on the Tracking Log.

Data entries shall thereafter be kept current by the supervising officer except in the following entries: Date Warrant Received, Date Violation Report to Supervisor and Date Violation Packet to Court/Parole Board. Each District shall establish a system for data entries.

6. The Unit/District Supervisor shall maintain overall responsibility for assuring that proper flow and procedures are adhered to.

ARREST DATA SHEET INSTRUCTIONS

1. Violation Report submitted to Supervisor:

48 Hour Rule: If the officer arrests a subject on a technical violation, the officer shall submit, to the Unit or District Supervisor, a draft of the Violation Report within 48 hours or until 3:00 p.m. on Monday, in applicable cases. If, for example, the officer were to arrest the subject on Friday or Saturday afternoon, the 3:00 p.m. time restraint would apply.

3 Working Days: If an outside agency arrests a client and the officer places a hold, the Violation Report shall be submitted to the Unit or District Supervisor within 3 working days unless a lesser time is requested.

2. Form 40

Record the date Form 40, Notice of Inquiry, is served on the subject. Record the date Form 40 is forwarded to Central Office.

The officer shall provide the subject with a copy of Form 40 and the Violation Report.

3. Warrant Received-Served-66M

The Unit or District Supervisor shall record the date the Bench or Retake Warrant is received from Central Office or the date Bench Warrant (gross Misdemeanor) is issued from the district level.

The officer shall enter the date of service and shall log the date the 66M is forwarded to Central Office recording service.

4. PI DATA-Date Scheduled-Date Held/Waived-Results-To Central

5 and 15 Day Rule: The Preliminary Inquiry Hearing must be completed within 15 days of the arrest or hold and not before 5 days or 120 hours after service of Form 40 (Notice of Inquiry), excluding Sundays or legal holidays.

The officer shall record the scheduled date followed by the actual date held; in appropriate cases, record the date the subject waived the PI. Indicate the finding of probable cause or no probable cause. Record the date the PI Summary is forwarded to Central Office.

5. Violation Package Data-To Court/Parole Board:

The Unit or District Supervisor shall enter the date data is forwarded to the Court or Parole Board. The Package, as referenced, shall include: Form 40, Violation Report, Summary of Supervision, Support Documents, Summary of Preliminary Inquiry (where applicable or waiver) and Form 20M and 21M (both processed for parole violations only).

In Districts I, II, III and V, the Violation Report Package shall be prepared by the Management Assistant in Central Office for presentation to the Executive Secretary and Hearing Representatives of the Board of Parole. In District IV the Package shall be prepared by each individual officer and processed through the District IV Hearing Representative.

6. Court Dates Violation/New Charges

The officer shall record the date as set for the Revocation Hearing as well as recording the Court date for hearings on new charges filed.

The violation and/or new charges filed shall be indicated.

7. Custody Status:

The officer shall record the detention facility holding the subject.

8. Bail/OR'd

The officer shall record: (1) If the subject has bailed on the charges or, (2) If the subject has been released on his/her own recognizance (and date).

9. Additional Information/Disposition

The officer shall enter any other pertinent data and case disposition or outcome.

10. 66M

The officer shall log the date the 66M is forwarded to Central Office citing the case disposition.

FORM 27M (REV.3/81)
MC8526

STATE OF NEVADA
DEPARTMENT OF PAROLE AND PROBATION
ARREST REPORT

DEFENDANT:	Wesley J. Roachclip			LAST KNOWN ADDRESS:	#10 Home Garden Road, Reno, Nevada 89506			
DESCRIPTION:	6'7"	275 lbs.	Brn. eyes, Blk. hair	DOB:	10-26-51	POB:	New York, New York	
DATE OF OFFENSE:	8-15-80			DATE OF ARREST:	8-15-80		TIME:	9:00 p.m.
CHARGE:	Possession of Marijuana, a Felony: NRS 453.336.							
COMPLAINANTS NAME & ADDRESS:	Officer Squared Away, P&P ID# 1330							
WITNESSES' NAME & ADDRESS:	Officer Squared Away 5 East and 2nd Street Reno, Nevada 89506							
DETAILS OF OFFENSE:								

The above subject was placed on probation on 1-10-80 by the Honorable T. Green for possession of a controlled substance. At the time of sentencing, the subject received a special condition of probation ordering him to submit his person, vehicle, and residence to search and seizure by any Parole & Probation Officer without a warrant to determine the presence of a controlled substance.

The undersigned officer made a home visit on Wesley J. Roachclip on 8-15-80 at #10 Garden Road, Reno, Nevada at 9:00 p.m. Upon entering the apartment, the undersigned detected the odor of what appeared to be marijuana (Cannabis Sativa).

In the ash tray, on a coffee table, in front of the subject, was a smoking cigarette which appeared to be marijuana. The undersigned officer advised the subject of his Miranda Rights and placed the subject under arrest.

A subsequent search of the subject revealed in the subject's right front pocket, a plastic baggie containing approximately 3 oz. of a green leafy substance which appeared to be marijuana. The cigarette and baggie are in evidence at the Department of Parole & Probation, Reno, Nevada, Evidence Tag #00747.

The subject refused to make any statement and was taken to Reno Police Department and booked for a probation violation & possession of a controlled substance.

The evidence in question was sent to the Washoe County Lab, 3497 Mill Street, Reno, Nevada, for analysis on 8-16-80 at 8:30 a.m. Results of that test are forthcoming.

The undersigned officer respectfully requests a complaint be issued on Wesley J. Roachclip.

REPORTING OFFICER
TITLE

SUPERVISOR

Orig. & 1 to District Attorney
1 copy to Central File
1 copy to file

FORM 135M (REV.11/80)
MC22737

INCIDENT REPORT

TO: PAROLE BOARD

RE: JONES, RONALD

DATE: 4-17-80
P/P FILE#: V79-0000
CRIMINAL CASE#: 46751

I. Violated Rules:

Arrested

Convicted

II. Offense:

Date of Offense:

Sentence and Sentence Date: No court dates set as of 4-15-80

III. In Custody: Where:

On Bail 4-16-80

OR

IV. Recommendation:

(a) Continue on Probation / Parole pending disposition.

(b) Continue on Probation / Parole with the following changes:

1. Raise to Maximum Supervision.

2. Enrollment in the following Program: Southern Nevada Drug Abuse Clinic

3. Other Action:

V. COMMENTS:

VI. ATTACHMENTS: LVMPD Arrest Report#

OFFICER & DISTRICT: _____

UNIT SUPERVISOR: _____

DISTRICT SUPERVISOR: _____

ARREST TRACKING LOG

DATE	ARREST REF.#	NAME	CASE FILE#	DISPOS./DATE OF
1-1-80	CPR 80-001	Adams, Apple	L79-066	Revoked, 3-22-80
1-3-80	CPR 80-001	Peter, Principle	L80-001	Reinstated 3-28-80

ARREST DATA FORM

ARREST REF# NAME CASE FILE# OFFICER

ARREST DATE-AGENCY-CHARGE- P&P HOLD PLACED: YES NO

VIOLATION REPORT TO SUPERVISOR: _____

FORM 40: DATE SERVED: _____ TO CENTRAL: _____

WARRANT RECEIVED: _____ SERVED: _____ 66M: _____

PI DATA: DATE SCHEDULED: _____ DATE HELD/WAIVED: _____

RESULTS: _____ TO CENTRAL: _____

VIOLATION PACKAGE DATA: _____ TO COURT/PAROLE BOARD: _____

COURT OR BOARD DATES: VIOLATION/NEW CHARGES: _____

CUSTODY STATUS: _____ LOCATION: _____ DATE BOOKED: _____

BAIL: HOW MUCH _____ OR: DATE _____

DATE POSTED _____ BY WHOM _____

BY WHOM _____

ADDITIONAL INFO: DISPOSITION _____

RESULTS _____ 66M _____

SECTION 8: SEARCH

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FOURTH AMENDMENT RIGHTS

Parolees and probationers under active supervision are in the legal custody of the Department of Parole and Probation. Their Fourth Amendment Rights, although restricted by conditions of parole and probation, are not completely forfeited. A probationer, like a parolee, is protected from "unreasonable" search and seizures. In Preston v US, 376 US 264 (1964), and in Vale v Louisiana, 399 US 30 (1970), United States Supreme Court Justice Black states: "Searches...are to be judged by whether they are reasonable...and common sense dictates that reasonableness varies with the circumstances of the search."

The Fourth Amendment, by definition, protects people and not places: "the right of the people to be secure..." Thus, the intent of the Amendment is to provide and protect the "right of privacy" that one enjoys in his/her "persons, houses, papers and effects." As specifically detailed therein, this right of privacy shall bend only when a search warrant has been issued; as alluded to and as supported by court decisions, this right of privacy may bend when some other legitimate and significant need arises for conducting a search without a search warrant.

In all cases the parole and probation officer cannot violate the "common sense" of the search condition or provision in the parole or probation agreement. The officer must remain within the "scope and intensity" of the condition. If the officer has probable cause to search for narcotics and is aware of a search condition for narcotics, the officer may search the individual's residence but at such time, the officer must remain within the "scope" of the search. The officer must remain within the "occasion." A search for narcotics permits the officer to search in those areas where one would reasonably suspect to find narcotics.

Right of Privacy Test: In 1967, in Katz v US, 389 US 347 (1967), the United States Supreme Court defined the "right of privacy test" and in so doing stated:

...the Fourth Amendment protects people, not places. What a person knowingly exposes to the public, even in his own home or seeks to preserve as private, even in an area accessible to the public, is not a subject of Fourth Amendment protection. But what he seeks to preserve as private, even in an area accessible to the public, may be constitutionally protected...

DEPARTMENT OF PAROLE AND PROBATION

POLICIES AND PROCEDURES IN CONDUCTING A SEARCH

DEPARTMENT POLICY SHALL SUPERCEDE CASE LAW AS THIS POLICY HAS BEEN DESIGNED TO BE MORE STRUCTURED THAN WHAT WOULD BE ACCEPTABLE BY CASE LAW.

Authority to Search: Parole and Probation Search Conditions

1. The officer shall, prior to conducting a search insure the existence of a search condition. Parole cases shall always be defined by a search provision; probation cases are defined with search conditions as deemed appropriate by the court. In probation cases, the officer shall be certain the case is open and active prior to conducting a search.

In either case, the officer must be familiar with nature of the items permitted to be searched for prior to conducting the search, i.e., weapons, controlled substances, etc.

2. When activating a search condition or provision, the officer must be certain to establish reasonable or probable grounds for conducting the search. The officer must establish reasonable grounds to believe that the client is, or is likely to be, in violation of a rule or regulation of parole or probation, or that a crime has been or is about to be committed or that the person in question is guilty of a crime.

Reasonable grounds are based on numerous factors including officer observations of the subject's unusual behavior, furtive actions (attempts to conceal), etc.

Policy Guidelines

1. Each and every search shall be recorded in the case chronos. The officer shall detail how probable cause was established to permit the search.
2. At no time shall search be conducted for harassment purposes.
3. At no time shall search be conducted alone.
A well planned search shall include more than two officers. In emergency situations, two officers may be sufficient.
4. In each search situation, the control of the search shall be maintained by the officer in charge of the case or by the officer's supervisor.

Search made incident to a request by another agency shall be approved by the Unit or District Supervisor in each case.

5. Unoccupied residences shall not be searched. An unoccupied residence may be entered when seeking a wanted person for whom a warrant has been issued. However, that entry is solely for the purpose of locating the individual and does not permit a search.
6. A search shall be conducted with a "significant other" present at the residence. The presence of this individual shall be required even after the subject is in custody and booked. The presence of a relative, spouse, roommate or subject released to the officer's custody is satisfactory.
7. Prior to conducting a search, the residence shall be given a superficial shake down to ascertain the presence of other individuals.
8. In all cases, the client shall be initially searched prior to conducting the search of the dwelling. If the client is to be restrained, the area to which the client is restricted shall be searched initially.
9. Client residing with Third Parties:
 - (a) If the subject is residing with a third party, the officer shall be permitted to search the client's living area and common living areas such as the living room, bathroom, kitchen, patio and garage.
 - (b) The officer shall not search any area, such as a bedroom, which is not shared by a client. For example, the officer shall not search the parent's bedroom or separate bedroom where only the third party resides.
 - (c) If the subject is sharing a bedroom with a third party, the officer shall not search any item which obviously belongs to the third party, i.e., if the subject is male, the officer shall not search female clothing.
10. In all cases, receipts shall be given for any items confiscated that are not clearly contraband.
11. In all cases, when search is to be conducted in an area where the occupants are not known to you, exercise extreme caution. If there is any reason to suspect areas of a residence to be boobytrapped, the search shall be discontinued and the area shall be secured until the search may be continued by skilled experts.

CONTINUED

1 OF 5

12. Vehicle Search

- (a) Vehicle searches are authorized by law (1) pursuant to establishing probable cause and in accordance with specific mention in either a parole or probation search clause; (2) pursuant to a lawful search warrant; (3) in accordance with NRS 453.306:4 (seizure of a vehicle as an instrumentality of a crime); and (4) pursuant to and incidental to a lawful arrest.
- (b) Towing: If an automobile is involved in the search, and there is no means available to have the auto moved or if you wish to preserve the auto for further search or evidence protection, have the auto towed and searched. Be certain the towing agency knows who has release authority (Department of Parole and Probation) and who pays the bill (subject or their agent).

LAWFUL SEARCH

There are four circumstances under which a lawful search may occur:

1. Search incident to a lawful arrest.
2. Search supported by a search warrant.
3. Search with consent.
4. Search subject to a parole or probation search clause (and based on probable cause).

SEARCH INCIDENT TO A LAWFUL ARREST

Requirement (1)

An exception to the general rule that all searches be supported with a search warrant, is a search incident to a lawful arrest. For search to be legal when incident to an arrest, whether for a felony or a misdemeanor, the arrest must be legal and valid and based on probable cause with or without an arrest warrant.

The results of a search may never be used to justify a search or an arrest. The exception surfaces in emergency circumstances where evidence may be destroyed. In such a case, the evidence may be secured prior to the arrest with the arrest being effected immediately thereafter.

The arrest must be made in good faith. If an arrest is effected merely for the purpose of searching such person or that area in the person's immediate control, the evidence seized shall be suppressed under the exclusionary rule.

Requirement (2)

The arrest and the search must be simultaneous. Case law holds a search is reasonable only if it is made immediately upon arrest and at the same general time and place. If emergency circumstances surface, the search shall be made immediately after the delay.

Requirement (3)

The search must bear relation to the offense for which the arrest was made in order for the search to be deemed reasonable. Pursuant to a lawful arrest, the peace officer may seize weapons, fruits of the crime, tools and devices used to perform the offense, and evidence of the crime.

Seize Weapons: In all arrests, the peace officer shall search the person of the arrestee to prevent the possible use of concealed weapons. A search of the person is a must for the protection of the officer.

Fruits of the Crime: Evidence relating to the nature of the arrest may be seized, i.e., if an individual is arrested for an armed robbery it would be reasonable to expect to find "fruits of the crime." The officer shall only conduct a detailed search in those areas where the officer shall believe to find the "fruits of the crime."

Tools and Devices: Instruments used to perpetrate the crime may be seized.

Evidence of the Crime: Evidence may include anything that may show the arrestee committed the crime (or is likely to commit the crime) for which s/he is being arrested.

Requirement (4)

The search must be reasonable. As stated in *Harris v US*, 390 US 234 (1968), the Supreme Court notes:

It has long been settled that objects falling within the plain view of an officer who has a right to be in the position to have that view are subject to seizure and may be introduced in evidence.

The officer may seize anything s/he might become aware of by use of the five senses: Smell, hearing, taste, feel and sight. The plain view doctrine has been extended by the courts to include the use of the five senses.

Case History Supporting the Plainview Doctrine

Russi v Superior Court, 108 Cal.Reptr. 716 (1973): Subject to a search condition and based on probable cause, probation

officers conducted a search of premises belonging to a probationer. Officers seized "narcotics and paraphernalia which were in plain sight and furnished probable cause for search even as to the third person (non probationer).

Harris v US, Supra. The Court held that "since the (registration) card was in plain view and its discovery was not the result of a search, but of a measure taken to protect the car while it was in police custody, evidence of the card was admissible."

US v Dally, 606 f.2d 861 (1979). The Court cited Harris v US, supra, and held "The Fourth Amendment does not require the exclusion of evidence found in the course of a proper investigation."

Requirement (5)

The search must be reasonable in scope. In Chimel v Ca., 395 US 752 (1969), the Supreme Court restricted the scope of a search incident to a lawful arrest:

When an arrest is made, it is reasonable for the arresting officer to search the person arrested in order to remove any weapons that the latter might seek to use in order to resist arrest or effect his escape.

Otherwise, the officer's safety might well be endangered ...it is entirely reasonable for the arresting officer to search for, and seize, any evidence on the arrestee's person in order to prevent its concealment or destruction. And the area into which an arrestee might reach in order to grab a weapon or evidentiary item must, of course be governed by a like rule...

There is ample justification, therefore, for a search of the arrestee's person and the area within his immediate control--"the area from within which he might gain possession of a weapon or destructible evidence."

If the officer has probable cause to believe further evidentiary materials may be secured from outside the immediate area, it is incumbent on the officer to process a search warrant to obtain access to the area.

SEARCH WARRANTS

When the officer acts without first obtaining a search warrant, the officer initially makes the decision regarding probable cause on his/her own initiative. This decision is later reviewed by a judicial officer. When the officer acts with a search warrant, the probable cause decision is made by a magistrate in the first instance. In processing new criminal charges, both

decisions may be challenged in an adversary setting upon a motion to suppress; however, search made with a warrant carries with it a "presumption of lawfulness" and thus presents a legal advantage.

Nevada Revised Statutes fully detail search warrant processing and it is incumbent upon the officer to become knowledgeable of the Statutes as cited below:

NRS 179.035: Grounds for issuing search warrant.

NRS 179.045: Issuance, contents of search warrant.

NRS 179.055: Officer may break door to serve warrant after admittance refused; breaking of door, windows to liberate officer or person acting in aid of officer; use of reasonable and necessary force.

NRS 179.075: Execution and return of warrant with inventory.

CONSENT TO SEARCH

Requirement: Valid Consent

Searches instituted without a warrant issued upon probable cause are unreasonable unless proven to fall within a specific exception to the warrant requirement of the Fourth Amendment (Katz v US, supra). Search conducted incident to a valid consent is an exception as found in Schneckloth v Bustamonte, 412 US 218 (1973) and US v Matlock, 415 US 164 (1974). At no time should consent be the result of deceit or coercion, for consent must be voluntarily given to be valid under the Fourth Amendment.

Requirement: Voluntary Consent

Where the state seeks to rely on consent as the basis of a search, it has the burden of demonstrating knowledge on the part of the person involved that he had a choice in the search decision as found in Sparkman v State, 95 Nevada Advance Opinion 19 (1979); Surianello v State, 92 Nev 492, 553 p.2d 942 (1976); Lamb v State, 89 Nev 570, 516 p.2d 1405 (1973); McIntosh v State, 86 Nev 133, 466 P.2d 656 (1970).

Third Party Consent Searches

In the case of a third party residing with a probationer or with a parolee subject to a search condition or provision, the third party has no right to refuse a Parole or Probation Officer entrance to a residence for purposes of a search. The third party is protected in that area defined as his "sole domain" or that area in his "sole control" as is supported by case history herein.

SEARCH AS A CONDITION OF PAROLE AND PROBATION

Constitutionality of the Search Condition: Under the search provision or condition as detailed in the parole or probation Agreement, the subject signs and agrees to a search of his person, residence or auto for, in most cases, narcotics, stolen property, etc. The search condition must bear in direct relation to the subject's prior criminal conduct.

The court has long found search conditions valid which are in direct relation to prior criminal conduct and which exist for the purpose of rehabilitating the subject and monitoring behavior.

Himmage v State, 496 P.2d 763 (1972): The Supreme Court of Nevada addressed nighttime warrantless searches by a probation and parole officer in Himmage v State. A probation and parole officer, after finding probable cause based on information from a police officer, conducted a search of a parolee's apartment after acquiring specific permission from the parolee to search.

The Court stated the condition implies a "qualification or a restriction; accordingly, a condition to a grant of probation contemplates some limitation upon the probationer's rights." The Court held the search to be in agreement with the condition and constitutionally permissible.

People v Icenogle, 139 Cal.Rptr. 637 (1977) and People v Mason, 97 Cal.Rptr. 302 (1971): In both cases, the Court addressed the legality of the search condition and held that "Such a condition is reasonable and valid, being related to (the probationer's) reformation and rehabilitation in light of the offense of which he was convicted."

It is noteworthy to bear in mind the dissenting opinion in People v Mason, supra, by Justice Peters: Although the parolee/probationer is subject to diminished expectations of privacy in lieu of the special search condition, this diminished expectation must be only to the "extent necessary for his reformation and rehabilitation." He further notes that "restrictions on the Fourth Amendment protections of probationers must be narrowly drawn to meet needs for reformation and rehabilitation."

Search Conditions Activated by Probable Cause:

The officer activates the search condition when there is probable cause to believe that the subject is, or is likely to be, in violation of any rule or regulation of parole or probation.

US v Dally, supra: The United States Ninth Court ruled that a state parolee may be searched pursuant to a "consent provision" of his parole "if his parole agent reasonably believes a search is appropriate." (Latta v Fitzharris, 46 L.Ed.2d 130 (1975)).

Seim v State, 590 P.2d 1152 (1979): The Nevada Supreme Court held that to justify a warrantless search a parole or probation officer needs only "reasonable ground" to believe that probation has been violated. In the case herein, the State argued the requirement of a warrant was dispensed with in view of the special condition of probation.

People v Icenogle, supra: The Court held the warrantless search justified herein based on "reasonable ground" for believing the parolee to be engaged in criminal activity.

Himmage v State, supra: The Supreme Court of Nevada justified a warrantless search based on probable cause found by the parole and probation officer.

PAROLE AND PROBATION SEARCH CONDITIONS

AS THEY RELATE TO THIRD PARTIES

Prior to familiarizing oneself with the case history below, the officer shall be certain to be knowledgeable of Department policies on search as detailed herein.

Case History: Consent of Third Parties Not Required to Undertake a Search

Case history supports recent court decisions in finding that the consent of third parties is not required prior to a probation and parole officer conducting a search pursuant to an active search clause in a parole or probation agreement.

1. People v Reynolds, 127 Cal.Rptr. 561 (1976): The Court held that without the existence of a special search clause in a probation/parole agreement, "if both occupiers are present when the police seek a consent to search, a consent by one will be deemed valid so long as the other made no objection ...if an objection is made by one, the right to privacy should prevail to preclude a valid search."
2. People v Thomas, 119 Cal.Rptr. 739 (1975): The Court states, "it is well established that the right of privacy guaranteed by the Fourth Amendment is not an absolute and may be abridged where a compelling public interest so requires." The right to privacy of third party cotenants is somewhat restricted when residing with probationers/parolees subject to search conditions.
3. Russi v Superior Court, supra: In 1973, the Court held that "petitioner (cotenant), even though present, could not invalidate the probationer's consent to search the residence." The Court further held that, "if the entry was valid as to (the probationer), (the cotenant's) his

lack of knowledge of the existence of the limitation of privacy that attached to the common residence, does not serve to create an abuse of police power..." In addition, the Court stated: "...(cotenant) he is in no position to claim that the officer did not have the right to search the premises and seize any contraband discovered..." The cotenant was "subject to search and had no legal authority to prevent it."

4. People v Icenogle, supra, & People v Adlers, 151 Cal.Rptr.77 (1978): In 1978, the Court in both cases held third parties have no legal authority to prevent search pursuant to a parole/probation search provision. In the former case, the Court held "she (third party) had no legal authority to prevent search pursuant to co-occupiers consent, even if the utilities and phone were in her name and she paid the rent."

In People v Adlers, supra, the Court cites People v Triche, 306 P.2d 616 (1975) and quotes, "the right of privacy of a person living with a parolee subject to special rules of supervision, must be to some extent restricted in the public interest."

Case History: Rights of Third Parties Residing with Probationers/Parolees Subject to Search Conditions

Although the right of privacy of third party cotenants residing with clients subject to search conditions is limited, there exists case law referencing their right to "exclusive occupancy, sole domain, and sole and exclusive control."

Throughout case history, many references are made to Tompkins v Superior Court, 27 Cal.Rptr. 889 (1963): "A joint occupant's right of privacy in his home is not completely at the mercy of another with whom he shares legal possession." In People v Adlers, supra, the Court acknowledges the restrictions on third parties yet, realizes "his or her right of privacy is not totally extinguished."

1. Russi v Superior Court, supra: The Court in 1973 held:
...if the record showed that any of the containers searched belonged solely to the petitioner (3rd party) and not to probationer (subject to search) or they disclosed some indication of that possibility, and the officers should have been on notice that they were intruding into the property of some third person, there might have been a question of their good faith in opening them...
2. People v Thomas, supra: In People v Thomas, 1975, the defendant, a parolee, contended a search was illegal because the search was not freely consented to by his girlfriend who answered the door.

The Court cites People v Triche, supra, in stating that, "the wife of a parolee will not prevent the parole officer from searching his premises without a warrant when there is reasonable cause." In like manner, the Court referenced the rights of a woman living with a parolee as rights which "must be to some extent restricted in the public interest."

In the case herein, no charges were brought against the 3rd party, co-tenant. After entering the residence, the officers proceeded into a bedroom where they heard the defendant (parolee) and saw him reaching into a drawer. Heroin was found in the drawer which the defendant (parolee) stated was his. The act of reaching in the drawer demonstrated that the parolee exercised control over that area; hence, officers were entitled to seize it as such.

3. People v Adlers, 151 Cal.Rptr. 77 (1978): The Court States: "Neither reason nor authority supports the proposition that police may conduct a general search of the private belongings of one who lives with a probationer." The Court emphasized the right of privacy as held by the third party was restricted but "not totally extinguished."

The Court did state that, "if there is probable cause to believe that such a transfer has occurred (transfer of contraband from parolee's possession to non-parolee's possession), a search will be warranted." If there is not probable cause to believe such, the search is not reasonable and evidence will be suppressed.

4. US v Dally, 606 F.2d 861 (1979): In US v Dally, supra, the Ninth Circuit Court affirmed that California admits evidence found during a parole search against third parties. The Court cited People v Icenogle, supra, where evidence against a third party discovered in a bureau, held by the trial court to be in joint control and possession, was valid and admissible. The Court affirmed the conviction against the third party.

In US v Dally, supra, evidence found in the defendant's (third party) purse and vanity was suppressed based on her reasonable right of privacy, sole domain and control over these areas.

Similar circumstances in relation to the living conditions exist in Dally as existed in People v Icenogle, supra, parolee had only resided with third party for a short time period prior to the officers conducting a search of the premises. In Dally, the officers found men's and women's clothing, papers in the parolee's name and papers in the defendant's name (third party) in one bedroom. The two guns, stolen US Treasury checks and false identification

were also located in the same room.

In citing People v Icenogle, supra, the Court acknowledges that all portions of the bedroom were in possession of the defendant (third party) and parolee as co-occupiers. Thus, the officers had the right to search the bedroom in full where the above evidence was disclosed.

Dally referenced US v Matlock, supra, and US v Harris, supra, in stating "The Fourth Amendment does not require the exclusion of evidence found in the course of a proper investigation." In Dally, the third party was convicted and the Ninth Circuit Court held that the parole search was properly conducted and affirmed.

Case History: Summary

1. The third party cohabitating with a parolee or probationer subject to a search condition, is most surely subject to a "diminished or reduced expectation of privacy and to somewhat restricted Fourth Amendment Rights" by the sole fact that the third party cannot legally object to a search of a residence if a probation/parole officer has probable cause to believe the client (cotentant) has violated the parole/probation agreement.
2. The third party does possess protection as a cotenant. The Courts reference the area in the third party's "sole and exclusive control and domain" as areas subject to a reasonable expectation to privacy and thus, as area protected from a search.
3. The officer may search the area of a third party after receiving valid and voluntary consent to search; if operating subject to a search warrant; or incident to arrest (limited search).

Note: Cases as presented herein have been cited as primary and secondary sources by the US Ninth District Court. The Ninth Circuit hears appeals from the Nevada Supreme Court.

SEARCH WARRANT - NRS FORMAT

Nevada Revised Statute 179.045 defines the format for the Search Warrant and further defines that information which must be provided.

- (a) Date.
- (b) Affiant's name.
- (c) Evidence to be searched for.
- (d) Physical location of evidence.
- (e) "Offense has" or "offenses have."
- (f) Name of offense, f/gm/m, NRS citation.
- (g) Physical location to be searched.
- (h) Evidence to be searched for.
- (i) If a night search is required, a showing of good cause must be made in the affidavit insert after "practicable" and upon a showing of good cause direct that the warrant be served at any time, day or night.

IN THE JUSTICE COURT OF CARSON TOWNSHIP
IN AND FOR CARSON CITY, STATE OF NEVADA

SEARCH WARRANT

STATE OF NEVADA)
) ss.
)

The State of Nevada, to any Sheriff, policeman, or other peace officer in Carson City, Nevada:

Proof by affidavit having been sworn before me on this day by (a) that there is probable cause based upon the affidavit of (b) attached hereto and incorporated herein, for believing that there is evidence, namely: (c), located at (d), which tends to show that criminal (e) been committed, namely: (f), and that said items may be destroyed or disposed of if said search is not made immediately,

YOU ARE THEREFORE COMMANDED to search (g) for (h), making the search as soon as practicable (i) between the hours of 7:00 a.m. and 7:00 p.m., and if any such property is found there to seize it, prepare a written inventory of the property seized, and to retain such property in your custody, subject to the Order of this Court.

DATED this _____ day of _____, 19__.

MAGISTRATE

SECTION 9: EVIDENCE POLICY AND PROCESSING

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DEFINITIONS

1. Evidence: In accordance with department policy, any item
 - (1) Obtained incidental to an arrest; or
 - (2) Confiscated as a result of a search of a client's person, residence or auto; or
 - (3) Obtained as a result of a plainview "search" of a client's person, residence or auto

which shall be used as evidence in a new prosecution or in a revocation proceeding shall be identified as evidence.

2. Contraband: In accordance with department policy, any item
 - (1) Confiscated incidental to an arrest; or
 - (2) Confiscated as a result of a search of a client's person, residence or auto; or
 - (3) Confiscated as a result of a plainview "search" of a client's person, residence or auto

which will NOT be used as evidence in a new prosecution or in a revocation proceeding and which possess no known legitimate ownership shall be identified as contraband.

CHAIN OF CUSTODY

The collecting officer must be able to account for all individuals who have handled, examined or stored the evidence. This process is referred to as maintaining the Chain of Custody.

The Chain of Custody originates with the discovery of the evidence and continues through case resolution, criminal prosecution and revocation proceedings. The collecting officer must be able to validate the whereabouts or possession of the evidence at all times.

Procedures employed to collect, mark and store the evidence must safeguard the Chain and validate the reliability of the evidence.

The Chain must be limited to as few people as possible in an effort (1) to limit contamination, (2) to limit the opportunity for tampering or altering, and (3) to limit the number of people necessary for court or board appearances.

OFFICER RESPONSIBILITIES

1. Collection

All items of evidence must be collected lawfully and in good faith for items to be admissible for criminal prosecution and/or revocation proceedings.

In all cases, the officer must preserve the integrity of the evidence.

Collection of Firearms: Firearms shall be collected with caution. In all cases, handle as if loaded. All firearms shall be checked and unloaded. Competent assistance shall be immediately sought from appropriate authorities when unfamiliar with the process employed to clear a weapon.

Collection of Weapons: Prior to the collection of weapons, the officer should, in probation and interstate cases, provide the new client with ample opportunity to dispose of weapons through direct legal sale or by transfer to an outside, appropriate party.

Inventory Receipt: The officer shall provide the subject with an Inventory Receipt for all items seized excluding contraband. A duplicate receipt shall be filed. (See Attached Receipt).

2. Identification/Marking of Evidence

In accordance with the provisions in this section, the officer shall identify and mark each and every item seized or confiscated without undue delay. Evidence shall be marked as inconspicuously as possible.

3. Packaging of Evidence

Each item of evidence shall be placed in an individual container or envelope. The packaging of evidence in separate containers will aid in preventing contamination and therefore, will increase the integrity of the evidence. This procedure proves especially true whenever evidence is to be scientifically analyzed because contamination may lead to faulty conclusions.

All Department vehicles shall be equipped with complete evidence kits as defined herein.

4. Transport/Movement of Evidence

The officer shall secure the seized evidence and transport such to the district storage unit in a timely fashion. In suitable instances, evidence shall be booked in at the local law enforcement agency.

Storage of evidence for lengthy time periods in vehicles and/or desk drawers shall not be acceptable practice. Such handling shall inhibit or destroy the integrity or reliability of the chain of evidence. Adherence to precautions and procedures in handling evidence will reduce the number of potential witnesses necessary to appear for criminal prosecutions or revocation hearings.

5. Storage of Evidence

It shall be the officer's responsibility to store evidentiary materials in the district storage unit with the assistance of the evidence officer. Evidence shall be signed in and out of the unit in the evidence ledger.

In the absence of the evidence officer, evidence shall be processed, locked and stored in a temporary area. The officer locking and controlling the evidence shall be the sole individual with access to the temporary area. Upon the return of the evidence officer, marked and packaged items shall be submitted to and logged by the evidence officer and placed in the district storage unit.

6. Return of Evidence to Subject

Inventory Receipt, Form 150M: Officers returning any items of evidence shall complete and file an Inventory Receipt. The Receipt shall serve as proof of return and shall protect the Department against claims regarding the whereabouts of confiscated items at a later time.

Firearms: Under no circumstances shall a firearm be returned to an individual exhibiting a high potential for violence with the exception of a court order.

If it is found that the legal registered owner of the firearm is someone other than the client, the firearm shall be returned to the legal registered owner upon completion of prosecution or revocation proceedings. An Inventory Receipt shall be secured, signed and witnessed.

Other Items of Evidence: Items of evidence shall be returned to an appropriate party and a Receipt secured, signed and witnessed when such items are not needed for processing criminal charges or for revocation proceedings and when possession of such items is not in violation of probation or parole rules or regulations, federal, state or local laws.

DEPARTMENT EVIDENCE KITS

Each Department vehicle shall be equipped with a stocked Evidence Kit. The following equipment shall comprise the kit:

1. Bags: Brown paper bags and clear, ziplock bags with attached chain of possession and identification labels.
2. Department Identification Tape: All evidence collected shall be identified and marked. Pressure sensitive tape shall be used to provide the following information:
 date and time item was seized;
 name of the individual who seized such item;
 model, serial number and/or description of item; and
 exact location or from whom seized.
3. Department Identification Tags: Tags shall be used for items too large to bag. All identifying information shall be recorded: Date item seized, time, name of the individual who seized such item, identifying or descriptive data and exact location or from whom received. Wire will accompany the tag for application purposes.
4. Inventory Receipts, Form 150M: An inventory Receipt shall be given to the subject recording all items collected excluding contraband. A duplicate shall be processed for the district files. An Inventory Receipt shall be supplied to the subject and signatures obtained when effecting the return of evidence. A duplicate shall be filed. (See Attached).

Supplemental Equipment: Each time the evidence is moved in and out of the district storage unit, the movement shall be logged. Assignment, signature, date and time shall be recorded by way of the chain of possession label or stamp. The district evidence officer shall be responsible for movement in and out of the evidence unit.

INSTRUCTIONS FOR MARKING

Evidence is marked for identification purposes. The officer must be able to positively identify the evidence from all other items in appearance. All evidence collected must be marked without delay to assure its proper identification at a later time.

In marking the evidence, your social security number or initials and the date prove to be practical identification marks. At a minimum use your initials and the date. Never use an "x".

Marking Instruments: Every item of evidence shall be marked with an appropriate tool, i.e., metallic items may be utilized, mainly pins, knives, nails, writing instruments, etc. Items which are small may be placed in a ziplock or paper bag and properly identified.

Marking Items: All items of evidence and contraband shall be marked. All paraphernalia confiscated shall be identified with the officer's initials and date. Each and every item, each joint, each vial of pills, etc. shall be marked.

If items are found in a cigar box, each item within the box shall be marked and the box itself, at a minimum, marked again with the date and initials.

All weapons confiscated shall be dated and initialed. Use any metallic item to scratch in the applicable date and your initials.

INSTRUCTIONS FOR IDENTIFICATION AND PACKAGING

All items shall be placed in an evidence envelope or secured with an evidence tag. Containers may be used where applicable. The requested identification information, as it appears on the envelope or tag, shall be completed with accuracy. Where appropriate, seal the container.

All identifying information completed on the envelope or tag must match that information marked on the item itself, i.e., date, initials, etc., must match.

Identifying Information: When providing descriptions of collected items, the officer shall be cautious not to identify and/or assume characteristics of items. Opinions and conclusions shall not be referenced. For example, a description shall note a "yellow metallic watch with setting," not, a "gold watch with diamond setting," "white powder," not "heroin," or "green leafy substance," not "marijuana."

Location: When providing information regarding the location of collected items, the officer shall be exact. For example, a location shall note "back bedroom, left dresser drawer," not "dresser drawer."

Request for Lab Analysis: Narcotic or restricted substances, documents, urine/blood samples, etc., will be accepted by most regional labs for analysis when properly sealed and identified. Upon the receipt of evidence, lab personnel will enter chain of custody data as is requested.

A lab report shall be returned to the Department along with the submitted evidence. Signature, time and date of release shall be recorded. In all cases, the officer shall be certain to check the lab report for signatures. If the lab report is to be used as evidence, it shall be certified.

DISPOSAL OF EVIDENCE

The evidence officer shall be responsible for facilitating and coordinating the movement of evidence to Central Office for disposal or retention (1) after case disposition, (2) after case conclusion or (3) after processing of criminal charges or revocation proceedings. All evidence transported to Central Office shall be properly identified and marked.

The senior parole specialist at Central Office shall be responsible for the secure care and disposal of evidence submitted by all districts.

DISPOSAL OF CONTRABAND

The evidence officer and District Supervisor shall establish an adequate and sure means to destroy contraband excluding weapons. Contraband shall be destroyed upon termination of its utility as evidence. Such action shall be properly recorded in the evidence ledger and witnessed. Signatures shall be entered.

EVIDENCE OFFICER RESPONSIBILITIES

1. Custodian of Evidence: Each district shall assign an evidence officer.

The evidence officer shall receive and be responsible for all evidence and contraband and shall dispose of such in accordance with Department policy as outlined herein. (See Disposal of Evidence and Disposal of Contraband).

Backup: The District Supervisor shall be the backup evidence officer and shall perform the duties outlined herein when the assigned evidence officer is officially not on duty and/or during periods of sick leave, vacation or termination, etc.

2. Evidence Storage Unit: Evidence shall be stored in each district's storage unit, locker or closet facility.

The evidence officer shall be the sole individual, on the district level, with access to the storage area. Evidence shall be entered into and removed from the unit by the evidence officer. Chain of custody data shall be logged accordingly.

The evidence officer shall be assigned a key or combination to the storage unit. A backup key or combination shall be kept in Central Office.

3. Evidence Ledger: Each district shall maintain an evidence ledger for logging all evidence and contraband in and out of the storage unit. The evidence officer shall perform all record

keeping duties. The ledger shall be divided into columns and shall request the following information:

Case #, Name Lab Analysis Required, Description, Deposited By, Date and Time Received, Received By, Removed To, Removed By, Date and Time Out, Date and Time In, etc., Date Destroyed, Destroyed By (Name and Witness).

The evidence officer shall photocopy the ledger and forward the copy to the senior parole specialist in Central Office every 60 days for purposes of review and record keeping.

UNIT/DISTRICT SUPERVISOR RESPONSIBILITIES

Evidence Materials: The Unit or District Supervisor shall have knowledge of the inventory, flow and use of Department evidence materials.

Evidence Kits: The Unit or District Supervisor shall be certain to insure that all Department vehicles are equipped with complete and stocked evidence kits containing materials as recorded herein. Routine inspections shall be made to insure compliance.

Inspection of Evidence Storage Unit: The District Supervisor in the company of the evidence officer shall periodically inspect the storage unit to insure the proper protection of all evidence. The evidence officer shall log each inspection.

Disposal of Contraband: The District Supervisor and evidence officer shall establish adequate and sure means to destroy contraband excluding weapons. See Disposal of Contraband discussion herein.

NEVADA DEPARTMENT OF PAROLE AND PROBATION

INVENTORY RECEIPT

Date/Time: _____ Date/Time: _____
Subject: _____ Subject: _____
Subject's File#: _____ Subject's File#: _____
Address/Phone: _____ Address/Phone: _____

CONFISCATED INVENTORY

I, _____, on _____,
(date), received the following items
of evidence:

Item: _____
Description: _____
Location: _____

Item: _____
Description: _____
Location: _____

Item: _____
Description: _____
Location: _____

Item: _____
Description: _____
Location: _____

SIGNATURES:

OFFICER: _____
RECEIVED INVENTORY FROM: _____
RETURNED INVENTORY TO: _____

SECTION 10: THE HOLD ORDER: FOR ALL CASES
UNDER SUPERVISION IN NEVADA

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HOLD ORDER: INSTATE

1. Purpose

The Hold Order shall be used to detain and hold a client in local custody while awaiting arrival of an appropriate warrant. The Hold Order shall also be used to detain the subject in custody affording the officer time to investigate possible violations of parole and probation based upon local police or officer arrest.

2. Time Limitation

The Hold Order shall not be used to detain a client for more than 15 days. In all cases, the Order must be replaced by a Warrant with expediency.

3. Placing the Hold Order

(a) The Hold Order may be placed by any district officer on a client within that specified district with immediate notification to the supervising officer of that client.

(b) Should a client be arrested in a district other than where that client is being presently supervised, before placing a Hold Order, that district must contact an officer from the supervising district and seek direction on an individual basis. This applies to all Districts I-V.

In cases where a Warrant has been issued and this is verified, a Hold may be placed by any staff member pending service of the Warrant with immediate notification to the supervising officer.

If an officer is concerned that a subject will bail prior to a Hold or Warrant being served, the officer may request that holding agency to notify such officer should the subject post bail. At that time, the Hold may be placed.

4. Effects of a Hold, Warrant or Detention on the Preliminary Inquiry

Due Process Requirements: (Reference, Preliminary Inquiry. Technical Skills). The placing of a Hold or the arrest of a subject triggers the due process requirements to which probationers and parolees are entitled.

The Preliminary Inquiry Hearing must be held within 15 days of the arrest or placing of the Hold. If the officer cannot proceed immediately, the Hold must be withdrawn unless, the delay is

client oriented and documented as such. Delays focus around client's unavailability due to illness and time delays due to attorney requests. In all cases, delays shall be documented with signature by the client and officer.

Effect of Release of the Hold: The release of the Hold does not alter the 15 day due process requirement if it is the officer's intention to proceed with the case at any stage. Therefore, careful thought shall be given to the placing of a Hold (or the effecting of an arrest).

It is to the officer's advantage to conduct an investigation of any new charges prior to determining if a Hold is warranted or prior to determining if s/he is in a position to proceed with due process requirements within the time limitations.

If the client is arrested on a serious charge, in all probability the bail will be set so high that the officer need not be immediately concerned with the placing of a Hold Order. Conversely, if the charges are of a relatively minor nature (property offense), the fact that the subject might be able to bail prior to the officer processing a decision, should not seriously endanger the community. The officer always has the option of arresting the subject at a later date on a parole/probation technical violation.

Decision to Place a Hold: The decision to place a Hold shall be partially dictated by district policy; however, it is the officer's judgment that is most important in such cases. In all cases and, in light of the fact that an absolute policy cannot be realistically dictated, it is paramount to remember that due process begins at the time the Hold is placed.

Complete Arrest Data Form with Hold action: Placing or releasing of the Order.

5. Release of Hold Order

A Hold Order citing "Release" shall be completed and presented to the detaining authority.

Document the action: (1) On the Arrest Data Form, and (2) In the case files.

HOLD ORDERS: INTERSTATE CASES

1. The officer may place a hold on a client under supervision in Nevada for a period not to exceed 30 days. If the time is to expire, the officer is to check with the Supervisor of interstate Compact who will immediately check the Warrant status.

2. The Hold Order shall be released immediately upon the finding of no probable cause at the Preliminary Inquiry Hearing (if held).

In accordance with NRS 176.216:3: Except in a case where the probationer is a fugitive, the inquiry shall be held promptly at or reasonably near the place of the alleged violation or the arrest, and not later than...30 days after the arrest if he is on probation from another state and under supervision in this state.

Original to Jail
Copy to Dist. Office
Copy to Central

STATE OF NEVADA

DEPARTMENT OF PAROLE AND PROBATION

HOLD ORDER

To the Sheriff or
Chief of Police of Reno Police Department

This will authorize you to (Release) Ed Weston
(Hold)

For investigation of Parole/Probation violation.

UNDER NRS 179.209 SUBJECT CANNOT BE ALLOWED BAIL.

Date March 4, 1980

Agent Carol Cane

District No. Two

Original to Jail
Copy to Dist. Office
Copy to Central

STATE OF NEVADA

DEPARTMENT OF PAROLE AND PROBATION

HOLD ORDER

To the Sheriff or
Chief of Police of Reno Police Department

This will authorize you to (Release) Ed Weston
(Hold)

For investigation of Parole/Probation violation.

UNDER NRS 179.209 SUBJECT CANNOT BE ALLOWED BAIL.

Date March 8, 1980

Agent Carol Cane

District No. Two

SECTION 11: BENCH WARRANTS: FELONY CASES
(NEVADA CASES)

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BENCH WARRANT (FELONY CASES)

Step 1: Violation Report Package

Determine specific probation rules or regulations which have been violated and write the Violation Report and Summary of Supervision. Attach support documents which shall be certified, notarized and/or witnessed depending on document content: Arrest reports, convictions, alcohol/drug test results, etc. (The VIOLATION REPORT PACKAGE includes the Violation Report, Summary of Supervision and Support Documents).

Submit for Approval: Acquire the approval and signature of the Unit/District Supervisor.

Step 2: Distribution from the District Level

District Files: One copy of the Violation Report, Summary of Supervision and support documents.

Forward to Central Office: Original and two of each document in the Violation Report Package.

Step 3: Central Office Processing

Upon the Chief's approval of the Violation Report Package, Central shall issue the Bench Warrant Application and complete the preliminary sections of the Bench Warrant.

Three Bench Warrants shall be prepared.

Central shall retain: Pink copy-Warrant Application and one copy of the Violation Report Package.

Central forwards to the districts:

3 Remaining copies of the Warrant Application.

3 Bench Warrants (original and sensitized copies).

Original and 1 copy of the Violation Report Package (with signature).

Step 4: Court Processing

Submit to the Sentencing Court for Signature: The Judge will receive one Violation Report Package, all Bench Warrants and Bench Warrant Application for court filing.

All Bench Warrants shall appear with the judge's signature.

Step 5: Distribution of Bench Warrants by Supervising Officer - Warrant Service

The officer shall immediately serve the Bench Warrant and complete proof of service data. To complete service: (1) Place the subject in custody in the county jail, or (2) serve the Warrant on the subject already in custody. The detention facility may request a copy of the Warrant for filing.

Forward to Central: Immediately upon completion of service, forward one Bench Warrant with proof of service data to Central Office for filing.

To Court: The Court may retain a Bench Warrant, On District Level: File a Bench Warrant with proof of service.

Step 6: Distribution of Bench Warrant Applications

The Court and district shall usually file copies of the Application. Extra copies are available if requested.

Step 7: Distribution of Bench Warrants: Client has Absconded Supervision

Upon the return of documents from Central Office and the Court, the officer shall file, on the district level, one Violation Report Package and one Bench Warrant and Application. Forward to Central Office two signed Bench Warrants and Bench Warrant Applications. In all cases, attach a photo of the subject. The Special Services Unit shall begin action on the case and shall issue notices to law enforcement networks in an effort to locate and arrest the subject on the Warrant.

OFFICER RESPONSIBILITY

The issuance of a Bench Warrant requires immediate action. The officer shall proceed with processing documents and coordinating activities necessary for revocation proceedings.

PROCESSING WITHDRAWAL OF A BENCH WARRANT-FELONY CASES

1. Approval shall be sought from the party originally authorizing Warrant issuance, i.e., from the Chief or Deputy Chief in felony cases.
2. Form 29, Order for Cancellation of Warrant, shall be completed.
3. A supplement to the Violation Report shall be attached. The supplement outlines the officer's reasoning for requesting cancellation.

4. The Order for Cancellation, the supplement and signed Bench Warrant shall be presented to the Court which originally issued the Warrant. The judge, after approval, shall sign the cancellation notice.

5. Distribution: File with the Court: Form 29 (original), supplement to the Violation Report and one Bench Warrant.

File on the district level: Signed documents as cited above. Document cancellation in the case files.

Forward to Central Office: Form 29 and the supplement. A Form 66M (Disposition Notice) shall always accompany the documents.

INTERSTATE CASES

Follow the instructions outlined in Retake Warrants. Interstate Processing for Warrant requests and cancellations. Technical Skills.

OFFICER RESPONSIBILITY

Throughout the Revocation Proceedings it is the supervising officer's responsibility to enter data as is requested on the Arrest Data Form.

Enter: Violation Report to Supervisor-Date
Warrant Received/Served/66M-Date

STATE OF NEVADA
DEPARTMENT OF PAROLE AND PROBATION

WARRANT APPLICATION

Date February 19, 1980

PROBATION

TO THE HONORABLE JUDGE JAKE O'HENRY SECOND JUDICIAL DISTRICT COURT,
DEPARTMENT III, WASHOE COUNTY, RENO, NEVADA

CASE OF SETH STING Case No. R79-000

Criminal Case No. C79-000

Birthdate 5-10-54 Race WMA

Sentence 2 YRS. NSP: 4 YRS. PROBATION County WASHOE

Original offense POSSESSION OF A SLOT MACHINE CHEATING DEVICE

Sentence began 8-3-79 Released 8-3-79

Sentence expires 8-3-83 Violation date 2-16-80

Charges: Violation of the following rules:

RULE 10: LAWS AND CONDUCT

RECOMMENDATION: THAT A BENCH WARRANT BE ISSUED AND SUBJECT BE RETURNED TO COURT FOR A PROBATION REVOCATION HEARING.

Attachment: VIOLATION REPORT

District to which sent CANE/DII

WARRANT APPROVED BY:

Deputy Chief
Chief Parole and Probation Officer

No. C79-000

Dept. No. III

IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
IN AND FOR THE COUNTY OF WASHOE

THE STATE OF NEVADA,

Plaintiff

vs.

SETH STING

Defendant

SAMPLE
WARRANT

BENCH WARRANT

TO ANY LAW ENFORCEMENT OFFICERS:

It appearing to the undersigned District Judge of the Second Judicial District Court of the State of Nevada, in and for the County of Washoe, that the defendant above-named has violated the terms of probation imposed upon him by this Court on the 3rd day of AUGUST, 1979.

NOW, THEREFORE, by virtue of this Bench Warrant you are hereby commanded forthwith to arrest the above-named defendant, and deliver him to the Chief Parole and Probation Officer of the State of Nevada in order that he may be brought before me forthwith at my office in RENO, Washoe County, State of Nevada.

DATED at Reno Washoe County, State of Nevada,
this 21st day of February, 1980

District Judge
District Judge

ATTEST: *Judith Wheeler*
County Clerk, of the Second Judicial District
Court of the State of Nevada, in and for the County of Washoe

PROOF OF SERVICE
Date Served 2-22-80
By Carol Cane
Agency Dept. of Parole & Probation
District Washoe

Criminal Case No. C79-000

Department No. III

IN THE SECOND JUDICIAL DISTRICT COURT OF THE
STATE OF NEVADA IN AND FOR THE COUNTY OF WASHOE

THE STATE OF NEVADA

Plaintiff

vs.

SETH STING

Defendant

ORDER CANCELLING BENCH WARRANT

In the above entitled action, the defendant was granted probation on August 3, 1979, for a period of Four Years and upon Application of the Department of Parole and Probation, and good cause appearing therefor:

IT IS HEREBY ORDERED, that the Bench Warrant issued February 21, 1980, be and is hereby cancelled.

DATED THIS 29 DAY OF February, 1980

District Judge
District Judge

Carol Cane
Submitting Officer for Department Parole and Probation
Carol Cane

SECTION 12: BENCH WARRANTS: GROSS MISDEMEANOR CASES

(NEVADA CASES)

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BENCH WARRANT-PROCESSING

The process for obtaining Bench Warrants for gross misdemeanor offenses is identical to that of felony processing with the exception that a Warrant shall be approved and issued on the district level by the District Supervisor. Reference Bench Warrants, Felony Cases.

DOCUMENT DISTRIBUTION

After service, the officer shall submit the following documents to the Unit or District Supervisor for mailing to Central Office: Violation Report Package including the Violation Report, Summary of Supervision, Support Documents (certified, notarized and/or witnessed depending on document content), Bench Warrant, Bench Warrant Application and 66M, Disposition Notice.

DISTRIBUTION: PROBATIONER HAS ABSCONDED SUPERVISION

District Files: File original Violation Report Package, Bench Warrant and Application.

Forward to Central: Immediately after securing the judge's signature, forward copies of the Violation Report Package, two Bench Warrants with Bench Warrant Applications and photo to Central Office.

PROCESSING WITHDRAWAL OF A BENCH WARRANT (GM)

1. Seek approval from the District supervisor.
2. Complete Form 29, Order for Cancellation of Bench Warrant.
3. Attach a supplement to the Order outlining reasoning for requesting cancellation.
4. Present the Order, supplement to the Violation Report and Bench Warrant to the Court where the signed Warrant was originally issued.
5. Distribution: Form 29, supplement and Bench Warrant shall be forwarded to Central Office with 66M recording the cancellation activity.

District Level: File documents as noted above.

DOCUMENTATION: ARREST DATA FORM

Enter: Violation Report to Supervisor
Data: Warrant Received
66M

INTERSTATE CASES

Process a Bench Warrant in accordance with instructions as provided in the (Retake Warrants Section. Interstate Cases. Technical Skills).

PAROLE AND PROBATION

DISPOSITION NOTICE

TO: Central Office RE: Kirsten McDonald FILE NUMBER: R80-000

ACTIONS:

<u> </u>	REVOCATION
<u> XX </u>	WARRANT ISSUED (GROSS MISDEMEANOR)
<u> </u>	VIOLATION REPORT/ACTION TAKEN
<u> </u>	REINSTATED
<u> </u>	MODIFICATION
<u> </u>	TRANSFERRED
<u> </u>	DISCHARGED
<u> </u>	DENIAL
<u> </u>	OTHER

The following action was taken on the above:

Warrant Issued 4-13-80

FROM Chris Williams DATE OF ACTION 4-15-80

SECTION 13: PAROLE RETAKE WARRANTS
(NEVADA CASES)

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PAROLE RETAKE WARRANTS

Step 1: Violation Report Package

Determine specific parole rules and regulations which have been violated and write the Violation Report, Summary of Supervision and attach support documents, i.e., arrest reports, certified copies of the conviction, blood/alcohol test results. Support documents shall be certified, notarized and/or witnessed depending on document content.

Submit for approval: Acquire the approval and signature of the Unit/District Supervisor.

Step 2: Distribution from the District Level

District files: One copy of the Violation Report Package which includes the Violation Report, Summary of Supervision and support documents.

Forward to Central: Original and two copies of each document in the Violation Report Package.

Step 3: Central Office Processing

Upon the Chief's approval and signature of the Package, Central shall issue the Retake Warrant Application and 3 Retake Warrants. The Retake Warrants shall be signed by the Chief and a member of the Board of Parole Commissioners.

Central shall retain: Pink copy-Warrant Application and Original Violation Report Package documents. Central shall file one Retake Warrant.

Exception: In District IV, original documents shall be returned to the district level with Central retaining copies. Original documents are used on the district level to process paperwork for Parole Board Hearings.

Central forwards to the districts:

- 2 Retake Warrants
- Retake Warrant Applications
- 2 remaining copies of the Violation Report Package

Step 4: Distribution of Retake Warrants by Supervising Officer - Service (Graphs I and II)

The officer shall rebook or arrest the parolee on the Retake Warrant as soon as possible and shall complete "Warrant Data" as requested on the reverse side. The Warrant shall be served (1) by placing the individual in custody, or (2) by service on

an individual already in custody.

Central Office: Central shall retain an original Retake Warrant upon issuance as stated previously. Forward Warrant Data or proof of service immediately upon service. Attach a 66M.

District Level: File Retake Warrant with Warrant Data.

File one Retake Warrant with Warrant Data with the proper law enforcement agency holding the subject. The Warrant shall accompany the subject to Nevada State Prison in appropriate cases.

Step 5: Distribution of Retake Warrant Applications

One Retake Warrant Application shall be filed on the district level with the remaining copies retained for requests.

Step 6: Distribution of Retake Warrants: Client has Absconded Supervision

After submitting the Violation Report Package documents to Central Office with attached photo, the districts shall receive one Violation Report Package and one Retake Warrant and Application. All other documents shall be retained in the Warrant File in Central Office.

EMERGENCY RETAKE WARRANT PROCESSING

NOTE: Occasionally, emergency Retake Warrants may be sought. When an emergency Warrant is required, Central Office shall be notified and approval sought from the Chief or Deputy Chief Parole and Probation Officer.

If an emergency Retake Warrant is sought on weekends or holidays, the Deputy Chief Parole and Probation Officer or the Program and Training Manager shall be notified to process the Warrant.

OFFICER RESPONSIBILITY

The issuance of the Retake Warrant requires immediate action. The officer shall proceed with processing documents and coordinating activities necessary for facilitating revocation proceedings.

PROCESSING WITHDRAWAL OF THE PAROLE RETAKE WARRANT

1. The officer shall first obtain the Chief's approval for cancellation activity.

A supplement to the Violation Report shall be completed

defining reasons for requesting cancellation. The supplement shall be filed in Central Office.

2. After receiving approval, the officer shall forward the remaining two Retake Warrants to Central Office for cancellation stamping.
3. District Level: File the supplement and document the cancellation in the case files.

INTERSTATE CASES: WARRANT PROCESSING AND CANCELLATION

1. Processing a Warrant: After receiving approval from the Unit/District Supervisor to seek a Warrant, the officer shall attach support documents, notarized, certified and/or witnessed depending on document content. A copy of all documents shall be filed in the district.
2. All documents shall be forwarded to Central Office, Interstate Compact Unit. An ORIGINAL AND TWO OF EACH DOCUMENT shall be forwarded to Central Office, Interstate Compact Unit.
3. The Interstate Compact Supervisor shall request the issuance of the Warrant from the sending state. One Retake Warrant shall be received in Central whereupon a copy shall be made for Central files and the original mailed to the district to be logged as a detainer at the holding facility.
4. Warrant Cancellation: Although such activity is rare, the officer shall contact the Interstate Compact Supervisor who in turn shall request permission from the sending state for the withdrawal of the warrant. Upon approval, the Interstate Compact Supervisor shall facilitate cancellation.

OFFICER'S RESPONSIBILITY - ARREST DATA FORM

Throughout all revocation proceedings it is incumbent upon the officer to be certain to maintain accurate and current data on the Arrest Data Form.

Enter: Violation Report to Supervisor-Date
Warrant Received/Served/66M-Date

STATE OF NEVADA
DEPARTMENT OF PAROLE AND PROBATION

WARRANT APPLICATION

PAROLE

Date March 8, 1980

TO: HONORABLE MEMBERS, BOARD OF PAROLE COMMISSIONERS
CARSON CITY, NEVADA

CASE OF LANE, LARRY Case No. L78-000

N.S.P. No. 000

Birthdate 4-10-23 Race CAUC.
LIFE W/O COMMUTED IN OCTOBER 1977

Sentence TO LIFE WITH County ELKO

Original offense MURDER 1st

Sentence began 5-23-62 Released August 18, 1978

Sentence expires LIFE Violation date March 5, 1980

Charges: Violation of the following rules:

- RULE 2: RESIDENCE
- RULE 4: EMPLOYMENT/PROGRAM
- RULE 5: REPORTS
- RULE 6: INTOXICANTS
- RULE 12: LAWS AND CONDUCT

Recommendation: Retake Warrant be issued and subject be returned to prison for a parole violation hearing.

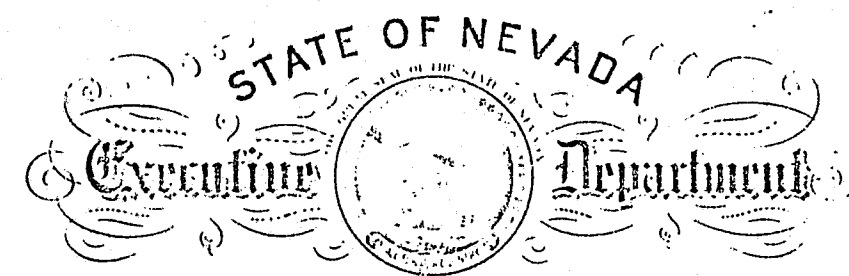
Attachment: VIOLATION REPORT

District to which sent J. Yorkins
J. Y. YORKINS

WARRANT APPROVED BY:

J. M. Chief
Chief Parole and Probation Officer

5055



WARRANT FOR RETAKING PAROLED PRISONERS

To any Parole Officer or any Peace Officer Authorized to Arrest or Serve Criminal Process:

The undersigned, having reasonable cause to believe that Larry Lane, a prisoner of the Nevada State Prison System, and now in the State of Nevada, has violated the conditions of a parole granted him on the 18th day of August 1978, in that he violated his parole by violating the following rules:

- RULE 2: RESIDENCE
- RULE 4: EMPLOYMENT/PROGRAM
- RULE 5: REPORTS
- RULE 6: INTOXICANTS
- RULE 12: LAWS AND CONDUCT

SAMPLE
WARRANT

AS A RESULT OF HIS PAROLE STATUS UNDER THE REVISED STATUTE 179.209, SUBJECT IS NOT ALLOWED BAIL.

NOW, THEREFORE, pursuant to the provisions of Section 213.150 of Chapter 213, Nevada Revised Statutes of 1977, it is hereby ordered that said parolee be retaken and returned to the Nevada State Prison and into the actual custody of the Warden thereof, and you and each of you are hereby authorized and required to so retake the Parolee. For so doing, this Warrant is legally sufficient.

Dated at Carson City, State of Nevada, this 8th day of March, 1980.

THE STATE BOARD OF PAROLE

By Theodore Anderson
Member of the Board of Parole

J. M. Chief
Chief Parole Officer

By Mr. Secretary of State
Secretary of State

SECTION 14: VIOLATION REPORTS: INSTRUCTIONS FOR COMPLETION
(IN STATE AND INTERSTATE CASES)

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VIOLATION REPORTS: FORM 28P AND 28M

1. Characteristics of a good report: Brief, thorough and accurate. The report should document the true character of the client in reference to the violation.
2. Keep in mind that the Report is the foundation for the Preliminary Inquiry and Revocation Hearings.

Structure

The basic structure is recorded on Forms 28P and 28M. Both are processed for parole and probation violations (respectively) in those cases where (1) a warrant is requested and (2) where revocation is recommended.

Content

The content requested remains the same for probation and parole cases. The Violation Report in probation cases shall be addressed to the Honorable (enter Judge's name) and record judicial district. In parole cases, address the Board of Parole Commissioners. Where it is necessary to request both a parole and probation warrant, the officer shall write one Violation Report and adjust the heading accordingly.

There is no need to record the special condition on the upper right hand corner of the report. Where appropriate, reference the special condition in the body of the report.

Data Requested

1. Alleged Violation.
2. Details of Violation.
3. Recommendation.
4. Whereabouts and Availability.

Complete: Submitted By (supervising officer). Reviewed By (Unit/District Supervisor) and Approved By (Chief Parole and Probation Officer).

Attach: Summary of Supervision (Previous Violation Record follows), and Support Documents (certified, notarized, and/or witnessed depending on document content).

INSTRUCTION FOR COMPLETION OF 28M AND 28P

1. Alleged Violation

Record specific violations and charges and, in all cases, cite

each specific rule, i.e., Rule 6: Weapons, Rule 4: Intoxicants and Rule 7: Associates.

2. Details of Violation

Detail each violation in the order recorded in alleged violations using a step-by-step approach.

Detail and support each violation with substantiating evidence. Reference support documents, i.e., certified arrest reports, certified test results, etc.

Make use of dates, time, full names and affiliations, locations, addresses, telephone numbers, etc. Be definitive and specific in every instance.

3. Recommendation

The officer's recommendation will request the issuance of a Bench or Retake Warrant for the subject's arrest and revocation proceedings.

In appropriate cases, an officer may request that a case be handled on a "walk in" basis. In parole cases, a Warrant will be available at the time of the hearing signed by the Secretary of State and Chief Parole and Probation Officer. Should the Board wish to remand the party to custody, a member of the Board may then sign the Warrant and it will be served by the officer at that time.

No Warrant need be prepared in a probation case as the judge has the authority to remand at the actual hearing.

Note: Where the officer recommends continued supervision and no warrant issuance, an Incident Report shall be completed in the majority of cases.

4. Whereabouts and Availability

- (a) If the writer of the report is uncertain as to the whereabouts and availability of a subject, the writer shall simply not make a statement regarding availability. For example, state "The whereabouts of the subject is unknown at this time."

The Summary of Supervision should address all efforts made to locate the client prior to the preparation of the Violation Report. This includes extensive field and phone contacts with those who may have knowledge of the client's whereabouts as well as formal attempts to locate placed with local law enforcement agencies.

- (b) If the subject is in the County Jail or in custody of the

Washoe County Sheriff, state such. State if a Hold has been placed on the subject by the Department for violation of probation. State that service of the warrant is possible (where appropriate).

If the subject is, for example in the County Jail and is in custody on other charges, the subject most likely is not immediately available to the Department. In this case, the writer will simply state that service of the Warrant may be effected at the County Jail. The writer will not state that the subject is "immediately available" unless the writer has determined this to be true.

Problems occur when, at a much later date, the subject appears before the Parole Board and the attorney accuses the Department of not acting within the time limit set by Nevada Statutes. The Department is then left to explain that the subject was unavailable due to new charges; thus, the Department will need to further explain and defend the statement made in the original Violation Report that "subject was immediately available."

INSTRUCTIONS FOR COMPLETION OF ATTACHMENTS TO THE VIOLATION REPORT

1. Summary of Supervision

Present a complete picture of the full period of supervision. Concentrate on the behavior of the subject, adjustment to the community, pattern of residency and employment, use of leisure time, etc. The Summary should NOT be a reiteration of all the negatives of the case nor should it simply repeat the allegations listed in the Violation Report. It should contain the positive as well as negative aspects of the case.

The Summary must also reflect efforts made by the officer to effect rehabilitation and compliance with rules and conditions. This includes goal planning agendas, referrals to employment, alcohol/drug/mental health counseling, any special programming, etc.

In the case of an absconder as indicated in the subsection, Whereabouts and Availability, exhaustive and detailed investigation and documentation of efforts to locate are to become a part of the Summary of Supervision.

The officer shall be definitive and specific in presentation. A chronological approach, full names and affiliations, dates, times, locations and addresses, etc., shall be presented.

Previous Violations appear along with the Summary and shall be cited immediately after the Summary.

State all Previous Violations and dispositions. Reference all Incident Reports submitted and dispositions.

If no Previous Violations exist, simply state "none."

ATTACHMENTS

Documents attached to the Violation Report will support and lend credence to evidence presented therein.

Court documents shall be certified by the county clerk and additional documents may be certified and/or notarized depending on document content by the arresting agency and attached. Documents include, but are not limited to:

1. Arrest Reports.
2. Police Reports with attachments, i.e., narcotic/blood alcohol/urine test results.
3. Notarized statements made by the offender.
4. Picture of the victims, weapons, and other relevant supporting evidence.
5. Official records from any other criminal justice agency.

OFFICER RESPONSIBILITY

Be certain data on the Arrest Data Form is current: "Violation Report to Supervisor."

VIOLATION REPORT: FORM 5M-1 (INTERSTATE)

Structure

The structure of the Interstate Violation Report remains the same as that of Forms 28M and 28P (Instate Violation Reports for Parole and Probation) with one exception: Form 5M-1 requests "Preliminary Inquiry Hearing Information."

The heading on Form 5M-1 addresses the appropriate Compact Administrator in the state involved.

It is not necessary to record an existing special condition in the upper right hand corner of the Violation Report. When appropriate, reference the condition in the body of the report.

Content

It should be remembered that the Violation Report is to be

reviewed by a jurisdiction at a distance from the area in which the violation occurred. The writer shall insure that questions are not left unanswered. The reader should be able to process a rational decision regarding the disposition of the case based on the content presented.

Data Requested

Alleged Violations
Details of Violation
Recommendation
Whereabouts and Availability
Preliminary Inquiry Hearing Information

Attach: Summary of Supervision (Previous Violation Record follows), Support Documents (Certified, notarized, and/or witnessed).

Completed by: Supervising Officer. Reviewed by: Unit/District Supervisor. Approved by: Interstate Compact Supervisor, Central Office.

INSTRUCTIONS FOR COMPLETION OF 5M-1

Reference the Section herein for "Instructions for Completion of 28M and 28P."

Preliminary Inquiry Hearing information: State if the PI has been waived or requested. If requested, include date, time, location and any other pertinent information. If held, the Summary of Inquiry shall be received by the sending state.

Attach: Support documents. If support documents are not immediately available, note that documents shall be forwarded as soon as possible.

OFFICER RESPONSIBILITY

Be certain data on the Arrest Data Form is current: "Violation Report to Supervisor."

SECTION 15: PRELIMINARY INQUIRY

(NOTICE OF RIGHTS)

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THE RIGHT TO A PRELIMINARY INQUIRY

The PI Hearing affords the parolee or probationer, in violation of the rules and regulations of parole or probation, minimum due process rights.

Morrissey v Brewer, 1972: In 1972, the United States Supreme Court granted Fourteenth Amendment due process rights to all parolees being charged with parole revocation. Morrissey established due process to constitute: (1) An informal Preliminary Inquiry Hearing, and (2) A formal Revocation Hearing.

Gagnon v Scarpelli, 1973: In 1973, the United States Supreme Court granted the accused probation violator the same Fourteenth Amendment due process rights offered to the accused parole violator. The Supreme Court stated, "Due process mandated preliminary and final revocation hearings in the case of a probationer under the same conditions as are specified in Morrissey v Brewer."

NRS 213.1511 and NRS 176.216 exist in conformance with the Supreme Court Rulings found in Morrissey and Scarpelli.

NRS 213.1511: Inquiry to determine probable cause to believe violation occurred; inquiring officer; place, time of inquiry:

1. Before a parolee may be returned to the custody of the Nevada State Prison for violation of a condition of his parole, an inquiry shall be conducted to determine whether there is probable cause to believe that he has committed acts that would constitute such a violation.

(Inquiring Officer):

2. The inquiry shall be conducted before an inquiring officer who:
- Is not directly involved in the case;
 - Has not made the report of parole violation; and
 - Has not recommended revocation of parole, but s/he need not be a judicial officer.

(Location of Inquiry; Date of Inquiry):

3. Except in a case where the parolee is a fugitive, the inquiry shall be held at or reasonably near the place of the alleged violation or the arrest and as promptly as is convenient after the arrest.

NRS 176.216: Preliminary inquiry following arrest of probationer; Purpose; qualifications of inquiring officer; time, place of hearing:

1. Before a probationer may be returned to the court for

violation of a condition of his/her probation, an inquiry shall be conducted to determine whether there is probable cause to believe that he/she has committed any act that would constitute such a violation.

(Inquiry Officer):

2. The inquiry shall be conducted before an inquiring officer who: (See #2 above)

(Location of Inquiry; Date of Inquiry: Time Specifications):

3. Except in a case where the probationer is a fugitive, the inquiry shall be held promptly at or reasonably near the place of the alleged violation or the arrest, and not later than 15 days after the arrest if the arrested person is on probation from a Nevada court or 30 days after the arrest if he/she is on probation from another state and under supervision in this state.

DEPARTMENT POLICY: 5 AND 15 DAY RULE

In accord with the 15 day requirement established per NRS 176.216 and in accord with the requirement for "promptness" as illustrated in NRS 213.1511, the Department policy shall be:

The Preliminary Inquiry must and shall be held within 15 days of hold or arrest and not before 5 working days or 120 hours after the service of Form 40, excluding Sundays and legal holidays.

Reference is to the day a hold or arrest is effected by the Department of Parole and Probation and not by an outside agency on new charges.

Counting: The day of service shall not be counted. The day of the PI Hearing may be counted.

Exception to Time Specification: The above time restraint must be adhered to with the exception of instances where delays are attributed to the subject's own actions in requesting continuances.

- Document Delay: The officer shall document the delay as a chrono entry.
- Process Waiver: The officer shall process a written waiver and request signatures from the subject (and counsel, if represented). The waiver shall be signed by the officer acting as a witness to the action.

PI NOTICE REQUIREMENTS CONFORMING TO STATUTE

Form 40 sets the framework for the PI Hearing and informs the officer of the alleged violator's request for or waiver of the Hearing.

The Form 40 is in accord with requirements set forth in NRS 176.217 for the probationer and in NRS 213.1513 for the parolee.

NRS 176.217: Preliminary inquiry following arrest of probationer: Rights of probationer.

(Notice Requirements: Form 40):

1. The board or detaining authority shall give the arrested probationer advance notice of:
 - (a) The place and time of the inquiry.
 - (b) The purpose of the inquiry.
 - (c) What violations of probation have been alleged.
2. The inquiring officer shall allow the probationer to:
 - (a) Appear and speak on his own behalf.
 - (b) Obtain counsel.
 - (c) Present any relevant letters or other documents and any person who can give relevant information.
 - (d) Confront and question any person who has given adverse information on which a revocation of his probation may be based, unless in the opinion of the inquiring officer the person would be subject to a risk of harm by disclosure of his identity.
(Added to NRS by 1977, 815)

NRS 213.1513: Inquiry to determine probable cause: Notice to parolee; rights of parolee during inquiry:

(Notice Requirements - Form 40):

1. The board or detaining authority shall give the arrested parolee advance notice of: (See NRS 176.217).

PROCESSING FORM 40 IN AGREEANCE WITH DEPARTMENT POLICY

Step 1: Set Groundwork

The officer shall request the Unit/District supervisor to appoint a hearing officer. Hearing officer characteristics shall be in conformity with Statutes referenced.

Set a date, time and location for the PI that is mutually satisfactory with parties concerned and in compliance with the 5 and 15 day Rules.

Step 2: Rules For Completion of Form 40 (See attached example in compliance with rules)

1. Subject Requests PI

If the subject is requesting the PI, all sections of Form 40 shall be completed. The officer shall place an X over the section titled, Waiver. The alleged violator and the officer shall initial each of the X's.

2. Subject Waives PI

If the subject is waiving the PI, all sections of Form 40 shall be completed. The officer shall place an X in the sections titled, Request for Counsel, and Request for PI. The alleged violator and the officer shall initial each end of the X. The subject shall complete the waiver and both the subject and officer shall sign in full.

3. Step by Step Format for Completion

- (a) The client and officer review the client's rights: #1-#7. The client shall initial each and every statement.
- (b) Request for counsel. If the client chooses to waive counsel, none shall be entered and the client shall sign in full.

If the client chooses to request counsel, the officer facilitates contact with defense counsel. If private counsel is requested, enter full name and address.
- (c) Notice of Hearing: Time, date hearing officer and alleged violations have been previously entered by the officer. It is mandatory that alleged violations listed be the same as those cited on the Violation Report and/or supplemental reports.
- (d) Request for PI: If requesting: Enter witnesses names and addresses in full. Where witnesses are not requested, record none in each appropriate section.

The client and officer shall initial each section showing none.

- (e) Waiver of PI: (See Subject Waives PI).
- (f) Receipt for Documents: The subject shall be given a copy of the Violation Report (no attachments) and a copy of Form 40 (yellow). The subject shall sign in full indicating receipt and review of his rights as recorded.

4. Encountering Problem Areas in the Completion of the Notice of Rights (Form 40)

Refusal to Sign

Should the subject choose not to sign Form 40, or any portion thereof, such refusal shall be noted on the subject's signature line and witnessed by the presenting officer and one other party. The name and affiliation of the other party shall be noted in each appropriate section.

Not to be Construed as a Waiver of the PI: While a verbal waiver may be accepted, refusal on the part of the client to discuss or sign Form 40 shall not be construed as a waiver of the PI.

The hearing date must be scheduled in all cases. The defense counsel must be notified in the same manner as if the client and requested counsel.

Resists Transportation to PI - Waiver of PI

If on the scheduled date of the PI, the subject resists transportation to the hearing site, resistance shall be construed as a waiver of the PI.

This action must be documented, signed and witnessed by the officer and jail personnel.

Should the client originally request a PI Hearing and Form 40 and later decide to waive the PI, a new Form 40 need not be executed. A written statement signed by the client and witnessed by the officer is sufficient. A copy shall be given to the client and shall accompany all other Violation Report Packet materials.

Step 3: Rules for Service of Form 40

Form 40 shall be served on the subject (alleged violator) in all cases. The officer must be certain to fully explain all sections and all rights in order that the subject may develop a full understanding of the Notice of Rights.

The officer shall acquire a translator if communication

barriers exist. The officer shall request the client to initial each and every record therein.

FORM 40: DISTRIBUTION

In conformance with distribution routes as outlined on the FORM 40:

Original	Hearing Officer (initially)/Court/Parole Board.
White	Interstate Compact Unit/District Attorney/Defense Counsel and/or Prison (parole cases).
Yellow	Defendant.
Blue	Central Office Files.
Pink	District Files.

OFFICER'S RESPONSIBILITY - STRUCTURING THE PI

1. Arrange for the selection of a hearing officer with the Unit/District supervisor.
2. Arrange for a time, date and location for the PI to be held.
3. Fully prepare case. The supervising officer performs the role of prosecuting officer. Give notice to all parties including client, hearing officer, counsel (if requested) and witnesses for the prosecution. Distribute all documents necessary for preparation.

Have all case data and evidence available for presentation.

GUIDELINES: PROBABLE CAUSE HEARING

1. A probable cause hearing on a parole or probation alleged violation is a hearing and not a trial as that term is used in criminal cases.
2. The alleged violator is not entitled to a jury trial on revocation.
3. Proof beyond a reasonable doubt is not required to show violation of a condition of parole or probation. A clear and satisfactory showing is sufficient. A hearing officer needs "reasonable grounds to believe that the arrested parolee or probationer has committed acts which would constitute a violation of parole or probation conditions."
4. The result of the PI is not a conviction but a finding upon which a trial court/Parole Board may exercise discretion by revoking, reinstating or modifying probation or parole.

HEARING OFFICER SELECTION

(See NRS cited in introductory remarks)

Care must be taken by supervisors in the appointing of an impartial hearing officer. In accordance with Department policy, the following individuals may perform as hearing officer:

1. Volunteers.
2. Appropriate Department Staff.
3. Officers not excluded by mention herein.

The following individuals may not perform as hearing officers:

1. District Supervisors.
2. Probation or Parole Officer I or II, on probationary status.
3. No hearing officer shall be selected from the same subunit or team wherein a client is under supervision.
4. No hearing officer may be selected from an ISU Unit when a client is being supervised by that Unit.

HEARING OFFICER DUTIES

(See NRS cited in introductory remarks)

1. The hearing officer shall be familiar with Nevada Revised Statutes addressing the PI: NRS 176.216 - 176.218 and 213.1511 - 213.1515.
2. Responsibilities at PI: (1) To manage a well organized hearing, maintaining total control; (2) To evaluate the prosecution and defense cases to determine presence or absence of probable cause on each alleged violation; (3) To write the Summary of Inquiry.

Prior to PI: The hearing officer shall pre-read the Violation Report Package prepared by the supervising officer: Form 40, Violation Report and support documents.

3. Conduct Hearing:
 - (a) Convene the hearing and ascertain the identity and title of persons present, i.e., the defendant, witnesses for the defendant, parole and probation officer, etc.

- (b) Explain the purpose of the PI. Verbally note any irregularities such as change in the time or place, proceeding without counsel, etc.
- (c) For the record, review the Form 40 outlining the subject's rights. The hearing officer must be certain the subject has a clear understanding of his/her rights and that all parties involved understand the nature of the PI.
- (d) Set the ground rules for the defense counsel, officer and subject. It is suggested that you structure the setting as follows:

-Verbally note the informality of the hearing.

-Request the statement and presentation of evidence from the charging officer.

-Request defense counsel to present the defense case.

-In closing, issue a decision on "probable cause" in the alleged violation or violations.

Decision on Probable Cause: The decision on probable cause shall be rendered immediately unless legal advice is needed based on a motion by the defense counsel. In the majority of cases, a decision shall be rendered immediately. In all cases, a decision shall be rendered in one working day.

- (e) Write the Summary of Inquiry. In all cases, the hearing officer shall submit the Summary in final form and ready for distribution to the supervising officer within 3 working days.

The Hearing Officer's Determination: The hearing officer's determination is sufficient to warrant detention of the subject pending the Revocation Hearing before the court or Parole Board. (NRS 176.218 and NRS 213.1515)

4. The Finding of Probable Cause

In deciding if probable cause exists, the hearing officer would consider a number of factors including the following:

- (a) Is the evidence and testimony believable?
- (b) Are there major conflicts in testimony?
- (c) Does the subject admit guilt?
- (d) Has the charging officer provided supporting evidence and/or testimony for each alleged violation?
- (e) Does the defense offer supporting evidence and/or testimony in defense of each alleged violation?
- (f) What do you honestly think after hearing both sides?

OFFICER'S RESPONSIBILITY: DISTRIBUTION OF SUMMARY

The client, defense counsel, district attorney (probation cases) and district files shall receive a copy.

Central Office shall receive the original in parole cases and a copy in probation cases in District IV cases.

EFFECTS OF A HOLD, WARRANT AND/OR DETENTION ON THE PI

Reference, Preliminary Inquiry. Subsection, Officer Responsibility: Due Process Requirements. Technical Skills.

ARREST DATA FORM

The officer shall enter data as requested on the Arrest Data Form: PI date scheduled and held, or date waived; results and notice to Central Office. Data shall be entered without delay providing the officer and supervisor with an overview of progress throughout the revocation proceedings.

P&P FORM 49 (Rev. 12-77)
Original to Court/Board
White to Compact
Yellow to Delinquent
Blue to Central
Pink to District

STATE OF NEVADA
DEPARTMENT OF PAROLE AND PROBATION

REQUEST FOR/OR WAIVER OF
PRELIMINARY INQUIRY HEARING FOR PROBATION/PAROLE VIOLATION

I, LARRY LANE.....having been arrested for alleged violation of terms and conditions of my Probation/Parole acknowledge that I have been timely and duly informed and advised of my rights as follows:

- (1) I have the right to request a Preliminary Inquiry Hearing. If requested, the hearing shall be held before a Hearing Officer designated by the Department of Parole and Probation who shall not have been involved with my case, so that only the evidence presented at the hearing will be considered in determining whether or not probable cause to believe such violation(s) did, in fact, occur. I understand that the Hearing Officer would have to be satisfied that probable cause exists in order that Revocation Proceedings before the Court of Record/Board of Parole Commissioners would be allowed to continue. Initial LL.....
- (2) I have been advised that I have the right to call witnesses on my behalf, who have information as to the truth or falsity of the allegations made. Initial LL.....
- (3) I have been advised that I have the right to confront and question any person who has given adverse information on which a revocation of my Parole/Probation may be based, unless in the opinion of the Hearing Officer the person would be subjected to a risk of harm by disclosure of his identity. Initial LL.....
- (4) I have been advised that I have the right to present documents or other mitigating evidence in my behalf. Initial LL.....
- (5) I have been advised that I have the right to obtain counsel or have counsel appointed on my behalf should I be unable to afford it. I understand, however, that this right depends upon the Hearing Officer's finding of the necessity for counsel for proper conduct of the hearing, as determined by the complexity of my case and my ability to effectively communicate my thinking concerning my case to the Hearing Officer. Initial LL.....
- (6) I have further been informed that the decision rendered by the Hearing Officer is not binding upon final disposition of this matter, but that he can only request that my case be brought before the Court of Record/Board of Parole Commissioners, who are the only bodies empowered with rendering final judgment and disposition. Initial LL.....
- (7) I have further been given to understand, and do understand fully, that my request for, or waiver of, the Preliminary Inquiry Hearing is in no way considered to be an admission of guilt on my part. Initial LL.....

I, LARRY LANE....., on March 10, 1980....., have read, or have had read to me, the foregoing and duly understand the meaning and import of the contents. I further certify that a copy of the foregoing was furnished to me.

Witness G. Gaskins Signed Larry Lane
Dated March 10, 1980

I hereby request the assistance of counsel to aid me in my Preliminary Inquiry Hearing. I request Public Defender
Public Defender Named
.....to act as my counsel. (If private counsel, please include address.)
Private Counsel

Witness G. Gaskins Signed Larry Lane
Dated 3/10/80

NOTICE OF HEARING

You, LARRY LANE....., are hereby advised that the Preliminary Inquiry Hearing concerning your alleged violation of Probation/Parole conditions will be held on March 19, 1980....., 2:00 P.M......, at Washoe County Jail.....
Date Time Location

Your Hearing Officer will be E. E. Kunning, Parole & Probation-Adult P&P Officer
Name Agency and Position

and the charges to be brought against you are as follows (to be completed even if hearing is waived):

Violation 1. RULE 2: RESIDENCE

Violation 2. RULE 4: EMPLOYMENT AND/OR PROGRAM

Violation 3. RULE 5: REPORTS

Violation 4. RULE 6: INTOXICANTS

Violation 5. RULE 12: LAWS AND CONDUCT

REQUEST FOR PRELIMINARY HEARING

I, LARRY LAND, request that I be granted a Preliminary Inquiry Hearing and desire
Name

to call the following named witnesses on my behalf:

Name None JJ/yy Address

Name Address

Name Address

I further request that I be granted the opportunity to question the following adverse witnesses. (If it is your intention to deny allegations made by your Parole Officer, Police Officer or any other witness, request the presence of these witnesses for the hearing.)

Name None JJ/yy Address

Name Address

Name Address

Signed

Witness G. Garkins

Date 3/10/80

WAIVER OF PRELIMINARY INQUIRY HEARING

I, LARRY LANE, hereby waive my right to a Preliminary Inquiry Hearing and wish
Name
to present my case directly to and before the Court of Record, Board of Parole Commissioners.

Signed JJ

Witness JJ

Date JJ

RECEIPTS FOR DOCUMENTS

I, LARRY LANE, hereby certify I have received the following documents:
Name

1. Details and summary of alleged Probation/Parole Violations as charged.

2. A copy of this, my Notice of Rights.

Signed Larry Lane

Witness G. Garkins Date 3/10/80

SUMMARY OF THE PI HEARING

Content and Instructions for Completion

Form 86M, Summary of Inquiry, shall be completed by the hearing officer:

1. Date, time and place.
2. Appearances: For the parolee/probationers.
For the Department.
3. Supervising Officer.
4. Hearing Officer.
5. Supporting Documents (attached).
6. Body of the Summary:

a. Rights Verified: Summarize verification of subject's rights: Receipt of Form 40 and the Violation Report. Summarize subject's understanding of rights and charges. Summarize subject's waiver of or request for and presence of counsel.

Explain that you have conveyed the purpose of the PI to all parties and note irregularities cited. For example, note any changes in the scheduled hearing officer, counsel...

b. Violation Case: Outline statement and presentation of evidence from the charging officer to support a revocation of probation or parole.

c. Defense Case: Outline your decision on probable cause for each alleged violation. For example, "yes, there is probable cause on Rule 3 and the reasons and evidence relied upon are a, b and c", or "no, there is no probable cause on Rule 5, and the reasons and evidence relied upon are a, b and c."

Summary of Inquiry: Attached (Face Sheet Only)

SUMMARY OF PRELIMINARY INQUIRY HEARING, FACE SHEET
DEPARTMENT OF PAROLE AND PROBATION
DISTRICT OFFICE II

TO: Honorable Parole Board DATE: July 20, 1983
State of Nevada
Carson City, NV 89710

Re: Reale, Tony

File No: L82-001

Criminal Case No: 00001

SUMMARY OF PRELIMINARY INQUIRY HEARING

The above named subject appeared for a Preliminary Inquiry on Tuesday,
(day)

July 19, 1983, at the hour of 2:30 p.m., at
(date) (time)

Washoe County Jail, Reno, NV.
(place)

APPEARANCES:

For the Parolee/Probationer: Dave Schorran.....defense witness
Myra Yates.....defense counsel,
retained

For the Department of Parole and Probation:
Sgt. Tom H. Offers, CC Police...Witness
Beth Treadway, victim.....Witness
Alan Atter, VIP.....P&P Dept.

Supervising Officer: Warren Copland.....P&P Dept.

Hearing Officer: Vic Caprici, VIP.....Trained
Hearing Officer

- Supporting Documents:
1. Violation Report, dated July 3, 1983
 2. P&P Form 40---Rights Form
 3. Police Report, dated July 4, 1983
 4. (One firearm--pistol--held in CC Police evidence locker, Sgt. Brown, Custodian)

SECTION 16: DOCUMENT FLOW IN PREPARATION FOR WARRANT ISSUANCE

AND THE PRELIMINARY INQUIRY HEARING

(INSTATE AND INTERSTATE CASES)

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GUIDELINES: INSTATE CASES

The document flow as referenced below and as outlined in Graphs I and II reviews the distribution of paperwork processed for the issuance of Bench and Retake Warrants as well as outlining the movement of documents necessary in preparation for the holding of the Preliminary Inquiry Hearing.

Felony Probation Cases: All districts forward original Violation Report Package documents to Central Office for approval and request for Warrant issuance. Central, in turn, returns originals to the districts and retains a copy of Package documents (reference, Bench Warrants, Gross Misdemeanor Cases and Bench Warrants, Felony Cases. Technical Skills).

Parole Cases:

Districts I, II, III and V: Original documents throughout the violation proceedings shall be forwarded to Central Office for filing purposes.

District IV: Central Office shall receive original Violation Report Package documents needed for approval purposes for Warrant issuance. Central shall retain a copy of these documents and return the originals to the district level. District IV original documents shall be used by officers in preparation for Parole Board Hearings held in the district.

After Warrant issuance, documents received in Central Office throughout the violation proceedings may be copies and not originals.

DISTRIBUTION OF DOCUMENTS: GRAPHS I AND II

Paperwork processing for Warrant issuance has occurred; PI preparation occurs.

Client: Form 40 (yellow) and Violation Report (no attachments) copy.

Defense Counsel: (If requested on Form 40) Form 40 (white), Violation Report (No attachments) - copy, Support Documents - (copy). Provide counsel with a copy of the Bench or Retake Warrant upon specific request.

District File: Bench Warrant/Retake Warrant, Warrant Application (copy), Form 40 (pink), Violation Report Package (copy).

Retained by Central Office Upon Receipt of the Warrant Request: Bench Warrant Application or Retake Warrant Application, Retake Warrant, Form 40 (Blue Copy) -- to Central in preparation

for the PI, Violation Report Package: Original/parole cases; copy probation cases.

Forward to Central Office (after Warrant service): Bench Warrant, signed with Proof of Service, Proof of Service/Warrant data for Retake Warrant service.

Law Enforcement Agency: Bench Warrant (copy or original) with Proof of Service, Retake Warrant: Same.

GUIDELINES: INTERSTATE CASES

Preparation for the Preliminary Inquiry: Documents received by the client, defense counsel (if requested), hearing officer, and district are identical for Instate and Interstate cases with exceptions below:

1. Use Form 5M-1: Interstate Violation Report (Reference, Violation Reports. Supervision Skills).
2. In all cases, the Interstate Compact Supervisor, Central Office, shall receive and retain an original and two of all Violation Report Package documents.

DISTRIBUTION OF DOCUMENTS AFTER THE PRELIMINARY INQUIRY:

FINDING OF NO PROBABLE CAUSE

1. Instate Cases: The Summary of Inquiry shall be filed on the district level and a copy sent to Central Office. A copy shall be submitted to the client. Supervision resumes. (Send an original to Central Office in parole cases; exception, District IV).

Form 66M to Central Office: Record case disposition.

Arrest Data Form: Enter data as it relates to violation proceedings. (Reference Arrest. Technical Skills).

3. Officer Responsibility: If no probable cause has been found, the supervising officer shall be certain to withdraw the hold/warrant immediately. In no case shall detention exceed 5 hours regardless of time of day or day of week!

Reference, Hold Order and Warrant Sections. Technical Skills).

DISTRIBUTION OF DOCUMENTS AFTER THE PRELIMINARY INQUIRY:

FINDING OF PROBABLE CAUSE (Graphs III, IV and V)

1. Prepare for Revocation Hearing. (Reference Preparation

for Revocation Hearing. Supervision Skills).

2. Distribute a copy of the Summary to the client, defense counsel and to the district attorney (as is appropriate). District files-copy. Central-copy/probation cases. Original/parole cases with the exception of District IV.
3. Distribution of documents in preparation for the Court Revocation Hearing is accomplished in packet format as outlined in the following section.
4. Distribution of documents for Parole Board Revocation Hearings is also outlined in the following section.

DISTRIBUTION OF DOCUMENTS: WAIVER OF PRELIMINARY INQUIRY

1. Instate: Form 40 shall be completed in full and processed as instructed in the Preliminary Inquiry Section. Supervision Skills.

Preparation for Court/Parole Board Revocation Hearings begin. Graphs III, IV and V outline document distribution. (Reference Preparation for Revocation Hearings. Supervision Skills).

2. Interstate: The Interstate Compact Supervisor, Central Office will receive an original and two of each document: Violation Report Package documents and Form 40. Attach and complete Form 46.

The Interstate Compact Supervisor shall notify the sending state and facilitate the return of the subject.

OFFICER RESPONSIBILITY

Keep data current on the Arrest Data Form as violation proceedings progress. (Reference Arrest. Technical Skills).

GRAPH I: DISTRICTS I, II, III AND V (INSTATE CASES)

DOCUMENT FLOW: In preparation for Warrant Issuance and in Preparation for the Holding of the PI

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	FORM 40	VIOLATION REPORT	SUMMARY OF SUPERVISION	SUPPORT DOCUMENTS	BENCH WARRANT	RETAKE WARRANT
Client	Yellow	Copy				
Defense Counsel	White	Copy		Copy		
District	Pink	Copy	Copy	Copy	1*	1*
Central: Receives & Retains (Probation Cases)	Blue	Copy	Copy	Copy	1*	
Central: Receives & Retains (Parole Cases)	Blue	Original	Original	Original		1*
Hearing Officer	Original	Copy		Copy		
Law Enforcement Agency					1*	1*

NOTE: Retake Warrants: Central retains a Retake Warrant upon issuance. The officer shall send proof of service.

ALL Warrants: Complete Proof of Service prior to filing.

GRAPH II: DISTRICT IV (INSTATE CASES)

DOCUMENT FLOW: In Preparation for Warrant Issuance and in Preparation for the Holding of the PI

	FORM 40	VIOLATION REPORT	SUMMARY OF SUPERVISION	SUPPORT DOCUMENTS	BENCH WARRANT	RETAKE WARRANT
Client	Yellow	Copy				
Defense Counsel	White	Copy		Copy		
District	Pink	Original	Original	Original	1*	1*
Central: Receives & Retains (Probation Cases)	Blue	Copy	Copy	Copy	1*	
Central: Receives & Retains (Parole Cases)	Blue	Copy	Copy	Copy		1*
Hearing Officer	Original	Copy		Copy		
Law Enforcement Agency					1*	1*

NOTE: Retake Warrants: Central retains a Retake Warrant upon issuance. The officer shall send proof of service.

ALL Warrants: Complete Proof of Service prior to filing.

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PREPARATION FOR COURT REVOCATION HEARING:

DISTRIBUTION OF DOCUMENTS

Officer Responsibility: Insure the distribution of documents and flow of information to the client, defense counsel, district attorney, sentencing judge/county clerk, district and Central files. Make appropriate entries on the Arrest Data Form.

Distribution of Packets to Defense Counsel, District Attorney and Sentencing Judge:

1. Materials necessary for setting the groundwork for the Court Revocation Hearing shall be distributed in packets to the above mentioned parties. (Graph III).
2. Defense Counsel and District Attorney Receive: Form 40 (white), the Violation Report, Support Documents and the Summary of Inquiry (in applicable cases). If counsel requests Warrant copies, they may be provided.
3. Sentencing Judge: Originals of: Form 40, Violation Report, Summary of Supervision, Support Documents, Summary of Inquiry (where applicable), Bench Warrant.

PACKET DISTRIBUTION AND CALENDARING (GRAPH III)

1. Carson City, District I:

Each officer is responsible for case calendaring and for facilitating the distribution of documents.

The officer sets the Court Revocation Hearing date in agreeance with the district attorney's schedule and notifies client and defense counsel.

The district attorney is presented with two packets: The second packet is transmitted to the sentencing judge with original documents therein. Documents are mailed or hand delivered to defense counsel by the officer.

2. Reno, District II:

The calendar clerk sets the Court Revocation Hearing date in conjunction with the district attorney's schedule. The officer receives notification.

Three packets are processed: District support staff deliver two packets to the district attorney's office whereupon the district attorney submits one packet to the sentencing judge with original documents and the third packet is delivered by

support staff to the defense counsel.

The calendar clerk notifies the defense counsel of the scheduled date and counsel in turn notifies the client.

3. Elko, District III:

Each officer is responsible for processing all documents and insuring the calendaring of the Revocation Hearing. In most cases, the officer submits an activity letter to the sentencing judge stating the subject is available for scheduling. In turn, the court contacts the district attorney and coordinates the scheduling date. The district attorney establishes the date with the officer and the client and defense counsel are then notified. Defense Counsel receives documents as outlined in Graph III.

4. Las Vegas, District IV:

It is the officer's responsibility to insure the distribution of packets to the district attorney. The district attorney receives packet documents for: The district attorney, sentencing judge and court clerk.

Upon notification of the calendar date by the district attorney, the officer contacts the defense counsel and client and schedules the Hearing.

5. Fallon, District V:

The district has defined schedules established in advance for Court Revocation Hearing dates. The supervising officer facilitates contact with the district attorney and sets the Hearing date. The district attorney coordinates the date with the sentencing judge. The officer notifies defense counsel and client of the scheduling.

Documents are processed as indicated (Graph III). It is the officer's responsibility to insure the receipt of documents by all parties involved.

PREPARATION FOR THE PAROLE BOARD REVOCATION HEARING:

DISTRIBUTION OF DOCUMENTS

1. Summary of Inquiry: Where the PI has been held (with a finding of probable cause) and not waived, the Summary of Inquiry shall be distributed to parties as indicated on Graph III. (Reference Preliminary Inquiry. Supervision Skills).

2. Completion, Service and Distribution of Form 20M (Notice of Rights)

Completion: All sections of the Notice of Rights shall be completed. Refusal shall be dealt with as in the Form 40 (Notice of Inquiry). (Reference Preliminary Inquiry. Supervision Skills). The client's initials shall be fixed at the end of each statement outlining his/her rights.

"None" shall be entered in the appropriate sections with the officer's and client's initials thereafter. If, for example, the client does not request witnesses, "none" shall be stated and the subject and officer shall initial.

All materials shall be detailed to provide all parties present at the Revocation Hearing with adequate knowledge of case activity.

Service: The supervising officer shall service the offender with Form 20M immediately after the finding of probable cause at the Preliminary Inquiry Hearing. The officer shall serve the offender with the original and two carbons.

Distribution: See Graphs IV and V.

3. Completion, Service and Distribution of Form 21M: Request for or Waiver of Counsel:

Completion: All sections of 21M shall be completed and signed by the client and officer.

If the subject requests counsel, an X shall be placed over the "Waiver of Counsel" area. Each end of the X shall be initialed by the subject and offender. (See attached).

If the subject waives counsel, an X shall be placed over "Request for Counsel." Each end of the X shall be initialed by the subject and officer.

Service: The officer shall serve the subject with 21M immediately after the finding of probable cause at the PI. The officer shall serve the offender with the original and two carbons.

Distribution: See Graphs IV and V.

4. Make appropriate entries on the Arrest Data Form.

NOTICE TO PARTIES AND PREPARATION OF DOCUMENTS

FOR THE PAROLE REVOCATION HEARING

1. Original documents shall be utilized by the Management Assistant in Central Office and by the District IV Hearing Representative in processing and distributing documents to the Executive Secretary and three members of the Board of

Parole Commissioners and to the defense counsel.

Five packets shall be processed for the above mentioned parties including: Form 40, Violation Report, Summary of Supervision, Support Documents (certified, notarized and/or witnessed), Summary of Inquiry (if PI held), Form 20M and 21M, Retake Warrant and Application.

The defense counsel shall not receive the Summary of Supervision and the Retake Warrant and Application. Counsel may receive the Warrant and Application if specifically requested.

2. On the district level, the supervising officer shall (1) Prepare the district file, (2) Be certain the client has received the necessary documents, and (3) Prepare the case for presentation before the Board.

TRANSPORTING THE OFFENDER TO NEVADA STATE PRISON

1. All prisoner transport shall be coordinated with the Special Services Unit via the District Transportation Coordinator.
2. The subject shall be deemed available for transportation unless the subject is serving a sentence in a local jail or if the subject is being held on new charges for which the subject has not made bail or has not been released on his/her own recognizance.
3. The subject shall be transported to the Nevada State Prison (exception-District IV). A copy of the Retake Warrant with Warrant Data completed and a copy of the summary of Inquiry (or Waiver thereof) shall be required by prison personnel on arrival to verify accordance with Fourteenth Amendment due process requirements.
4. Transportation shall be accomplished either by the officer or by prison wagon or local agencies.

By Officer: The officer shall obtain a receipt for the prisoner form NSP. The officer shall immediately hand deliver the receipt to Central Office, Management Assistant.

By Prison Wagon/Local Agencies: The officer shall be certain to have the Summary of Inquiry (or Waiver), Form 40 and the Retake Warrant on file at the jail. The officer shall immediately direct a 66M to Central Office, Management Assistant with notification of transport.

5. Make appropriate entries on the Arrest Data Form.

NOTIFYING CENTRAL OFFICE: SCHEDULING FOR THE

PAROLE REVOCATION HEARING

Central Office shall be notified of the prisoner's availability for a Parole Revocation Hearing:

1. If the prisoner is transported to NSP by prison wagon, the prison shall contact the Central Office Management Assistant with availability information. The officer shall in turn notify Central by way of processing a 66M (See above).
2. If the officer transports the subject to NSP, process as defined in #4 above.

INTERSTATE CASES: PREPARATION FOR THE

REVOCATION HEARING

1. In those cases where probable cause is found at the PI Hearing and in those cases where the PI is waived, the return of the subject to the sending state shall be coordinated with the Interstate Compact Supervisor in Central Office.
2. Document Processing: Original and two of the Summary of Inquiry and Form 46 shall be forwarded to the Interstate Supervisor.

CASE DISPOSITION: REINSTATED, REVOKED, MODIFIED

1. The client's parole or probation status shall be reinstated, revoked or modified. The officer shall document the action:
 - (a) Send a 66M to Central Office recording the disposition.
 - (b) Make a chrono entry.
 - (c) Complete data on the Arrest Data Form. (Reference Arrest. Technical Skills).

GRAPH III: ALL DISTRICTS (INSTATE CASES)

DOCUMENT FLOW: Preparation for Court Revocation Hearing

	FORM 40	VIOLATION REPORT	SUMMARY OF SUPERVISION	SUPPORT DOCUMENTS	BENCH WARRANT	SUMMARY OF INQUIRY
Client						
Defense Counsel	Copy/or White	Copy		Copy		Copy
District Attorney	Copy/or White	Copy		Copy		Copy
Sentencing Judge	Original	Original	Original	Original	1	Original
Clerk (Where Applicable)	Copy	Copy			Copy	Copy
District Central (Receives & Retains)						Copy

NOTE: See Graphs I and II: Document Distribution for Warrant Issuance and PI

GRAPH IV: DISTRICTS I, II, III, V (INSTATE CASES)

DOCUMENT FLOW: Preparation for Parole Board Revocation Hearing

	FORM 40	VIOLATION REPORT	SUMMARY OF SUPERVISION	SUPPORT DOCUMENTS	SUMMARY OF INQUIRY	20M	21M
Client					Copy	Copy	Copy
Defense Counsel	White	Copy		Copy	Copy		
District					Copy	Copy	Copy
Central (Receives & Retains)	Original				Original	Original	Original

NOTE: See Graphs I and II: Document Distribution for Warrant Issuance and PI

GRAPH V: DISTRICT IV

DOCUMENT FLOW: Preparation for Parole Board Revocation Hearing

	FORM 40	VIOLATION REPORT	SUMMARY OF SUPERVISION	SUPPORT DOCUMENTS	SUMMARY OF INQUIRY	20M	21M
Client					Copy	Copy	Copy
Defense Counsel	White/or Copy	Copy		Copy	Copy		
District Central (Receives & Retains)					Original Copy	Original Copy	Original Copy

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NOTE: See Graphs I and II: Document Distribution for Warrant Issuance and PI

STATE OF NEVADA
Department of Parole and Probation
Carson City, Nevada 89710

NOTICE OF RIGHTS

You Larry Lane, are herein advised that your re-
turn to Nevada State Prison to answer charges of parole violation
before the Nevada Board of Parole Commissioners was determined at
your Preliminary Inquiry Hearing held on March 19, 1980,
at Washoe County Jail. You are further advised of your
(place)
rights as follows:

1. Representation by retained counsel of your own choice and at
your own expense. () Yes, () No, (if yes, list name and ad-
dress of attorney) (Initial) LL

2. Representation, as an indigent, by the State Public Defender
() Yes, () No, (please indicate on Attached Affidavit and Ap-
plication for Appointment of Counsel). (Initial) LL

3. If your alleged parole violation is not based on a new con-
viction, you may present witnesses to testify in your behalf
and you may confront witnesses who testified against you.
(Initial) LL

4. It will be your responsibility to notify and pay the expenses
of witnesses testifying in your behalf. Provide the names
and addresses below:

<u>None LL/gg</u>	<u>None LL/gg</u>

5. Name and agency of the witnesses you wish to confront:
(If you intend to refute witness allegations, request
they be present).

<u>None LL/gg</u>	<u>None LL/gg</u>

6. You may also present affidavits for the record. (Initial) LL

I hereby certify I have received the following documents:

1. Details and summary of alleged parole violations as charged.
2. Summary of Findings determined at my Preliminary Inquiry Hear-
ing on March 19, 1980, at Washoe County Jail
(place)
3. A copy of this, my Notice of Rights.

Signed Larry Lane

Witness: G. Jenkins Date 3/19/80

Original: Central Office - Carson City
Copy: District
Copy: Subject

CONTINUED

2 OF 5

NEVADA DEPARTMENT OF PAROLE AND PROBATION
PAROLE REVOCATION
REQUEST FOR APPOINTMENT OF COUNSEL

TO: STATE OF NEVADA, DEPARTMENT OF PAROLE AND PROBATION

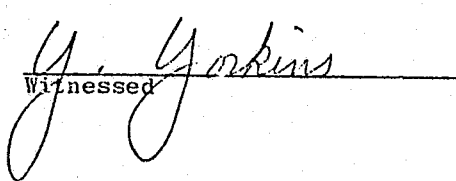
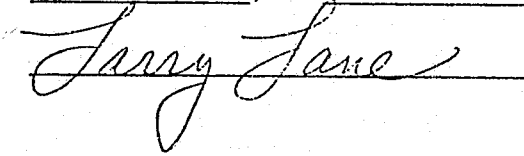
STATE OF NEVADA)
) : ss
COUNTY OF WASHOE)

By affixing my signature below, I hereby declare that I am aware of my right to counsel at any parole revocation hearing, and with that in mind do hereby request the above entitled Court to appoint counsel to represent me. I base such request on the following facts I swear to be true and correct to the best of my knowledge:

- (1) I am indigent, and charged with revocation of parole from the Nevada State Prison.
- (2) I am without means of employing an attorney.
- (3) I have no money with which to employ counsel; I have no property real or personal, which could be sold or encumbered to provide funds for counsel; I am unable to borrow funds with which to employ counsel.

I hereby certify, under penalty of perjury, the above to be a true and accurate declaration of my ability to employ counsel.

Dated this 19th day of March, 19 80.


 Witnessed _____


OR *****

WAIVER OF RIGHT TO COUNSEL

I, the undersigned, being aware of my right to counsel at the hearing for revocation of my parole, do hereby waive that right, and do so of my own free will.

Dated this _____ day of _____, 19 _____.

NEVADA DEPARTMENT OF PAROLE AND PROBATION
PAROLE REVOCATION
REQUEST FOR APPOINTMENT OF COUNSEL

TO: STATE OF NEVADA, DEPARTMENT OF PAROLE AND PROBATION

STATE OF NEVADA)
) : ss
COUNTY OF WASHOE)

By affixing my signature below, I hereby declare that I am aware of my right to counsel at any parole revocation hearing, and with that in mind do hereby request the above entitled Court to appoint counsel to represent me. I base such request on the following facts I swear to be true and correct to the best of my knowledge:

- (1) I am indigent, and charged with revocation of parole from the Nevada State Prison.
- (2) I am without means of employing an attorney.
- (3) I have no money with which to employ counsel; I have no property real or personal, which could be sold or encumbered to provide funds for counsel; I am unable to borrow funds with which to employ counsel.

I hereby certify, under penalty of perjury, the above to be a true and accurate declaration of my ability to employ counsel.

Dated this _____ day of _____, 19 _____.

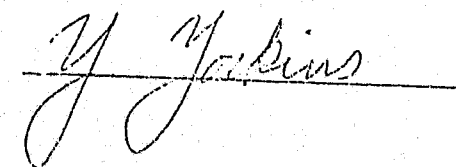
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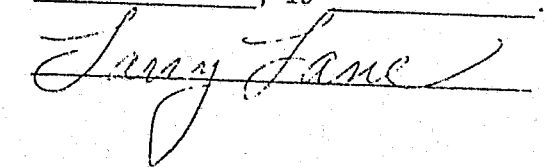
OR *****

WAIVER OF RIGHT TO COUNSEL

I, the undersigned, being aware of my right to counsel at the hearing for revocation of my parole, do hereby waive that right, and do so of my own free will.

Dated this 19th day of March, 19 80.





SECTION 18: TRANSPORTATION OF PRISONERS

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MOVEMENT OF PRISONERS

In accordance with Department policy, all movement of prisoners shall be coordinated with Central Office, Special Services Unit.

A designated Transportation Coordinator shall facilitate all communications with Special Services prior to any prisoner movement excluding, for example transportation from a local city jail to a local county jail.

As a result of communications through Special Services, prisoner movement shall be arranged and conducted by the most economical means.

TRANSPORT

Basic rules and regulations shall be observed in the preparation and transport of prisoners for the protection of the subject and the officer.

Step 1: Organize Transport:

1. Oversee Trip: One officer shall be placed in charge of the transport either by designation or by mutual consent. Such officer shall be so designated and shall be held responsible for coordinating and directing all aspects of the transport operation.
2. Backup: It is generally Department practice to effect transport with adequate backup officers present. The officer responsible for overseeing the transport shall review the case and determine the need for backup staff. If there should arise a question as to whether one officer can manage a transport without backup, the Unit Supervisor shall make the final decision.
3. Knowledge and Document Preparation: The transport officers should become knowledgeable of all available information regarding the subject. Information should be gathered from all available records including records of local law enforcement agencies and department records as well as from fellow officers.

Prior to transport, telephone contact shall be made with officials requesting the availability and readiness of documents; verification of signed waiver of extradition, certified copies of judgments, convictions, arrest reports, lab reports, etc. Communications and document requests prior to transport will set the path for an organized and well effected transport.

Prepare and carry document necessary to facilitate prisoner pickup - carry a notarized statement affirming Peace Officer Status.

4. Take Restraint Gear: Restraint gear to prevent the occurrence of dangerous activity and to aid in the protection of officer and prisoner, shall be utilized at all times. Be certain appropriate gear is available and is in good working order.
5. Time of Departure: Time of departure and itinerary shall not be disclosed to the subject, to friends of the subject or to relatives.

In those cases where one officer is effecting transportation from an airport to a detention facility and no backup is present, approved hand and leg restraints shall be used.

Step 2: Responsibilities Prior to Actual Transport and in Transport:

1. Expect the unexpected: The transportation of a prisoner must be effected with the awareness that each individual is unpredictable when faced with the reality of loss of freedom and confinement. The fact that a subject is initially cooperative does not relieve the high sense of anxiety felt by the prisoner as nearness to detention surfaces. Therefore, officers should not relax transportation procedures at any time during the transport. As nearness to the detention facility rises, officers should be even more aware and cautious.
2. Search Prior to Transport: As a precautionary measure for the officer's and prisoner's safety, the officer shall personally search each and every prisoner prior to beginning transport; a body search should be completed initially.

Baggage and person effects shall be searched. Any potentially dangerous objects which could be used as a weapon should be removed from the subject's reach. Items such as a pen, heavy belt buckle, pen knife, jewelry, cigarette lighter, etc., should be removed. Any accessories which may be used as a weapon should be removed.

Money should be carried by the transporting officer with a receipt given to the subject during the transport.

3. Apply Restraint Gear: In accordance with Department policy, restraint gear shall be used at all times. In order to reduce the subject's potential to be aggressive, both hands shall be secured. Once the restraining apparatus has been applied, it should not be removed until the prisoner is within the confines of a proper detention facility.

In all cases, the safety of the subject is the officer's responsibility; hence, officers should avoid improper and negligent security practices including handcuffing to objects, leaving subjects unattended, losing visual contact, etc.

4. Location of Items During Transport: The location of firearms, restraint apparatus, keys, etc., shall be kept well out of the reach of the prisoner during the transport.

Step 3: Document Processing After Transport

When an officer has effected a return of a violator, copies of the Travel Claim relative to the transport, including the cost of air fare, shall be sent to the Special Services Unit by the officer for use in statistical record keeping.

The original Travel Claim and accompanying documents shall be forwarded to Accounting, Central Office.

METHOD OF TRANSPORT/CONSIDERATIONS

Auto:

1. State owned autos shall be used whenever possible to effect transport.
2. In carrying one or two prisoners, one officer shall sit directly behind the driver-officer.

In carrying three prisoners, the officer not driving shall be especially alert; using restraint gear in addition to handcuffs is generally a necessity. It is not good practice however to transport more than two persons without additional staff coverage.

3. All door safety locks should be used.
4. Pre-examine and plan control of stops--eating, restrooms, gasoline, etc. Avoid public congested places.
5. Keep the prisoner under restraint and in sight at all times. Avoid being at a distance from the subject.

Common Carrier:

1. The transporting officer shall be familiar with FAA rules and regulations regarding the transport of prisoners via common carriers. The officer should carry a notarized statement affirming his/her peace officer status as well as carrying a letter of itinerary.

The officer should be familiar with regulations regarding the use of restraint gear while in airports and while making use of air transport. Handcuffing the prisoner to any part of the common carrier is prohibited.

Information regarding proper use of restraint gear aboard an aircraft, eating arrangements, restroom availability and use, and other related technical areas are addressed in Department training.

2. State Airplane: The Special Services Unit may, in exceptional cases, arrange for the use of State aircraft for prisoner transport.

SAFETY DURING TRANSPORT

Every effort shall be made to guarantee the safety of a prisoner while in the custody of members of the Department. Every precaution shall be exercised to avoid any potentially dangerous situations.

SECTION 19: TESTIFYING: GUIDELINES

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It is essential to the successful conclusion of any investigation or arrest for the officer to be equipped to accurately, effectively and competently relate to a judge or jury the essential facts of a crime or arrest. The officer is usually formally called upon by a service of a subpoena to testify in court. In some cases, the prosecuting attorney will not formally serve a subpoena but will request the officer's appearance at a specific time and date.

The officer may be called to testify on behalf of defense or prosecuting counsel. No witness may choose which side s/he appears for since the witness is under a public duty to testify honestly and accurately for whichever side serves the subpoena.

Formally defined, the subpoena is a legal document notifying an individual, in this case the probation/parole officer, to appear in court and give evidence. The subpoena may be issued by the judge, prosecuting attorney, clerk of the court or defense counsel.

In some cases, a subpoena duces tecum is issued commanding the witness to bring specific books, documents, files or other physical evidence to the court. The officer should bring original documents to the court and, in every case, should be certain to make a copy of all documents for the Department's file. Thus, if the documents are entered into evidence, the Department has a copy on file.

OFFICER RESPONSE TO THE SUBPOENA

The officer is to positively respond to all subpoenas, adjusting work schedules as necessary. After notifying supervisory staff, the officer should facilitate appropriate travel arrangements as necessary. Receipts shall be forwarded to Central Office, Accounting as is customary procedure.

Contact should be immediately made with the district attorney requesting your testimony in order to arrange for an appointment for review of case materials and facts.

Take original documents and be certain a copy of all documents is made for the district files.

Witness fees shall not be accepted since the officer usually testifies during normal working hours. (Reference the State Administrative Manual, Rule VII E.5).

TESTIFYING: NON-JURY PROCEEDINGS

Cases where the probation and parole officer may be requested to testify before a judge without the presence of a jury include

new conviction cases where:

(1) The accused has waived the right to a jury trial; (2) the right to a jury trial does not attach to the particular proceeding; (3) the proceedings are held before a judge in anticipation of a trial by jury as with a preliminary hearing and a hearing on pre-trial motions; the hearing on pre-trial motions sees the prosecuting or defense attorney requesting that certain evidence be suppressed at trial due to its deficient legitimacy or illegality.

COURT REVOCATION HEARINGS

Prior to the Court Revocation Hearing, the supervising officer communicates case information and the Department's recommendation to the district attorney in accordance with department policies. During these proceedings, the officer is called to support and aid the district attorney in the presentation of the case. The officer is fully aware of case history, thus the officer is responsible for assisting counsel in the presentation of the case.

It is imperative that an officer called as a witness who is to testify meet with the prosecutor to discuss the case prior to court appearance. We wish to avoid surprise or new information presented during the proceedings, as it will usually negatively affect a case.

Although the Court revocation procedure is somewhat informal, the officer can benefit from an awareness of the guidelines presented below in reference to testifying in jury proceedings. Especially noteworthy are guides referencing preparation, accuracy, courtroom demeanor, case presentation, appropriate dress, etc.

TESTIFYING

In most cases, the probation/parole officer is called upon by the district attorney to testify. Prior to testifying, the officer shall contact the district attorney, either in person or by telephone contact, to discuss the case. At this time, the officer will make the district attorney fully aware of all facts and information relevant to the case. The officer should be certain to present the facts in plain form without exaggeration. In all instances, be certain to point out any weaknesses in the case. Be prepared. Know your case. Be professional.

GUIDELINES

1. Tell the Truth. Prior to testifying, the officer swears

to tell the truth. The oath impresses upon the officer the solemnity of his/her duty to present honest information. All facts, not excluding facts favorable to the defense, must be presented.

2. Demeanor. Your demeanor may bear heavily on the judge and/or the jury's impressions of your testimony.
- (a) Be serious at all times. Avoid laughing and talking about the case in the halls, restrooms or any place in the courthouse. Behave in a professional manner at all times, for you are being observed by the court and jury.
 - (b) Show enthusiasm as you walk up to the witness stand. Do not slouch. Walk up briskly - present an appearance of confidence.
 - (c) When replying to a question, fix your eyes toward the counsel or jury. Focus your sight on the persons' forehead if you are not comfortable with direct eye contact.
 - (d) Speak frankly and openly as you would to a friend. Do not cover your mouth with your hand. Speak clearly and loudly enough in order that all present can hear you easily.
 - (e) Avoid any attitude of hostility toward the defendant or his/her attorney. Be objective, impartial and matter-of-fact.
 - (f) Avoid distracting mannerisms such as chewing gum, clicking a pen, fidgeting, or smoking.
 - (g) Be confident and composed.
 - (h) Testifying for a length of time is tiring and causes fatigue. You will recognize this fatigue by feeling cross, nervous, angry, willing to answer questions quickly and without thought in order to leave the witness stand. When you feel these symptoms, recognize them and strive to overcome fatigue. Remain calm and think through your answers. Take your time.
 - (i) When coming from the witness stand after testifying, wear a confident expression, do not smile or appear downcast.
3. Answer the Question with Brevity. Be Clear and to the point.
- (a) An elementary rule in facing courtroom questions is answer with brevity and to the point. Do not present

extraneous information. Feel free to say "I do not know."

- (b) Answer the question as it is directed to you. Do not attempt to calculate why the question is being asked, its implications and how you might dodge away from the information being sought.
- (c) Listen carefully to the question asked. Understand the question. Have it repeated if necessary. Provide a thoughtful, considered answer. Do not rush into answering a question. Do not prolong answering.
- (d) Do not attempt to memorize what you are going to say.
- (e) Answer only the question asked. Do not volunteer information not requested. The most serious error is volunteering information, for such data may influence the jury or court in an unintended manner. Keep in mind that it is difficult to erase or compensate for the impression volunteered information left with the court.

If you believe the district attorney has left information out you believe ought to be mentioned, wait until you LEAVE THE WITNESS STAND and discuss it with him/her at that time--do not take the initiative to volunteer data.

- (f) Present the facts without exaggeration and color. "All we want are the facts." The officer does not want to leave any doubt in the court's mind as to his/her integrity, intelligence or competence.
 - (g) Avoid the use of common phrases such as those used in conversation, i.e., I guess so, probably, could be. Ambivalent answers will indicate you are not sure or your testimony.
- Give positive, definitive answers. Avoid saying, I think, I believe, or in my opinion.
- Do not say, "That is all of the conversation, nothing else happened." Instead, say, "That is all I recall" or "That is all I remember happening." Note - after more thought or after further queries, you may remember something important.
- (h) If you do not want to answer a question, do not ask the judge whether you must answer it. If it is an improper question, counsel will interrupt.

When asked to answer a question which carried with it

unwanted implications when answered either a yes or no, state that you cannot answer the question with a simple yes or no. Usually, counsel will ask the judge to instruct you to answer. Again, you may repeat to the court that you are unable to answer the query in the form in which it was posed. Usually, the judge will confer with both counsel or ask you why you cannot answer as requested. Be direct. Relate only the facts.

- (i) Avoid technical jargon. Avoid the use of specialized words. The officer wants the jury to understand the information. The use of uncommon words will annoy the court and make testimony incomprehensible. Communicate clear information. Technical words prove to be self defeating in testimony.
4. If the attorney objects to a question, do not answer until the judge rules on the objection. Stop Talking Immediately.
5. If the judge sustains an objection, you do not answer the question.
6. If the judge overrules an objection, you do answer the question.
7. If you do not know the answer to a question, state "I do not know."
8. During cross examination, do not look at the district attorney or at the judge for help in answering the question. If the question is improper, the district attorney will object. If a question is asked, and there is no objection, answer it.
9. Dress Appropriately. Dress conservatively. Avoid bright colors and present a professional appearance. Reference, General Information and Policies. Orientation Skills.

SECTION 20: FIREARMS

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QUALIFYING

All sworn Department Peace Officers shall be required to qualify quarterly with their duty weapons and semi-annually with all off-duty weapons with a score of 70% or better. The officer must qualify with any and all weapons if the intention is to carry the weapon.

The Modified Combat Pistol Course shall be followed for qualifying purposes (see attachments). Qualifying records shall be kept by the District Rangemaster with copies sent to the Program and Training Manager, Central Office, on a quarterly basis.

The officer failing to qualify must discontinue carrying a firearm until qualifying. The District Rangemaster shall assist in the training of officers experiencing difficulty in qualifying. Ammunition shall be provided to those officers on an as needed basis. However, the department does not assume the responsibility for qualifying all officers. Failure to qualify, after reasonable efforts to assist staff indicates grounds for dismissal.

The department reserves the right to prohibit an officer from carrying a firearm for any reason.

New Officers:

No new officer shall carry a firearm until qualified. There is no set period established for training prior to a qualifying shoot due to differences in learning.

Ammunition for Qualifying Purposes:

Each officer shall be issued ammunition for qualifying on a quarterly basis. Wadcutters shall be used for purposes of range training only. Additional wadcutter ammunition may be made available to each Rangemaster for purposes of tutoring those officers in need of extra firearm training. All brass remains the property of the state and must be turned in. Ammunition must not be sold, traded, or given away as it is the property of the department.

When qualifying, each officer shall be required to fire at least 10 rounds of service ammunition normally carried by the officer. Officers shall be responsible for purchasing and paying for service ammunition.

Holstering Regulations for Qualifying purposes:

At no time shall officers shoot from ankle holsters, purses, etc. During range qualification, for reasons of safety, the traditional waist holster or holding the firearm at the side (for those who carry purses) shall be the appropriate method in accordance with department policy. (See Regulations

Applicable to Holstering on the Range).

FIREARMS: CARRYING OF

Policy Statement:

A sworn Peace Officer of the Department shall carry a firearm at all times with the following exceptions: When alcoholic beverages are being consumed; at special family or religious activities and at other similar social functions; and in situations where weapons are legally prohibited, for example, vacationing in other states.

In those situations where a firearm is not carried, the officer must have reasonably quick access to a weapon, i.e., in a locked auto or in other secure area.

1. The weapon shall be carried discretely and concealed at all times. Unusual displaying of a weapon should not occur.
2. The weapon shall be carried in an adequate holster. It shall be secured in a holster if using a purse and not carried loosely therein. A separate compartment free of other items must be utilized.
3. Empty holsters shall not be worn visibly.
4. The weapon shall not be carried visibly on the officer nor shall a weapon be left unattended in a purse or in an unlocked desk, file, or cabinet. Do not strap purse on back of chair and leave unattended.
5. The officer shall register where local ordinances so require when carrying a firearm, i.e., in Clark County.
6. Officers are responsible for the maintenance of their service weapon in a clean and operable condition.

DUTY AND OFF-DUTY WEAPONS AND AMMUNITION

Duty: The duty weapon shall be inspected and approved by the District Rangemaster. The standard duty weapon of the department shall be a 38 caliber revolver. A 357 caliber may be carried; however, all ammunition must be 38 caliber.

Off-Duty: The off-duty weapon may be chosen at the discretion of the officer. The weapon must be inspected and approved by the District Rangemaster. The officer must qualify with the weapon semi-annually if the weapon is different than the duty weapon.

Shotguns:

There are several departmental shotguns in the districts. These are to be properly maintained, and used only by those familiarized with the operation thereof. No privately owned shotguns, or those not department property, are to be carried or used.

Exceptions to the above may be made by the Chief Parole and Probation Officer.

DRAWING AND USE OF FIREARMS

Firearms shall be used only for the protection of life. The officer shall never attempt to fire for the purpose of wounding. Warning shots shall never be fired.

Reference NRS 200.120: Justifiable homicide defined and NRS 200.140: Justifiable homicide by public officer.

The weapon should be drawn only on the following occasions: To store it, to clean it, to use it to protect your life or the life of others, and to preserve the peace in an arrest situation when it appears that failure to do so would lead to a dangerous situation. The weapon should not be drawn in effecting an arrest unless absolutely necessary to protect yourself or others present.

The weapon should not be capriciously drawn, displayed or handled in any public place, office building or any other area where one or more persons may be jeopardized. The weapon should never be displayed or handed to anyone without first unloading it.

While on duty, the officer shall not "dry fire", practice quick draws or engage in unsupervised target practice.

DRAWN WEAPONS REPORT: FORM 141M

Any incident involving the drawing of a weapon shall be immediately reported to the Unit or District Supervisor for purposes of review. A Drawn Weapons Report shall be completed within three days of the incident.

IN THE EVENT OF A SHOOTING

In the event of a shooting: (1) Properly identify yourself and (2) Make no further statement until consultation with the office of the Attorney General.

Report the incident immediately: Report the incident to local

authorities, to your immediate supervisor, Unit Supervisor and District Supervisor and to the Chief Parole and Probation Officer.

Discharged Weapons Report, Form 140M:

A Discharged Weapons Report shall be completed and submitted to the Unit/District Supervisor by any officer who, while on duty or acting in his/her official capacity, fires a weapon at any person or thing. The Unit or District Supervisor shall submit the Report to the Chief with recommendations for action to be taken. The Chief or a designated supervisor shall investigate the incident.

The Report shall contain information to establish the necessity to use force, the result of the shooting, and shall number and account for each projectile fired.

A Coroner's Inquest shall be routinely requested by the department whenever any person dies as a result of any injury inflicted by any sworn Peace Officer of the department. Any sworn Peace Officer of the department who manifestly causes the death of another individual shall be relieved of duty without prejudice until the completion of the Coroner's Inquest to determine if such killing was excusable or justifiable under the law.

Firing on the Range/Accidental Firing:

Firing on the range during supervised instruction or practice need not be reported. Accidental firing while on duty shall be reported to the Unit or District Supervisor. The officer shall complete the Discharged Weapons Report, Form 140M.

SHOOTING REVIEW BOARD

Shooting Review Board Policy:

At any time a shot is fired by a member of the department, other than during range or other authorized practice, an investigation, report, and recommendation will be prepared by a Shooting Review Board and submitted to the Chief and Deputy Chief. If an accident occurs on the range involving shooting, the same applies.

Formation:

1. The Board in the districts will consist of three members, one of whom is the District Supervisor, and two officers of peer rank or above. In Central the Board will consist of the Deputy Chief, Program and Training Manager and one other selected from department staff. Board members may vary from incident to incident.

Procedure:

The Board will convene within 24 hours of the incident, at which time the investigation will commence, including interviews and analyses of reports.

The Board will submit the written report within 5 working days. The report will contain the facts of the incident, the content of the investigation, an evaluation and a recommendation as to further procedure or resolution of incident including disciplinary action if warranted.

The final review and any necessary decision will be made by the Chief or his representative.

DUTIES AND RESPONSIBILITIES: DEPARTMENT RANGEMASTER

The Senior Parole Specialist in Central Office shall perform the duties of the Department Rangemaster.

1. The Department Rangemaster shall assist the District Rangemasters in the performance of their duties.
2. Monitor the range management practiced by District Rangemasters while on the range.
3. Periodically monitor activity on the range.
4. Maintain records of shooters' scores and qualification dates on an ongoing basis.
5. Periodically inspect and certify firearms insuring safety and proper functioning.
6. Order and distribute ammunition and range supplies.

DUTIES AND RESPONSIBILITIES: DISTRICT RANGEMASTER

1. Each district office shall appoint a District Rangemaster.
2. The District Rangemaster shall be responsible for safe and effective operations at the range and for providing the training for proficiency in the use of weapons.

The District Rangemaster shall be certain that each officer qualifies with duty weapons and with off-duty weapons in compliance with department policies (as stated herein) utilizing the Modified Combat Pistol Course.

3. The District Rangemaster has the authority to inspect weapons for safety at any time.

4. The District Rangemaster must know proper range procedures, enforce safety rules and oversee all activities being conducted on the firing line and in the surrounding area. The Rangemaster shall be knowledgeable concerning all training sequences utilized and shall have sufficient knowledge of weapons to insure their basic safety and adequate operational capabilities.
5. The District Rangemaster's title signifies the authority carried - the Rangemaster is the master of the range and all its operations and should be obeyed without question during activities on the range. The Rangemaster shall have complete authority to remove any shooter for rule infractions.
6. Specific Duties on the Range: When beginning an exercise on the range, the Rangemaster shall insure that all necessary equipment is provided, such as whistles, first aid kits, ammunition, targets, and ear protectors.

The Rangemaster shall check each shooter's weapon for cleanliness, operation and safety prior to permitting the shooter on the firing line. The Rangemaster shall have complete authority to disqualify any weapon believed to be unsafe or likely to malfunction.

The Rangemaster shall insure that coaches stand behind and to one side of the shooter when on the firing range. Likewise, the Rangemaster shall take a position behind and to one side of the firing line for better observation of activities.

All instructions and commands shall be expressed by voice and/or by whistle. The Rangemaster, in a step-by-step format, shall explain the course being fired and the commands being used.

All shooters shall signify readiness upon inquiry: Ready on the right? Ready on the left? Ready on the firing line? Should a shooter not be ready and/or encounter a problem, the shooter shall raise his/her hand until the Rangemaster comes to your assistance. After the problem is resolved, the Rangemaster shall again inquire as to readiness: Ready on the right? Ready on the left? Ready on the firing line?

When a hand is raised on the firing line, the Rangemaster shall blow the whistle for cease fire. All weapons shall be holstered immediately with movement on the firing line. The Rangemaster shall instruct the shooters and coaches as to the type of emergencies that may warrant a request for a cease fire.

During firing sequences, the Rangemaster shall observe all

shooters and insure their adherence to rules of safety and proper shooting stances for each sequence as well as assuring proper handling and proper reloading of weapons.

The Rangemaster shall permit no independent shooting unless first cleared by the Rangemaster. Shooting then shall be from the firing line only.

The Rangemaster shall remove any shooter from the firing line or any person waiting to shoot if the individual's conduct and/or activity cause concern or create a hazard or a distraction for anyone on the firing line.

GENERAL SAFETY RULES IN THE HANDLING OF FIREARMS

The officer should always be extremely careful when handling a firearm since accidents in their use are caused by carelessness. Regardless of how familiar one becomes with firearms, the officer should be certain to comply with the following safety measures:

1. The officer is responsible for the safe handling and maintenance of all firearms carried. It is the officer's responsibility to routinely clean and otherwise maintain any firearm carried.

Never assume a firearm is unloaded. Always personally inspect and verify that it is unloaded by opening the cylinder and inspecting the chambers from the rear.

Never use the firearm as a tool.

2. The officer is responsible for the security and safekeeping of firearms owned.

The officer should insure that any weapon in his/her possession is secure so that it is not lost, stolen or used by unauthorized persons.

When not worn, the firearm should be kept unloaded in a secure place.

The firearm should not be left unattended in a public place, in a vehicle, in the office or in some other receptacle other than on the person of the parole officer.

The firearm should not be left unattended in the purse of an officer. If the firearm is kept in the purse, the purse should not be strapped onto a chair and left unattended.

In those rare instances where one is not carrying his/her

firearm, it is acceptable to lock the firearm in the trunk of the vehicle.

3. The officer should carry identification and the Peace Officer Shield whenever wearing a firearm.
4. Never use a firearm to intimidate anyone. When worn, a firearm should be in a proper holster and concealed from view.
5. Care should be exercised when handing an unholstered weapon to another. The firearm should be unloaded with the cylinder open. The officer presenting the weapon should place his fingers through the frame, hold the revolver so that the barrel is facing downward and rotated so that the butt-end may be grasped by the recipient.

RANGE SAFETY RULES IN THE HANDLING OF FIREARMS

In addition to those General Safety Rules enumerated previously, the following special safety rules apply on a Department Range:

1. Upon entering a range, do not remove firearm from holster unless and until authorization is received from the Rangemaster.
2. When on the firing line, firearms are to be holstered or held at one's side with the barrel pointed down unless otherwise commanded by the Rangemaster.
3. The firearm should only be loaded after you have taken your position on the firing line and after the command "load" has been given by the Rangemaster.
4. When loaded, all weapons shall be pointed down range. Prior to loading, check for barrel obstruction. Heavy grease is an obstruction.
5. Never "snap" or practice dry firing behind the firing line unless instructed to do so by the Rangemaster.
6. Never holster a firearm in a single action - cocked - position.
7. When on the firing line, never place your finger on the trigger when drawing the firearm from the holster nor until the command "commence fire" is given by the Rangemaster.
8. In the event of a malfunction on the firing line, remove finger from trigger, keep weapon pointed down range, do not turn around, raise opposite hand for the assistance

of the Rangemaster.

9. Never speak to or with anyone on the firing line unless you are coaching, being coached or are the Rangemaster.
10. Never proceed to the targets from the firing line without the command of the Rangemaster.

Should it become necessary for any person to proceed from the firing point to the targets, all weapons shall be unloaded and laid down on the firing line with actions opened, or placed in holsters. Commands shall be dictated by the Rangemaster.

11. Never point or carry a firearm down or behind the firing line while loaded or with the action closed.
12. Never lay a firearm down without unloading it and leaving the action open.
13. Cotton or other protective devices shall always be used in the ears by all persons participating in or observing firearms training.

REGULATIONS APPLICABLE TO HOLSTERING ON THE RANGE

1. Under normal qualifying circumstances, only hip holsters shall be used on the firing range. Firearms shall not be drawn from ankle holsters, purses, etc.
2. Where no holster is used, the firearm shall be held at the side with the barrel pointed down.
3. No firearm shall be holstered in a single action position.
4. No automatic shall be holstered with a live round in the chamber.

FIREARMS POLICY AND RULES - FORM 144M

Acknowledgement of Firearms Policy and Rules, Form #144M, shall be signed and filed prior to participation in any range activity. The District Rangemaster shall file one copy and one copy shall be sent to Central Office.

MODIFIED COMBAT PISTOL COURSE

The Modified Combat Pistol Course has been designed with the FBI Combat Course as a guideline. The number of rounds loaded and fired have been modified to five thus allowing the Chief

Special two inch barrel to be used.

Equipment Needed:

Duty weapon and off-duty weapon (in accordance with qualifying guidelines as outlined herein), 50 rounds of ammunition (fire at least 10 rounds of ammunition normally carried by the officer), one silhouette target, black target patching tape, whistle and stop watch for Rangemaster, and cotton or ear earmuffs.

Shooting Stances:

Four different shooting stances or positions are used in this course. All are illustrated herein.

1. Off Hand: Shooting from the hip in the crouched position;
2. Point Shoulder: Shooting from the crouched position from the shoulder level;
3. Point Shoulder Kneeling Position;
4. Strong and Weak Hand Barricade Position.

Before any shooter is taken to range, the Acknowledgement of Firearms Policy and Training Rules shall be signed and filed and the officer shall be very familiar with the range safety rules and adhere to them without fail. These safety rules are sighted herein.

Positions:

First Position: Three yard line from target. Optional off hand or point shoulder stance. Double action. One second per shot firing sequence. No time limit for reloading.

1. Load three rounds and holster. On signal, draw weapon and fire three rounds within three seconds. Repeat procedure.
2. Load four rounds and holster. On signal, draw weapon and fire four rounds within four seconds. Reholster.

You have now fired ten rounds.

Second Position: Seven yard line back from target. Optional off hand or point shoulder stance from crouched position. Double action. One second per shot firing sequence, no time limit for reloading.

1. Load three rounds and holster. On signal, draw weapon and fire three rounds within three seconds. Reholster. Repeat procedure.

2. Load four rounds and holster. On signal, draw weapon and fire four rounds within four seconds. Reholster.
3. Load five rounds and holster. On signal, draw weapon and fire five rounds within five seconds. Reholster.

You have now fired twenty five (25) rounds.

Third Position: Fifteen yard line back from target. Point shoulder firing from standing position. Double action.

1. Load five rounds and holster. On signal from Rangemaster, draw weapon and fire one round and reholster. Repeat four times on signal.

Next sequence is kneeling stance, double action, 25 seconds for sequence.

2. Load five rounds and holster. On signal, drop to kneeling position, drawing weapon, and fire five rounds. Reload with, and fire, five rounds.

Unload weapon and reholster. You have now fired forty (40) rounds.

Fourth Position: Twenty-five yards from target. Shooting from barricade with strong and weak hand. Single action. No time limit.

1. Load five rounds and holster. On signal, draw weapon and fire five rounds (strong hand). Reload and fire five rounds (weak hand).

You have now fired fifty (50) rounds.

Note: While shooting from barricade, the body of the shooter should remain behind the barricade during all firing and reloading.

Scoring Target:

All hits shall count numerically as shown on the target. A round cutting a line shall be scored at the higher number.

After counting the total numerical score, multiply this figure by four (4). Place a decimal point before the last number to determine the final score.

Example:	50 hits in 5 area	Scoring:	70-79	Marksman
	50 x 5 = 250		80-89	Sharpshooter
	250 x 4 = 1000		90-95	Expert
	1000 = 100.0		96-100	Master
	Final Score = 100			

Note: This course may be fired using either a revolver or automatic pistol. Although some revolvers and most pistols have more than a five round capacity, only FIVE rounds shall be loaded at any one time. This is to ensure that all personnel have trained and received practice in reloading during the timed fire sequence.

In competition, ties shall be broken by counting the number of 5x hits.

Note: Sight examples are attached.

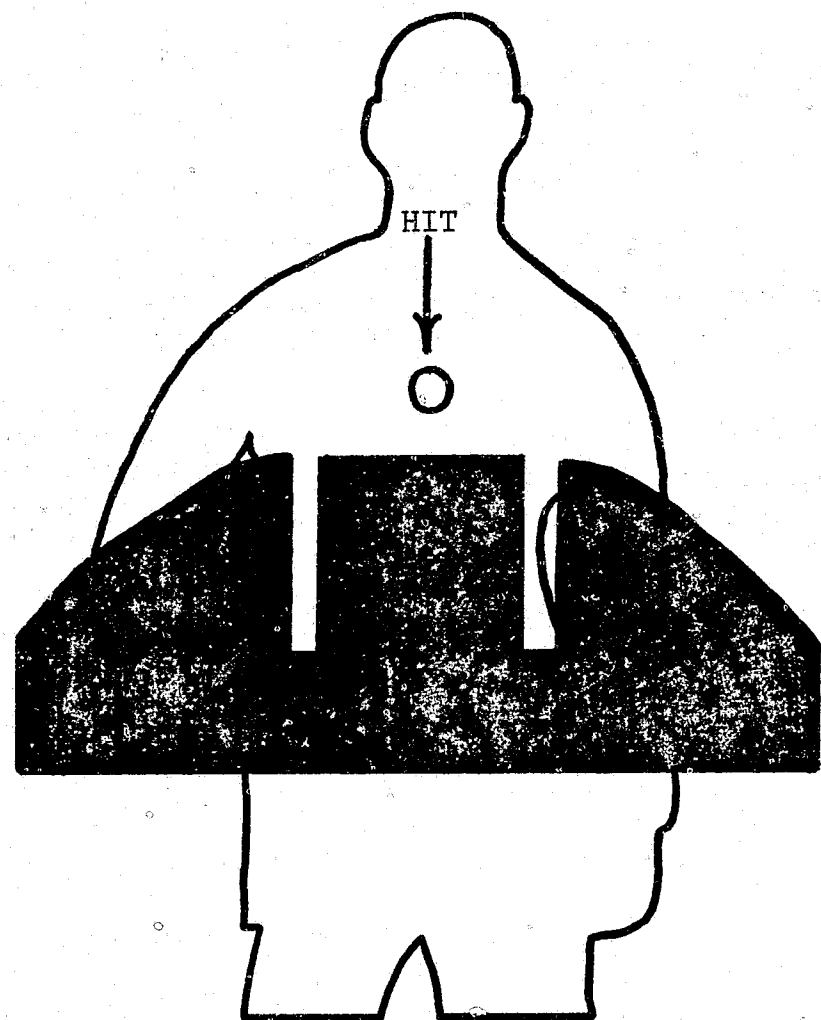
SIGHT ALIGNMENT

Sight alignment is one of the most important factors in firing an accurate shot. Proper alignment is defined when the front sight is centered in the notch of the rear sight, with the tip of the front sight even with the top of the rear sight. (See Chart No. 1).

For proper sight alignment, the sight should be aligned with the center of the silhouette chest area. Focus should always be on the front sight and not on the target. During the recoil, continue to focus on the front sight. Do not search the target for prior shots during any course of fire.

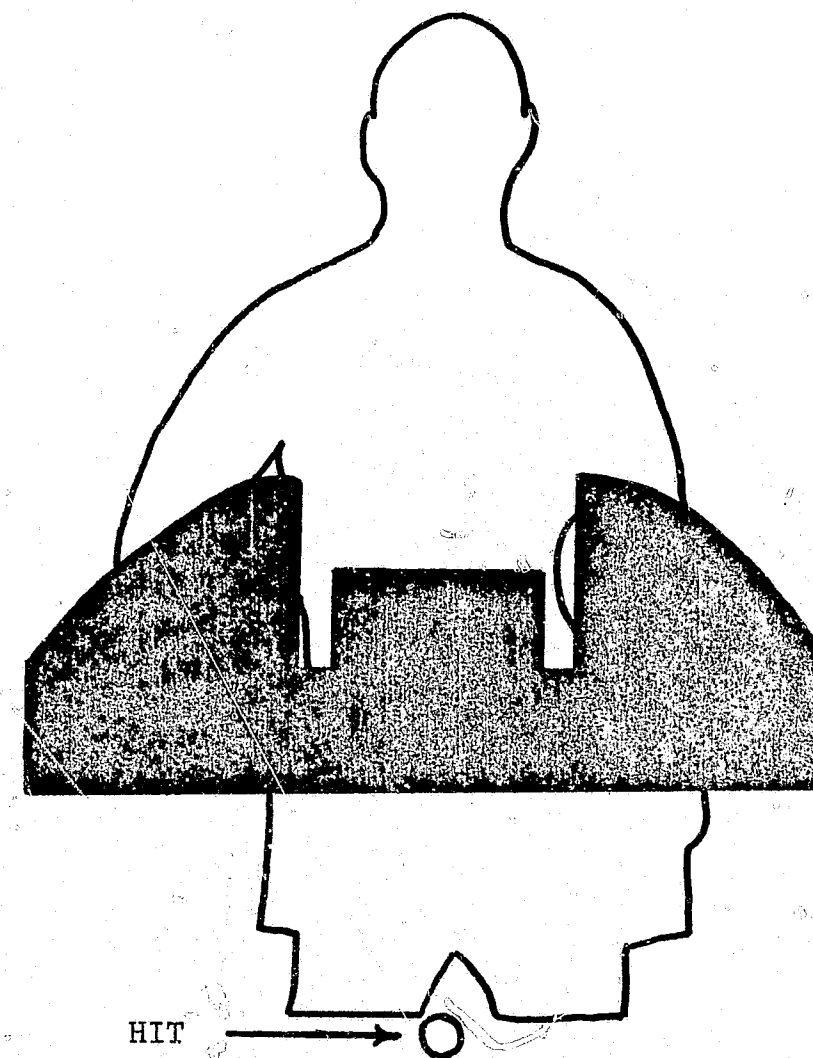
Sight alignment charts follow, drawing attention to proper sight alignment as well as to alignment errors.

SIGHT ALIGNMENT CHART NO. 1



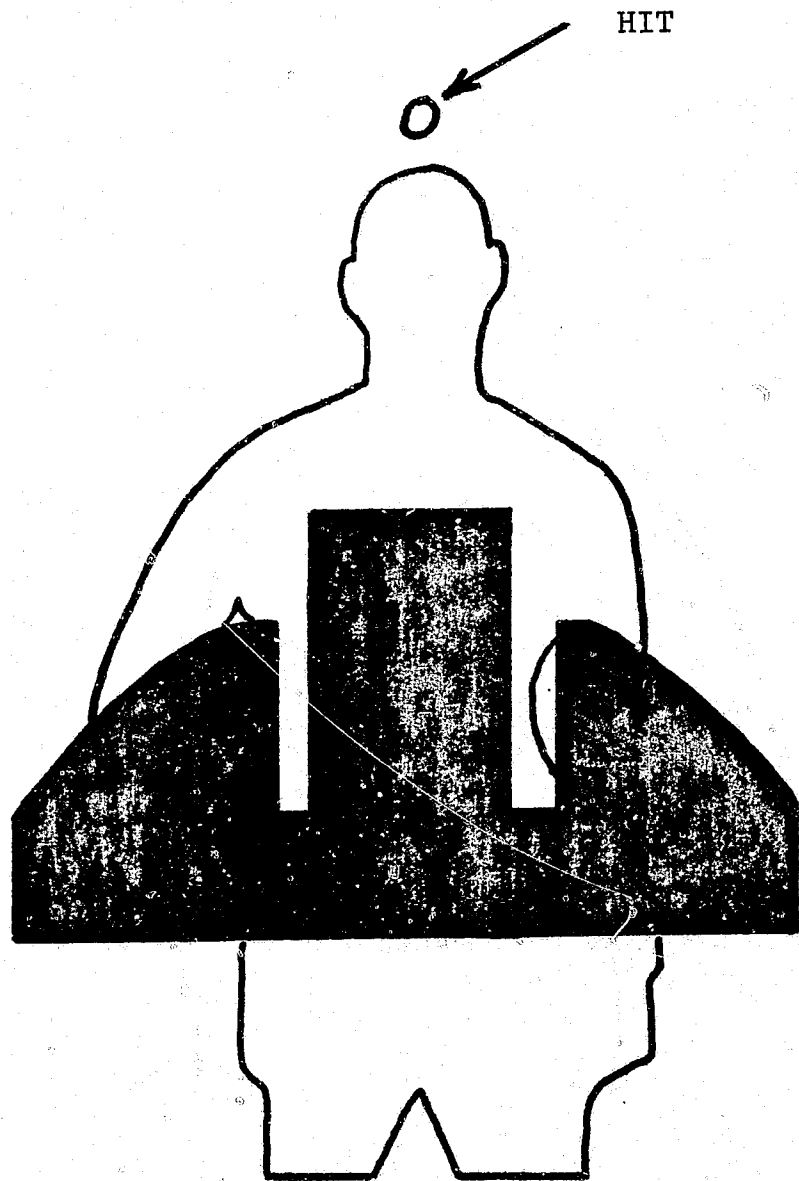
PERFECT ALIGNMENT. TOP OF FRONT SIGHT LEVEL WITH TOP OF REAR. EQUAL LINE OF LIGHT ON EITHER SIDE OF FRONT SIGHT IN REAR SIGHT NOTCH. PERFECT SHOT.

SIGHT ALIGNMENT CHART NO. 2



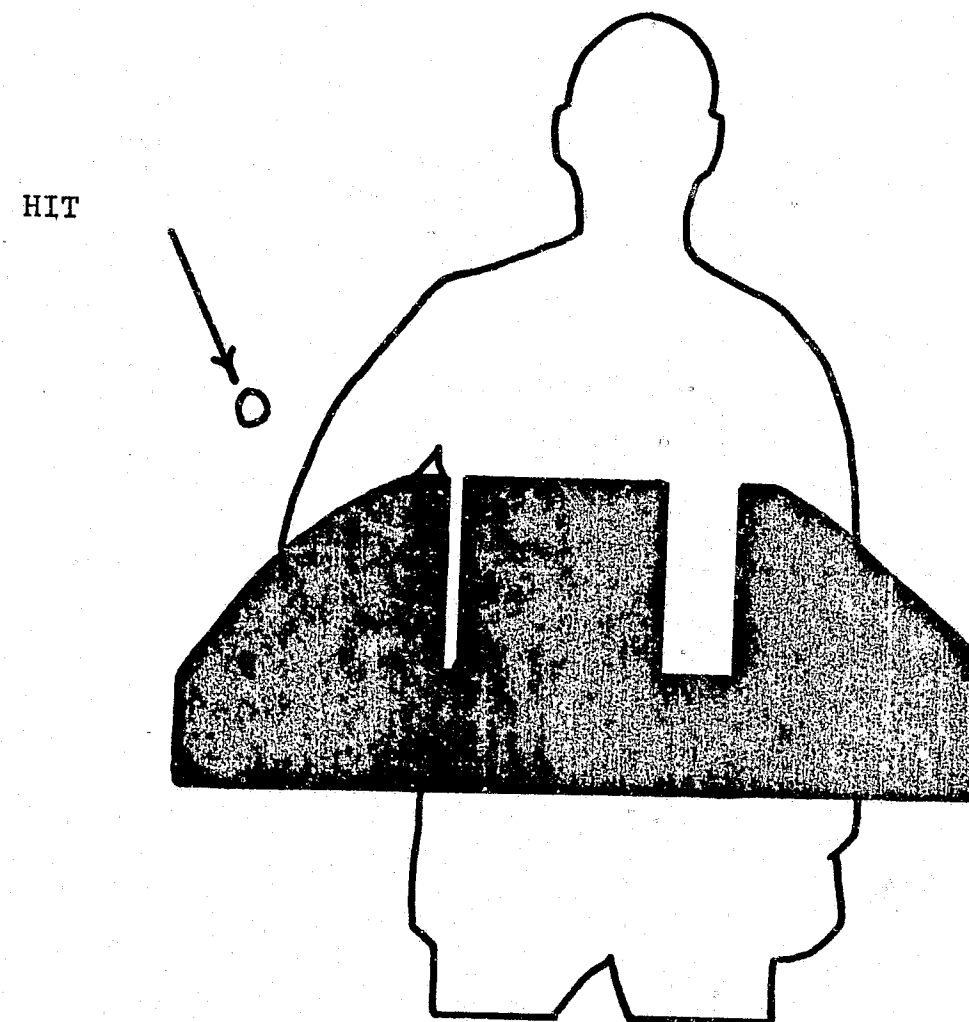
FRONT SIGHT LOWER THAN TOP OF REAR. EQUAL LINE OF LIGHT ON EITHER SIDE OF FRONT SIGHT IN REAR SIGHT NOTCH. SHOT TOO LOW.

SIGHT ALIGNMENT CHART NO. 3



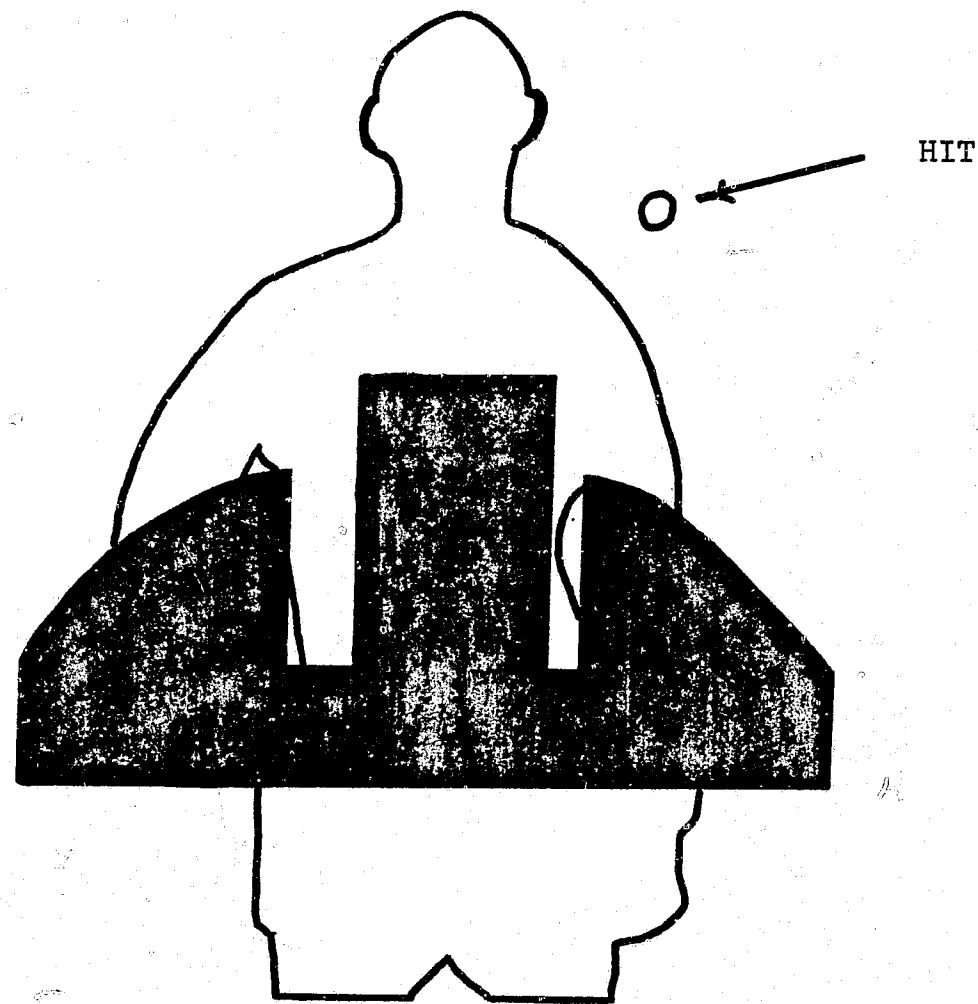
TOP OF FRONT SIGHT HIGHER THAN TOP OF REAR. EQUAL
LINE OF LIGHT ON EITHER SIDE OF FRONT SIGHT IN REAR
SIGHT NOTCH. SHOT TOO HIGH.

SIGHT ALIGNMENT CHART NO. 4



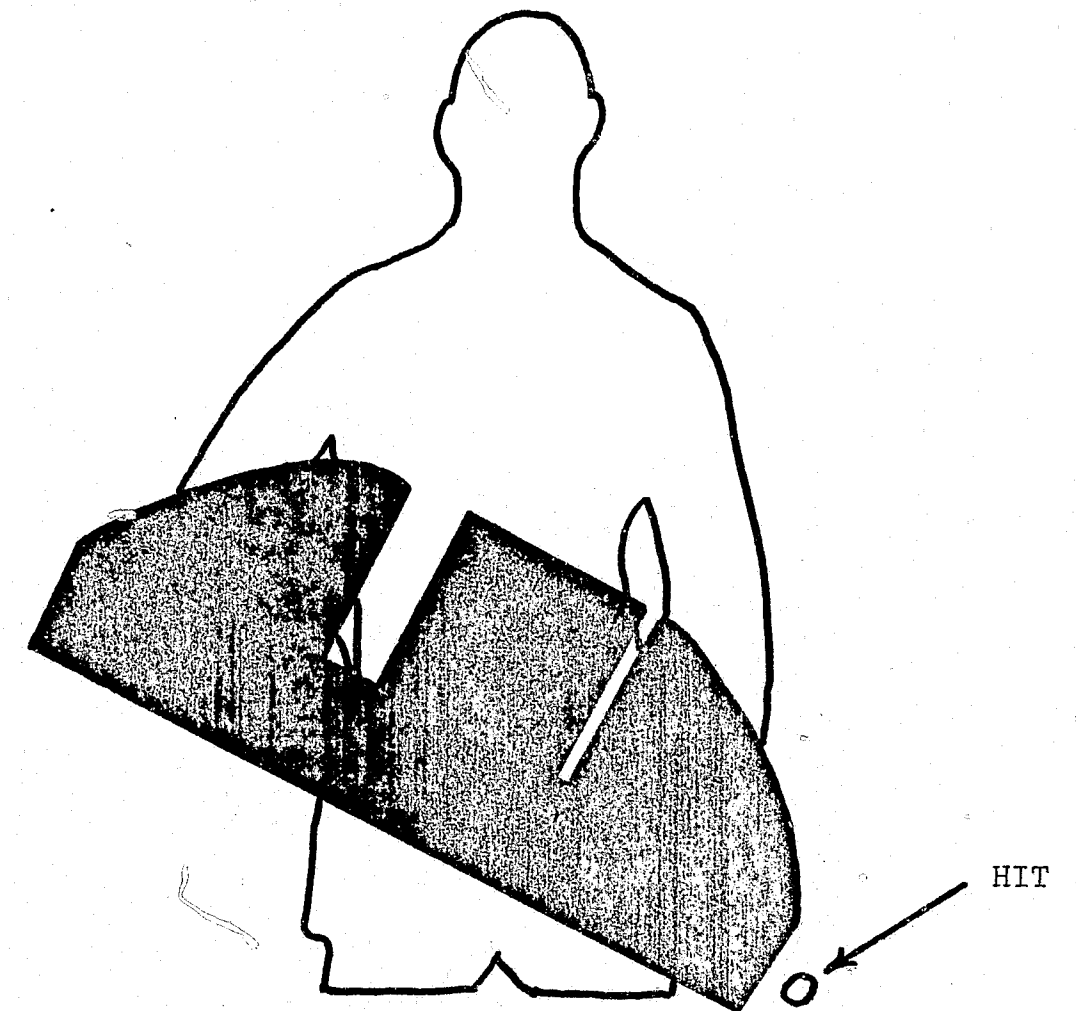
TOP OF FRONT SIGHT LEVEL WITH TOP OF REAR, TOO MUCH
LIGHT ON RIGHT SIDE OF FRONT SIGHT IN REAR SIGHT NOTCH.
SHOT TO LEFT, 9 O'Clock.

SIGHT ALIGNMENT CHART NO. 5



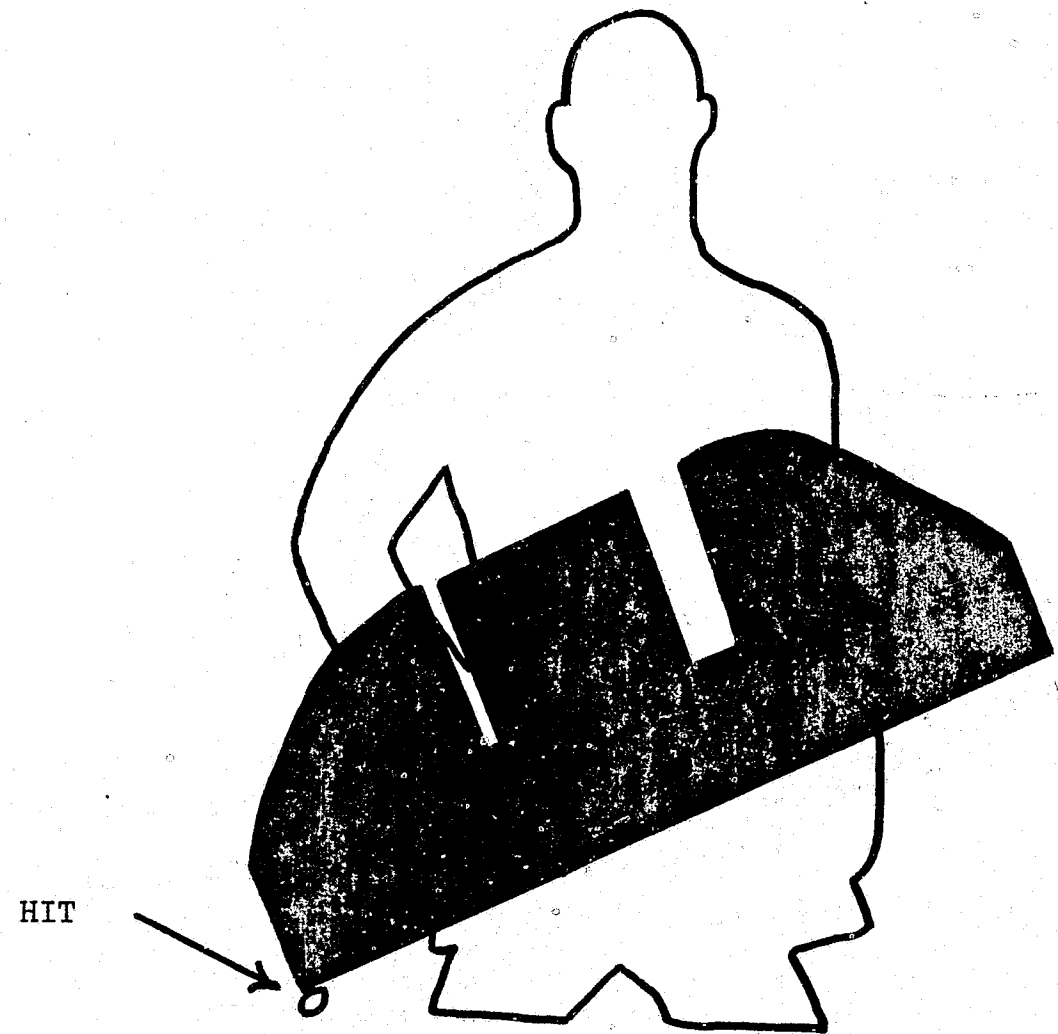
TOP OF FRONT SIGHT HIGHER THAN TOP OF REAR, TOO MUCH LIGHT ON LEFT SIDE OF FRONT SIGHT IN REAR SIGHT NOTCH. SHOT HIGH AND RIGHT.

SIGHT ALIGNMENT CHART NO. 6



TOP FRONT SIGHT LEVEL WITH TOP OF REAR, TOO MUCH LIGHT ON LEFT SIDE OF FRONT SIGHT IN REAR NOTCH. REVOLVER "CANTED", SHOT LOW AND RIGHT.

SIGHT ALIGNMENT CHART NO. 7



TOP OF FRONT SIGHT LEVEL WITH TOP OF REAR, TOO MUCH LIGHT ON RIGHT SIDE OF FRONT SIGHT NOTCH, REVOLVER "CANTED", SHOT LOW AND LEFT.

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OFF HAND STANCE



POINT SHOULDER STANCE



POINT SHOULDER KNEELING POSITION



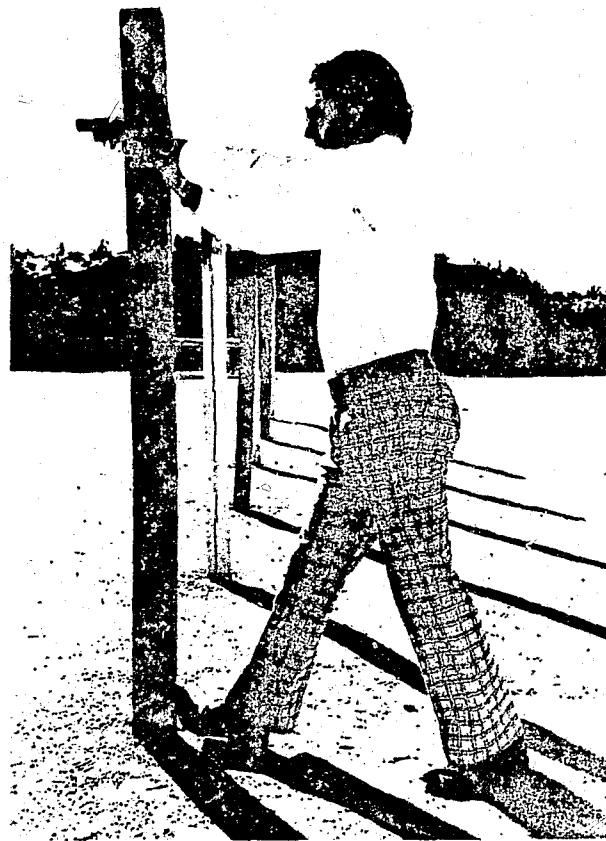
DOUBLE KNEELING POSITION



SINGLE KNEELING POSITION



STRONG HAND BARRICADE STANCE



WEAK HAND BARRICADE STANCE

DEPARTMENT OF PAROLE AND PROBATION
DRAWN WEAPONS REPORT

NAME: _____
DATE AND TIME OF OCCURRENCE: _____
LOCATION OF OCCURRENCE: _____
TYPE OF WEAPON DRAWN: _____
SERIAL# (IDENTIFYING DATA): _____
WITNESSES: _____

CIRCUMSTANCES SURROUNDING INCIDENT: Answer--who, what, why and how:

PREPARED BY: OFFICER: _____
IMMEDIATE SUPERVISOR: _____
EVALUATION OF ACTION: APPROPRIATE/AVOIDABLE. EXPLAIN: _____

UNIT SUPERVISOR: _____
EVALUATION OF ACTION: APPROPRIATE/AVOIDABLE. EXPLAIN: _____

DISTRICT SUPERVISOR: _____
EVALUATION OF ACTION: APPROPRIATE/AVOIDABLE. EXPLAIN: _____

DATE DIRECTED TO DEPUTY CHIEF, CENTRAL OFFICE: _____ (date)

DEPARTMENT OF PAROLE AND PROBATION
DISCHARGED WEAPONS REPORT

NAME: _____

DATE/TIME OCCURRED: _____

LOCATION OF OCCURRENCE: _____

TYPE OF WEAPON DISCHARGED: _____

SERIAL#: _____

WITNESSES: _____

WERE YOU ABLE TO LOCATE PROJECTILE? WHERE IS IT? _____

INJURIES: TO WHOM/DETAIL: _____

CIRCUMSTANCES SURROUNDING INCIDENT:

DATE: _____

PREPARED BY: OFFICER _____

UNIT SUPERVISOR: _____

RECOMMENDED ACTION: _____

DISTRICT SUPERVISOR: _____

RECOMMENDED ACTION: _____

CHIEF: _____

Attach Coroner's Verdict, if Applicable.

STATE OF NEVADA
DEPARTMENT OF PAROLE AND PROBATION
ACKNOWLEDGEMENT OF FIREARMS POLICY AND RULES

I, _____, a Sworn Peace Officer
of the Nevada Department of Parole and Probation, acknowledge that I
have received a copy of the Firearms Policy and Rules of the Depart-
ment, and that I have read, understand and will abide by the Policy
and Rules.

Officer Signature: _____

Date: _____

Supervisor/Witness Signature: _____

Date: _____

cc: Personnel File/Central Office
District Office

SECTION 21: CRIMINAL RECORDS INFORMATION

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INFORMATION SYSTEMS

Criminal records information systems and resources provide the officer with an ongoing record of activity engaged in by the criminal element. In order for the officer to take full advantage of the data provided by the system, the officer must be familiar with the system, the data available by the system and the method used to obtain the information.

Information systems utilized by officers of the Department most often include:

Systems:

1. SCOPE: Shared Computer Operation for Protection and Enforcement (See Example).
2. NCIC: National Crime Information Center.
3. FBI: Federal Bureau of Investigation (United States Department of Justice).
4. CII: State of California, Department of Justice, Bureau of Criminal Identification and Investigation (Sacramento).
5. CLETS: California Law Enforcement Telecommunication System.

Resources:

6. NDIN: Nevada Division of Investigation and Narcotics.
7. DMV: Department of Motor Vehicles, Nevada.
8. DEA: Drug Enforcement Administration (United States Department of Justice).

DATA AVAILABLE

1. SCOPE:

As indicated on the attached SCOPE printout, SCOPE will provide the officer with information relative to the subject's interaction with law enforcement in Nevada. Information available on each SCOPE will differ depending on the parameters set by the law enforcement agency entering the information. Also, be aware that not all law enforcement agencies within Nevada enter into SCOPE system.

The following areas will generally appear (as is applicable to

the case): Identifying information including name, social security number, birthdate, fingerprint classification, ex-felon status, most current address, personal marks/tatoos; history of arrest convictions and dispositions (as available); wanted status--outstanding warrants; statement-notify Nevada Parole and Probation along with the subject's parole or probation discharge date (parole or probation date is entered by a limited number of law enforcement agencies); gaming card registration history; weapons or tools commonly used to effect arrests, etc.

The arrest history will reference municipal and NRS charges.

2. NCIC:

NCIC data, at a minimum, will inform the officer of any outstanding "wants" on the subject. The printout will detail what agency has placed the want, the warrant #, the date and charge, and bail set.

NCIC data will also provide the officer with information regarding stolen property and vehicles: Serial numbers, brand, models, date of reported theft, agency reporting theft will, at a minimum be available. Stolen vehicle information is available by way of the VIN# (vehicle identification number) or license number.

Information may also include some personal identification information, i.e., name, race, sex, date of birth, social security number, etc.

NOTE: Along with SCOPE/NCIC printouts, the operator may be requested to run DMVI (Department of Motor Vehicles Information) data. Although limited, registration and drivers license information is available. The Department of Motor Vehicles will provide the officers with more detailed data, i.e., drivers record.

3. FBI:

The FBI "rap sheet" provides the officer with the subject's criminal history as recorded throughout the United States. Data includes identification of the agency effecting the arrest, subject's name and case identification number, date of arrest, charge and disposition (disposition is entered as available).

4. CII:

CII data deals mainly with the western region of the United States and provides the officer with "rap sheet" data similar to that provided by FBI "rap sheets."

Information includes minimal personal identification information, date of arrest, agency effecting arrest, agency case

identification, subject's name, charge and disposition (as available).

Officers may request a criminal history synopsis where appropriate.

5. CLETS:

CLETS provides information similar to that of NCIC in relation to the State of California. Wanted status and stolen property and vehicle data is available. CLETS also provides more detailed drivers license data (as compared to DMVI) including: Drivers record (if licensed), status of license, vehicle registration information, number of vehicles registered, drivers record and history. NLETS provides the same type of information nationwide and can be retrieved via Highway Patrol.

6. NDIN:

Nevada Division of Investigation and Narcotics is able, as appropriate, to provide the officer with information regarding the criminal element that is available from NDIN case data and as is available from NDIN information sources, i.e., RMIN (Rocky Mountain Information Network), WSIN (Western States Information Network), etc.

For the officers information, NDIN is segmented into 3 divisions: General Investigation, Narcotics Investigations, and Criminal Information/Intelligence. The central office is located in Carson City with branch offices in Reno, Las Vegas, Lake Tahoe, Elko, and Ely.

Information available from NDIN includes but is not limited to: Intelligence information (criminal associations records, street information--not confirmed data), customs data, criminal record data, and NDIN case file data regarding past narcotic cases.

7. DMV:

The Department of Motor Vehicles record storage facilities provide the officer with information as follows: Drivers license information, drivers record information, vehicle registration information, and vehicle title information.

Drivers license information is limited to that information shown on front of the drivers license. Drivers record information is limited to that information shown on front of the drivers license and drivers demerit history. Vehicle registration information is limited to year, make, model and registered owner name and address. Vehicle title information is limited to legal owner name and address.

Requests for information may be submitted by phone or mail:

State of Nevada, Department of Motor Vehicles, Motor Vehicle Record Section, Carson City, Nevada, 89711, (702)885-5505.

OBTAINING INFORMATION

Information may be obtained through any law enforcement agency connecting into the information system; information is transmitted via computer terminals and teletypes. Parole and Probation districts, excluding District IV, submit requests to local law enforcement agencies, i.e., Reno Police Department, Washoe County Sheriffs, Nevada Highway Patrol, etc.

Officers may also request "administrative messages" through local law enforcement agencies, i.e., an officer wanting information on a subject's driving record in a town in Washington, may request a teletype be sent to such state requesting the needed data.

District staff should develop specific contacts and reference sources to facilitate the smooth flow of data collection. In all cases, diplomacy is important in contacts.

SCOPE PRINT-OUT (EXAMPLE)

(a) NM APPLE (b) ADAMS (c) SID-00000000 (d) SS-116423741
(e) CS-111111 (f) BD-102651 (g) RC-W SX-M HT-507 WT-140 HR-BRO EY-BLU
(h) FI-14 S 1 L 011 9 REF-001
F2- U 1 U 11F REF-000
(i) BP-WESTBURY, NYC (j) FB-3 000 000 (k) CI-2 000 000 01- (l) 02-
(m) A1-992 HEART ST. VERDI, NEVADA 010780
(n) SP049 M REG X-FEL (GTA) 1966 052871
(o) SP050 M M-51166 F-0000
(p) WP255 WCS 1010780 WRK CRD VERDI GAMING
(q) PI254 REP TATTOO FLAG R/FOREARM
(r) PI255 R/LEG AMP 5" BELOW KNEE
(s) CN255 REP-111111 SPA-66666 WCS-A-00000
(t) AR249 REP 004 120579 RMD INDEC EXPOS WCS
(u) AR251 REP 004 112379 INDEC EXPOS 79-K-0000 REP
(v) AR252 REP 003 112379 DRINK I/PUBL 79-K-9999 REP
(w) AD252 REP 003 112679 (x) DRINK I/PUBL
(w cont.) 4222 (x cont.) FIN 10DY RCJ
(y) AR250 SPA 002 110679 INDEC EXPOS WCS
(z) AR253 SPA 002 110179 INDEC EXPOS 79-11111SPA
(b) AR254 SPA 002 110179 X-FELON CHG ADD (a) MPD BW11111 79-11110SPA
(c) SID 0000000
(d) AR255 REP 001 050179 INDEC EXPOS 79-E-000 REP
(e) AD255 REP 001 050279 INDEC EXPOS
(e cont.) 7000 FIN 90DY RCJ
(f) MS232 R 072778 -RP- OBSTR. SIDEWALK 072878 30 DYS RCJ
(g) MS233 R 052478 -RP- VAG U/INFLU 052578 30 DYS RCJ
(h) SID-0000000

SCOPE IDENTIFICATION

- (a) Last name.
- (b) First name.
- (c) SID: Scope Identification Number. This number should appear on each printout for the officer to verify that the printout is indeed the subject. The SID number appears 3 times on this printout.
- (d) Social Security Number. If the subject was wanted, a "wanted flag" would appear below the Social Security number.
- (e) CS number: Scope case number assigned by the entry operator.
- (f) Birth date.
- (g) Personal Identifying Information: race, sex, height, weight, hair and eyes/color.
- (h) Fingerprint Identification Data; REF: Reference number.
- (i) Birth place.
- (j) FBI number.
- (k) CII number.
- (l) Las Vegas Identifying Numbers.
- (m) Address as of date indicated. As the address information is updated, data is changed and the effective date is entered.
- (n) Old SCOPE DATA ENTRY NUMBERS (Effective [approx.], 1973-1978) Subject registered with METRO as an Ex-Felon-charge Grand Theft Auto; registered on 052871.
- (o) METRO identification number.
- (p) Work Permit (WP) 255 code (1st entry); date subject registered with Washoe County Sheriffs (code system-NEW SCOPE SYSTEM effective @ 1978).
- (q) PI/PERSONAL IDENTIFIER. Any new personal information is entered on PI; REP/New Code for Reno Police Department. Subject registered with Reno Police Department.
- (r) PI/Personal Identifier.

- (s) CN/Case Number: Jacket numbers for Reno Police Department, Sparks Police Department and Washoe County Sheriffs are recorded.
- (t) AR249 REP 004/ Arrested by Reno Police Department, 4th Arrest: Arrested for Indecent Exposure. Subject was remanded to WCS (Washoe County Sheriffs) for holding. Agencies listed on the side of the printout indicate the holding agency in each and every instance.
- (u) AR251 REP 004/ Data relates to the charge processed above (004): Subject was arrested by Reno Police Department for indecent exposure on 11-23-79. The initial holding facility (between 11-23-79 and 12-15-79) was Reno Police Department, 79-K-0000/ 79 is the year, K is the month/November, and 0000/Reno Police Department case number.
- (v) AR252 REP 003/ Arrested by Reno Police Department, 3rd arrest charge cited, year/month (k)/and Reno Police Department case number is cited and initial holding facility/REP (Reno Police Department).
- AD/arrest final disposition entered on 11-26-79. AD252: informs the officer that both entries numbered 252 are the same charge.
- (w) Court docket number.
- (x) FIN/Final disposition for AD252/ 10 days, Reno City Jail.
- (y) Arrested by Sparks Police Department; RMD/Remanded or held by Washoe County Sheriffs. Remanded on 11-06-79.
- The officer needs to read from the bottom up (most recent SCOPE entries) to obtain a thorough picture.
- (z) Sparks Police Department arrested the subject on 11-01-79 on a charge of indecent exposure. Sparks case number is indicated as 79-111111SPA. From November 1, 1979 through November 6, 1979, the subject was held by Sparks Police Department: Remanded data (see y).
- (a) At the time the subject was arrested by Sparks Police Department, a warrant was found to be outstanding for the subject from METRO: Bench Warrant #1111.
- (b) AR254 SPA 002/ 002 indicates the 2nd arrest. At the time the subject was charged with indecent exposure, Sparks Police Department charged the subject with failure to register as an ex-felon (X-FELON CHG ADD). Sparks Case number is indicated: 79-11110SPA.

- (c) SID number: SCOPE IDENTIFICATION NUMBER. The officer should be certain that SID numbers as recorded on the printout are exactly the same, indicating the same subject.
- (d) AR255/AR/Arrested by REP (Reno Police Department) on May 1, 1979 and charged with Indecent Exposure. Reno Police Department number indicated (79-E-000/year, month, number). Holding at REP (Reno Police Department).
- (e) AD255/Final Disposition on May 2, 1979 for the charge as indicated in (d), Indecent Exposure. Court Docket #7000. Final Disposition 90 days, Reno City Jail.
- (f) MS232/MS indicates arrest by the old SCOPE code. R/Reno Police Department. Subject was arrested on July 27, 1978 by Reno Police Department for Obstructing the Sidewalk. Holding facility, RP-Reno Police Department. Final disposition entered on July 28, 1978, 30 days Reno City Jail.
- (g) MS233/Arrest (old SCOPE code system). On May 24, 1978, subject was arrested by RP-Reno Police Department for Vagrant Under the Influence. Holding facility RP (Reno Police Department). Final disposition, entered on May 25, 1978, 30 days, Reno City Jail.
- (h) SID: SCOPE IDENTIFICATION NUMBER.

KEY:

1. AR/AD: Current SCOPE Identification for Arrest and Final Disposition. (1978+).
2. MS: Prior to 1978, SCOPE Identification for Arrest. Discharge data was simply stated as such.

SECTION 22: RESTITUTION

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DEFINITIONS: RESTITUTION AND MATERIAL LOSS

Restitution is defined as the act of restoring the value of some "material loss" to its rightful owner. The equivalent shall be provided for any actual loss, damage or injury incurred as a result of an individual's unlawful conduct.

Material loss is defined as the actual value of that which is lost.

PAYMENT OF RESTITUTION: BY ORDER OF THE COURT

The payment of restitution is established in probation cases by the court. The court, in consideration of the Department's recommendation for restitution, will fix the restitution figure or will request that such figure be determined by the Department if the amount of restitution is unavailable or questionable at the time of sentencing.

A payment schedule is designed by the officer and probationer in accordance with the subject's financial status. Realistic schedules are developed affording the probationer the maximum ability to make payment and complete a successful probation.

In accordance with NRS 176.189:

1. The court may order as a condition of probation or suspension of sentence, in appropriate circumstances, that the defendant make restitution to the person or persons named in the order, at the times and in the amounts specified in such order. Such an order may require payment for medical treatment of any person whom the defendant has injured.
2. Failure to comply with the terms of an order for restitution is a violation of a condition of probation or suspension of sentence unless the defendant's failure has been caused by economic hardship resulting in his inability to pay the amount due. The defendant is entitled to a hearing to show the existence of such hardship.

PAYMENT OF RESTITUTION: BY ORDER OF THE PAROLE BOARD

Although not frequently practiced, the Board of Parole Commissioners may establish restitution in parole cases. Restitution is sometimes ordered in cases where the parolee has absconded supervision and reinstatement has been granted. Restitution payment would be made to the state against expenses incurred to effect the subject's return.

In accordance with NRS 213.126:1 and NRS 213.126:3--

1. The Board may impose, as a condition of parole, in appropriate circumstances, a requirement that the parolee make restitution to the person or persons named in the statement of parole conditions, at the times and in the amounts, specified in the statement.
3. Failure to comply with restitution requirements imposed by the Board is a violation of a condition of parole unless the parolee's failure was caused by economic hardship resulting in his inability to pay the amount due. The defendant is entitled to a hearing to show the existence of such hardship.

SINGLE VICTIM ACCOUNTS

Each district shall assume the responsibility of maintaining single victim restitution accounts including the maintenance of records, collection and disbursement of payments.

Maintenance of Records:

An individual account (ledger) shall be maintained for each client ordered to pay restitution. A restitution journal shall be kept for all accounts providing a system of "checks and balances" for the district.

Collection of Payments:

All payments shall be made in the form of money orders or cashier checks made payable to the victim. All payments shall be mailed to or received at the district office.

Upon payment, the individual delegated the responsibility of restitution accounting shall issue a three part receipt: The client shall receive the original and the officer and district accounting files shall receive the remaining two copies.

Disbursement of Payments:

All payments shall be mailed certified ensuring a file record for receipt of payment. A transmittal letter, Form 35M, shall accompany the payment citing the money order number, the amount and the balance due. (copy to the district files).

Report to Central Office:

The district supervisor shall report all financial transactions (restitution payments) for the month to Central Office no later than the 10th day of the following month.

MULTIPLE VICTIM ACCOUNTS

Maintenance of Records:

Central Office shall assume responsibility for maintaining multiple victim accounts including the maintenance of records and the final disbursement of funds.

Collection of Payments:

Each district shall be responsible for the collection of monthly restitution payments. Payments shall be forwarded to Central Office for record keeping and entering into trust accounts. Central shall issue a receipt for the client which will be forwarded to the districts for disbursement.

All payments shall be accepted in the form of money orders or cashier checks made payable to the Department of Parole and Probation.

Disbursement of Payments:

Payments shall be maintained in trust accounts until the collection of final payment whereupon Central Office shall distribute such funds to the victims of record.

In accordance with Form 30M, "Should the subject violate probation (or parole) and the Court (or Parole Board) order incarceration, all funds collected to that date shall be prorated and disbursed to the victims."

COMPACT CASE ACCOUNTS

All Nevada probationers and parolees under supervision in a state other than Nevada shall be required to mail restitution payments directly to Central Office for both single and multiple victim accounting. Money orders shall be made payable to the victim (single victim accounts) or to the Department of Parole and Probation (multiple victim accounts).

RESTITUTION DETERMINATION: OFFICER RESPONSIBILITY

It is the original responsibility of the PSI writer to facilitate restitution determination and processing prior to sentencing. In those cases where the determination has not been made prior to sentencing, the assigned supervising officer shall determine restitution after the party has been placed on supervision. The supervising officer shall utilize the chrono entries made by the PSI writer and make appropriate follow-ups and determinations.

This procedure does not relieve the PSI writer from the responsibility of making exhaustive and documented efforts to determine restitution prior to sentencing. Staff shall be held accountable for failure to do so.

Compact:

In the case of those clients on supervision pending compact where restitution has not yet been determined, it is the responsibility of the officer managing "pending compact investigation" to complete the follow up and to make the restitution determination.

Clients shall be encouraged to pay their restitution in full prior to leaving the state; however, it is not mandatory and each case shall be processed on an individual basis.

RESTITUTION: RETURN OF FUGITIVES AND
PAROLE/PROBATION VIOLATORS

Restitution sought at the PSI level shall, where applicable, include the repayment of extradition costs incurred against the State of Nevada. Repayment shall be made to the Office of the Attorney General, Extradition Fund.

Restitution shall be recommended and sought at the revocation level for the repayment of costs incurred by the Department to return violators to jurisdictions within the State. In those cases where extradition proceedings are necessary as a result of a client's refusal to waive extradition, the Special Services Unit shall coordinate all document processing with the Extradition Office for the State of Nevada. With few exceptions, the actual return and transportation of the client shall be effected by Department officers. Hence, any repayment of costs incurred for the return shall be made payable to the Department of Parole and Probation.

When addressing the costs for the return of parole and probation violators, the investigating officer shall contact the Special Services Unit in Central Office and request the costs incurred against the Department in effecting the client's return. The figure shall reflect the cost of transportation, motor pool costs (mileage plus flat rate charges) and per diem costs. Special Services shall document the cost of return figure in the client's Central Office case file while the officer shall do likewise on the district level.

If the court orders the repayment of return costs (restitution), such monies shall be routed as follows: The monies collected shall be paid into the Returned Violator Fund, Central Office, if collected within the fiscal year in which return was effected;

if the monies are not collected within the fiscal year in which return was effected, the funds shall be routed to the General Fund for the State of Nevada. Address money orders payable to the Department of Parole and Probation.

RESTITUTION: PROCESSING

Claim Form 30:

Usually, the officer conducting the pre-sentence investigation shall direct Claim Form 30 to the known victims in an effort to establish the total restitution figure.

If no response is received from the victim(s) within a 30 day period, a final notice, in Claim Form, shall be immediately sent to the victim(s).

If no response is received within 30 days after sending the final notice, no further attempt need be made unless exceptional circumstances surface.

Review:

Claims received shall be carefully reviewed by the officer. Receipts, bills for repair and/or estimates (more than one) shall be secured from the victim(s). Claims shall be investigated if obvious injustices surface.

Those claims involving sentimental value, inconvenience, loss of time on the job, mileage or emotional occurrences, etc., shall not be accepted or accounted for by the Department. In cases where the victim(s) insists on a claim involving matters other than material loss, the victim(s) shall be advised to process the claim through civil action.

Establishing the Restitution Account:

The officer shall obtain a financial statement from the subject in order to establish the amount the subject might pay monthly if restitution is ordered by the Sentencing Court. Form 82M, attached to the application for probation, shall be completed.

The officer shall discuss the statement with the subject and arrive at an agreement for payment. The officer and client shall complete Form 17a, Restitution Schedule Agreement. NOTE: Specific orders for monthly payments in court shall be avoided.

Payments:

Payments shall begin without delay and usually not later than 30 days after the establishment of the amount of monthly payment.

Payments should be due monthly and should seldom be arranged for more than 30 months unless the probation period is to extend over three years and the account is large.

Distribution of Documents:

Form 17a, Restitution Schedule and Agreement, and Form 143M, Restitution Status (Notification to Victim), shall be completed and distributed, in most cases, by the PSI writer.

Notification to Victim:

The victim(s) shall be notified by letter as to the court's determination regarding restitution as a requirement of probation. It is the officer's responsibility to process Form 143M.

NOTE: In all cases, Central Office shall be kept up-to-date on address changes of probationers subject to restitution requirements.

SUPERVISING DELINQUENT ACCOUNTS: ALTERNATIVES

1. Financial Hardship: All efforts should be made to assist the client in meeting the obligation of restitution. In those cases where monthly payments place a true financial hardship on the client, the officer shall initially confer with his/her immediate supervisor. The officer may: (1) Adjust the monthly collection schedule; or (2) Alleviate the restitution via processing arrangements for a modification hearing: The district attorney and sentencing judge shall receive a request letter for modification, the matter shall be placed on the court docket, and the matter shall be heard and the restitution adjusted, alleviated or continued as the court sees fit.

Modification of Monthly Collection Schedule: The officer may modify the monthly collection schedule only. In no case shall an officer modify an order of the Court or Parole Board. Modification of an order shall be processed as detailed above.

In all cases, documentation as to the nature and reasons for the adjustment shall be entered in the chronos. In addition, the Restitution Schedule and Agreement shall be modified and the document distributed in accordance with directions herein.

2. No Financial Hardship: In those cases where an account is delinquent and no financial hardship is realized, it is entirely appropriate and incumbent upon the officer to exert energies to effect the collection of monies. Directing a client to obtain a second job, directing a client to bring a paycheck into the office prior to cashing and directing a client to liquidate luxury assets are realistic tools to assist the officer in the collection of restitution.

Such directives shall be entered in the chronos, incorporated into a case plan and acknowledged by the client.

In all cases: Form 82M, Economic Status/Financial Statement, should be kept updated with any adjustments.

Violation Proceedings: After attempts to assist the client in encouraging payment, should no positive action result, it is incumbent on the officer to file a violation report immediately and begin revocation proceedings.

The officer, in cases where discharge is imminent, may recommend continuance of probation where an outstanding restitution balance exists.

TERMINATED CASES

Upon termination due to discharge, violation/incarceration, death, etc., victims shall be notified of restitution status by Form 36M. The form letter shall be processed by the supervising officer in single victim cases and in multiple victim and Nevada cases under supervision out-of-state.

Restitution: A Civil Liability:

Parties should be informed that restitution payment is a civil liability and that relief may be sought through civil action in any case.

FORMS PROCESSING (ATTACHMENTS)

1. Form 30M is usually processed by the pre-sentence investigation writer. It is sent to the victim(s) requesting information as to loss. (copy to district case files).
2. Form 17a, Restitution Schedule and Agreement, is usually processed by the pre-sentence investigation writer. It is completed (top half) by the officer recording the total restitution to be paid by the client as well as the names/addresses of the victim(s) to receive payment. The bottom half is completed by the client. The client agrees to make monthly minimum payments, on the date and at the time indicated.

Distribution:

Original to Central Office; copy to the district restitution clerk, case file; and bottom-half to the client.

3. Form 82M, Economic Status, provides the officer with a guide to establish a realistic monthly payment schedule for the

subject in light of the subject's economic situation.

4. Form 143M informs the victim of the determination regarding restitution. Form 139M is usually processed by the presentence investigation officer; if the determination is made at a later date, the supervising officer shall process the notification letter. Copy to case file and district restitution clerk.
5. Form 36M informing the victim of the termination of the Department's obligation to collect restitution in his/her behalf (due to discharge, revocation, etc.) is processed by the supervising officer at the time of termination whether a district or compact case, in single and multiple victim cases.

Distribution: Copy to Central Office, district restitution clerk, and case file. Original to victim.

COLLECTION OF FINES AND FEES

Fines and fees (i.e. for counsel) as ordered by the Court shall be paid directly to the county clerk/treasurer by the client. The exception surfaces where the Court specifically directs the Department to collect such fees. In this case, a Restitution Schedule and Agreement shall be signed and set up with the Court Clerk/Treasurer as "victim." Although payments should be made immediately, a schedule of payments should be made with the last payment due at least 60 days prior to discharge date. Districts should attempt to avoid this procedure by discussing the situation with the Courts involved.

It is the officer's responsibility to request verification of payment on a quarterly basis.

STATE OF NEVADA
DEPARTMENT OF PAROLE AND PROBATION

Date Sent: _____

Please Reply By: _____

Return to: _____

Re: _____ Officer: _____

Department of Parole and Probation

Address: _____

Phone: _____

The above subject has been referred to this Department for a presentence investigation and recommendation to the Court.

It is our understanding that you incurred certain losses as a result of this subject's unlawful conduct. In order that we may have an accurate accounting of the reimbursement involved, please furnish the information requested below.

It is also necessary that this form be completed and returned if your loss was covered fully by insurance in order that the insurance company may be contacted as to their loss. (Fill in information under heading marked with an "X").

In the event the Court grants probation to this subject and orders restitution to be made through this Department, it is imperative that this Department be informed of any change of address. Please maintain up-to-date contact with us by providing current address information.

Restitution Payments: Restitution payments are forwarded as follows. If one victim is involved, payments are sent as they are received by the District Office. If more than one victim is involved, all payments are held in trust until the full amount is collected and then disbursed to the victims by our Central Office.

Should the subject violate probation and the Court order incarceration, all funds collected to that date are prorated accordingly and disbursed to the victims. In the event a jail or prison sentence is imposed, the victim may still seek relief through civil action.

IF WE HAVE NOT RECEIVED A REPLY FROM YOU WITHIN 30 DAYS, WE WILL ASSUME NO LOSS WAS INCURRED.

- Loss by fictitious checks or unlawful use of credit card(s).
1. Please enclose cancelled checks or credit card receipts involved in the loss. (Please advise us if they have been surrendered to the Police Department and we will make contact).
 2. How much money have you lost as a result of subject's offense?
 - a. Total amount of all checks/credit card receipts: _____
 - b. Amount of Recovery, if any: _____
 - c. Net loss at time of this claim: _____

- Loss by property damage or other liability (i.e. hospital bills)
1. Reason for claim: _____
 2. Date of loss _____, Amount: _____
 3. If loss was covered by insurance give name and address of insurance company: Name: _____
Address: _____
Phone: _____
 4. What payment or recovery has been made: _____
 5. Net loss at time of this claim: _____
 6. If you have suffered no loss, please indicate here: _____

(Continued)

DISTRICT OFFICES

511-513 E. SECOND STREET
RENO, NEVADA 89502

STATE BUILDING
215 E. BONANZA STREET
LAS VEGAS, NEVADA 89158

STATE BUILDING
946 IDAHO STREET
ELKO, NEVADA 89801

106 E. ADAMS, ROOM 206
CARSON CITY, NEVADA 89710

131 S. MAINE, ROOM 205
FALLON, NEVADA 89406

STATE OF NEVADA



DEPARTMENT OF PAROLE
AND PROBATION

ROBERT LIST
GOVERNOR

A. A. CAMPOS, CHIEF
CAPITOL COMPLEX
308 N. CURRY STREET
CARSON CITY, NEVADA 89710
(702) 885-5040

DATE:

RE: RESTITUTION STATUS

DEAR:

The following is the disposition in the case of _____:

1. Due to your lack of response to our inquiries, it is impossible for us to recommend restitution in your behalf. _____
2. The defendant was not granted probation, therefore restitution was not ordered by the Court. _____
3. It has been determined that \$ _____ is due you in this matter. Please keep this Department informed and advised of any and all changes in your address. _____
4. The Court has awarded restitution in an amount yet to be determined by this Department. Please keep this Department advised of any and all changes in your address. _____
5. It has been determined that restituion in this matter is not applicable and this Department will not be responsible for collecting restitution. This does not preclude the fact that the defendant may be held civilly liable in this matter. You are free to pursue civil recovery.

Sincerely,

Officer

cc: Case File
District Restitution Clerk

143M
MC8697 4/81

DISTRICT OFFICES

511-513 E. SECOND STREET
RENO, NEVADA 89502

STATE BUILDING
215 E. BONANZA STREET
LAS VEGAS, NEVADA 89158

STATE BUILDING
946 IDAHO STREET
ELKO, NEVADA 89801

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STATE OF NEVADA



DEPARTMENT OF PAROLE
AND PROBATION

ROBERT LIST
GOVERNOR

A. A. CAMPOS, CHIEF
CAPITOL COMPLEX
308 N. CURRY STREET
CARSON CITY, NEVADA 89710
(702) 885-5040

DATE:

RE: RESTITUTION COLLECTION

DEAR:

The Department of Parole and Probation can no longer be legally responsible for the collection of further restitution in your behalf as:

1. The probationer has been revoked and committed to the state prison or county jail. _____
2. The probationer has been discharged by the Court. _____
3. The probationer has absented himself from supervision and is considered a fugitive by this Agency. _____
4. The Court has deleted the Order for Restitution. _____
5. The probationer is deceased. _____

In the event any funds are currently held in your Trust Fund, we shall immediately forward those funds to you.

Further relief may be sought by you through civil action.

Sincerely,

cc: Case File
District Restituion Clerk
Central Office

36M
MC7343 4/81

ECONOMIC STATUS FINANCIAL STATEMENT

SOURCE OF INCOME	GROSS PAY	NET PAY
Regular Job		
Extra Job		
Other:		
Pension Benefits		
SS Benefits		
Welfare		
Workman's Comp		
School Grants		
Unemployment Insurance		
Other		
Income Contributed from Spouse		
Income Contributed from other Family Members		
TOTAL		

**ATTACH MOST RECENT PAY STUBS OR INCOME VERIFICATION & RECEIPTS

SUPPLEMENTAL INFORMATION:

- Are you paid daily, weekly, twice a month, monthly (other): _____
- Number of dependents you support: Names and Ages: _____

- Record deductions from your check: Union dues, pension, social security, savings, savings bonds, credit union deposits and payments, etc.

(DETAIL) _____

MONTHLY EXPENSES	AMOUNT	COMMENTS
<u>UTILITIES</u>		
Gas		
Lights		
Water/Sewer		
Telephone		
TV: Cable/HBO Payment		
<u>FOOD</u>		
<u>CLOTHING</u>		
<u>CLEANING & LAUNDRY</u>		
<u>RENT/HOUSE PAYMENT</u>		
<u>INSURANCE PAYMENTS MONTHLY</u>		
Automobile		
Life		
Health		
Other (Indicate)		
<u>AUTOMOBILE/VEHICLE CARE AND MAINTENANCE</u>		
Gasoline/Oil		
Repair/Maintenance		
Monthly payment for Auto		
Monthly payment for Second Vehicle		
<u>MEDICAL/DENTAL (DETAIL)</u>		
<u>CHILD CARE</u>		

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OPERATIONS

The Work Release Unit, under the supervision of the Program and Training Manager, shall consist of a Work Release Supervisor in Central Office directly servicing Districts I, II, III and V and a Pre-Release Supervisor in District IV directly servicing pre-parole and work release needs in District IV.

The Work Release Supervisor in Central Office shall be responsible for the accounting of all work releasees.

PROGRAM OVERVIEW

To be eligible for the work release program, an inmate shall be within six month of parole eligibility or expiration of prison sentence. To initiate placement in the program, the inmate shall make application to the institutional classification committee via the inmate's assigned classification counselor.

If approval for work release is granted by the committee and director, the application shall be forwarded to the executive secretary of the Board of Parole Commissioners for placement on the agenda of the Board Meeting. If the application is approved by the Board an order stating "WORK RELEASE APPROVED" shall be issued and a parole date shall be established within the six month period or to the expiration date of sentence which shall occur within the six month period.

In compliance with the provisions of NRS 213.310:3, the sentencing court shall be notified by letter of the intent to place the applicant in the work release program. If the sentencing court does not object to the placement within ten judicial days of the notification, the Department may proceed with the placement.

WORK RELEASE SUPERVISOR/DUTIES

Upon receipt to cases approved by the Parole Board for the work release program, the Work Release Supervisor shall review each case to insure that each meets the legal criteria for participation in the program. The Supervisor shall then notify the appropriate sentencing court of the intent to place the applicant in the program.

During the ten judicial days waiting period, the Supervisor shall hold work release orientation classes for the applicants, obtain signatures on the work release agreement and release of information form and shall develop information to aid in the placement of the applicant.

The Supervisor shall determine which applicants shall be referred

to the districts for placement, prepare packets on those cases and forward them to the districts.

The Work Release Supervisor shall be available to the districts and assist them in resolving any problems arising from program coordination.

The Supervisor shall complete and file Form 125M, Work Release Account Sheet, with Central Office on a monthly basis.

The Supervisor shall be responsible for processing plans and documents for release on parole. (See Pre Parole Unit, Investigation Section).

DISTRICT DUTIES: WORK RELEASE INVESTIGATIONS

(See Attached Forms)

The district officers shall receive work release investigation referrals similar in content to pre-parole referrals. The District/Unit Supervisor shall assign the case to an officer for investigation. Upon being assigned, the officer shall verify or establish the following:

1. Lodging (County, City Jail or Department of Prison Facility).
2. Daily board and room charges.
3. Verify or develop employment.
4. Review commitment offense, institutional adjustment, criminal record and all pertinent case factors with the employer as well as obtain the employer's signature on acknowledgement (Form 167M).
5. Complete Employment Placement Resume (Form WR8).
6. Notify Work Release Supervisor that program has been approved.

Supervision of the work releasee shall be the district's responsibility after acceptance is verified; however, the districts may request assistance from the Work Release Supervisor as needed.

SUPERVISING OFFICER RESPONSIBILITIES

(See Attached Forms)

Where applicable, the supervising officer working with the work releasee shall:

1. Complete Expenditure Form 64M on a monthly basis;
2. Supply jail staff with weekly control form (NSP-WR-14);
3. Pay the inmate's room and board after receiving the inmate's paycheck along with deducting weekly expense money and depositing the remainder in the inmate's savings account;
4. Provide specific permission for the inmate to purchase clothes, tools, etc.;
5. Make certain that local police department and sheriff offices are aware of the inmate work release program and, if necessary, shall comply with registration, etc.
6. Supervision Contacts: Make a minimum of the following contacts monthly:
 - One (1) employment contact.
 - One (1) jail contact.
 - Two (2) employer contacts.
 - Three (3) personal contacts with the inmate.

Note: When a work releasee is housed in an institution of NSP, jail contact may be less frequent.

7. Forward reports to the Work Release Supervisor regarding the work releasee's progress along with complete monthly contacts and a photocopy of the inmate's personal monthly expenditures.
8. Violation Processing:

It is the policy agreed upon between the Department of Prisons and the Department of Parole and Probation that any violation occurring on the premises of the prison shall be handled by prison personnel. Likewise, any violation occurring in the community shall be handled by the Department of Parole and Probation.

The Parole Board wishes to be informed of all work release violation cases even when no "special condition" is involved.

When violation of a "special condition" of work release does occur, the officer has no discretion and must initiate violation proceedings and bring the matter to the attention of the Board.

The officer may exercise discretion in recommending action

for the Board's consideration.

Officer Responsibility: Notify the Work Release Supervisor of any violation of work release immediately (24 hours daily).

The work releasee is entitled to the full complement of rights under the Morrissey Decision. Process the violation report, serve Form 40 and Hold the PI Hearing with adherence to the "15 day rule." Upon the finding of probable cause, the work releasee shall appear before the Board of Parole.

SUPERVISING OFFICER/WORK UNITS

The officer supervising the work releasee shall receive four (4) work units per month per inmate.

WORK RELEASE PROGRAM PER NEVADA REVISED STATUTES

213.300 Establishment of work release program.

1. The state board of parole commissioners, through the chief parole and probation officer, shall establish and administer a work release program under which a person sentenced to a term of imprisonment in a penal or correctional institution may be granted the privilege of leaving secure custody during necessary and reasonable hours to:

(a) Work in this state at gainful private employment that has been approved by the state board of parole commissioners for such purpose.

(b) Obtain in this state additional education, including but not limited to vocational, technical and general education.

2. The work release program may also include, under rules developed by the chief parole and probation officer and approved by the state board of parole commissioners, temporary leave for the purpose of seeking employment in this state.

3. The chief parole and probation officer is responsible for quartering and supervision of prisoners enrolled in the work release program.

(Added to NRS by 1977, 291, 854)

213.310 Selection of prisoners for enrollment in program; notice to sentencing court; authority of chief parole and probation officer.

1. The director of the department of prisons shall, by appropriate means of classification and selection, determine which of the offenders, during the last 6 months' confinement, are suitable for the work release program, excluding those sentenced to life imprisonment who are not eligible for parole and those imprisoned for violations of chapter 201 of NRS who have not been certified by the designated board as eligible

for parole.

2. The director shall then submit to the state board of parole commissioners the names of those offenders he determines to be eligible for the work release program, and the board shall select from the names the offenders it considers to be suitable for the program.

3. Before work release privileges are granted to any offender so selected, the sentencing court shall be notified of the intent to take such action. If the court does not object within 10 judicial days of the notice, the state board of parole commissioners may proceed to enroll the offender in the work release program.

4. In enrolling an offender in the work release program, the state board of parole commissioners shall delegate full authority to the chief parole and probation officer to take all necessary action to enforce rules relating to the general procedures and objectives of the program.
(Added to NRS by 1977, 854)

213.320 Administration of program; duties of chief parole and probation officer.

1. The chief parole and probation officer shall administer the work release program. The chief parole and probation officer shall:

- (a) Locate employment for qualified applicants;
- (b) Effect placement of prisoners under the work release program; and
- (c) Generally promote public understanding and acceptance of the work release program.

2. All state agencies shall cooperate with the chief parole and probation officer in carrying out this section to such extent as is consistent with their other lawful duties.

3. The chief parole and probation officer shall adopt rules for administering the work release program.
(Added to NRS by 1977, 291, 855)

213.330 Disposition of salaries, wages paid.

1. The salaries or wages of an offender employed pursuant to the work release program shall be disbursed in the following order:

- (a) To pay the cost of quartering, feeding and clothing the offender.
- (b) To allow the offender necessary travel expense to and from work and his other incidental expenses.
- (c) To support the offender's dependents.
- (d) To pay, either in full or ratably, the offender's obligations which have been acknowledged by him in writing or which have been reduced to judgment.

2. Any balance of an offender's wages remaining after all disbursements have been made pursuant to subsection 1 and shall be paid to the offender upon his release from custody.
(Added to NRS by 1977, 855)

213.340 Contracts for quartering enrollees; suitable facilities required.

1. The chief parole and probation officer may contract with the governing bodies of political subdivisions in this state for quartering in suitable local facilities of prisoners enrolled in work release programs. Each such facility must satisfy standards established by the state board of parole commissioners to assure secure custody of prisoners quartered therein.

2. The chief parole and probation officer may not enroll any prisoner in the work release program unless it has been determined that suitable facilities for quartering the prisoner are available in the locality where the prisoner has employment or the offer of employment.
(Added to NRS by 1977, 855)

213.350 Enrollees not agents, employees of state; status.

1. An offender enrolled in the work release program is not an agent, employee or servant of the department of prisons or the state board of parole commissioners of this state:

- (a) While working in employment under the program or seeking such employment; or
- (b) While going to such employment from the place where he is quartered or while returning therefrom.

2. An offender enrolled in the work release program is considered to be an offender in an institution of the department of prisons.

(Added to NRS by 1977, 855)

213.360 Termination of enrollment; unauthorized absence constitutes escape.

1. The chief parole and probation officer may immediately terminate any offender's enrollment in the work release program and transfer him to an institution of the department of prisons if, in his judgment, the best interests of the state or the offender require such action.

2. If an offender enrolled in the work release program is absent without a reason acceptable to the state board of parole commissioners from his place of employment or his designated quarters, such absence:

- (a) Immediately terminates his enrollment in the work release program.
- (b) Constitutes an escape from prison, and such offender shall be punished as provided in NRS 212.090.
(Added to NRS by 1977, 855)

213.370 Prisoner's work release revolving loan account: Creation, use; reversion of balances.

1. There is hereby created the prisoner's work release revolving loan account in the sum of \$2,500.

2. The account must be used to make loans to offenders to pay their expenses for food, quarters and clothing while participating in the work release program and provision must be

made for repayment.

3. The account is non-reverting, except to the extent that cash balance exceeds \$2,500 at the end of each fiscal year the excess cash must be credited to the state general fund.
(Added to NRS by 1977, 856; A 1979, 101)

FORM 167M (4/81)
MC8685

DATE

TO WHOM IT MAY CONCERN:

This is to certify that on this date the criminal record, commitment offense, institutional adjustment and other pertinent case factors concerning _____, an enrollee in the Work Release Program has been reviewed with me by a representative of the Work Release Program.

SIGNATURE

TITLE

WITNESS

EMPLOYMENT PLACEMENT RESUME

NAME: _____ REG. NO. # _____
 NAME OF EMPLOYER: _____ TELEPHONE # _____
 ADDRESS: _____ CITY: _____
 SUPERVISOR: _____ SUPERVISOR TITLE: _____
 LOCATION OF JOB: _____
 TYPE OF BUSINESS: _____
 APPROXIMATE WAGES: _____
 WORKING DAYS PER WEEK: _____
 SCHEDULE WORKING HOURS: _____ BEGIN: _____ END: _____
 DATE TO BE PLACED: _____ PAYDAYS: _____
 JOB TITLE: _____

REMARKS:

DATE: _____ BY: _____

WORK RELEASE EXPENDITURES,
AUTHORIZATION TO DEPOSIT IN PRISONER'S FUND

I, _____ NSP# _____ hereby authorize
 Warden of the Nevada State Prison to receive, deposit in NSP Prisoners Fund,
 and disburse MY WORK RELEASE EMPLOYMENT EARNINGS as set forth below for the
 month of _____.

DISBURSEMENTS:

- A. Personal Expenses Per Wk. \$ _____ on _____ Per Mo. \$ _____
 - B. Room & Board Per Day \$ _____ No. of Days _____ Per Mo. \$ _____
 Room & Board charges paid to _____
 - C. Transportation Per Day \$ _____ No. of Days _____ Per Mo. \$ _____
 Transportation charges paid to _____
 - D. Family Support:
 - Payee: _____ Per Mo. \$ _____
 - Address _____
 - Payee: _____ Per Mo. \$ _____
 - Address _____
 - E. Creditors (including other inmates)
 - Payee: _____ Total Amt. _____ Per Mo. \$ _____
 - Address _____
 - Payee: _____ Total Amt. _____ Per Mo. \$ _____
- TOTAL _____ Expenditures (Items A thru E) \$ _____

DATE _____ SIGNATURE _____ WITNESSED & APPROVED _____

NAME	NUMBER	HOUSING
	OUT	IN
	M	
	O	
	T	
	U	
	W	
	E	
	T	
	H	
	F	
	R	
	S	
	A	
	S	
	U	
TOTAL DAYS WORKED		ROOM AND BOARD
WORK DATES	THROUGH	INCLUSIVE
LEAVE TIME		RETURN TIME
EMPLOYER		
REMARKS		

NSP-WR-14

	R&B	TRANS	EXP.	GROSS	FIT	FICA	NET		HRS.	NAME:	NO.
1											
2											
3											
4											
5											
6											
7											
8											
9											
10											
11											
12											
13											
14											
15											
16											
17											
18											
19											
20											
21											
22											
23											
24											
25											
26											
27											
28											
29											
30											
31											

TOTALS		
R&B		R&B PER DAY
TRANS.		TRANS.
EXPENSE		EXP. PER WK.
GROSS		
FIT		
FICA		
NET		
HOURS		

NOTES

WORK RELEASE WAGE AND EXPENDITURE LOG

Form 91-M

CONTINUED

3 OF 5

WORK RELEASE ACCOUNT SHEET

DISTRICT _____
Beginning enrollment _____
Cases received _____
Total _____
Escaped _____
Work Release Suspended _____
Removed from program _____
Released by Parole _____
Released by Discharge _____
Ending enrollment _____
Enrollees employed _____
Enrollees Unemployed _____

COMMENTS:

125M

DATE _____
Earnings & Disbursements
Gross earnings _____
F.I.T. _____
F.I.C.A. _____
Net Earnings _____
Room & Board _____
Transportation _____
Personal Expenses _____
Family Support _____
Other _____
Total Hours Worked _____
Housing:
N.D.P. _____
Jail _____
Other _____
SIGNATURE _____

SECTION 24: INTERSTATE COMPACT UNIT

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INTERSTATE COMPACT AGREEMENT

As referenced in The Handbook on Interstate Crime Control:

The Interstate Compact for the supervision of parolees and probationers is a legally binding agreement under which the 50 states, the District of Columbia, Puerto Rico and the Virgin Islands serve as each other's agents in the supervision of certain parolees and probationers. The Compact provides a simple legal method whereby parolees and probationers may move to better rehabilitative environments outside the state without losing the advantages of supervision or escaping from the jurisdiction of the state in which they were sentenced.

Nevada Revised Statutes 213.180 through 213.210 record the Interstate Compact rules and regulations in accordance with those rules and regulations as detailed in the Uniform Enabling Act:

"an Act providing that the State of (herein Nevada) may enter into a compact with any of the United States for mutual helpfulness in relation to persons convicted of a crime or offenses who may be on probation or parole."

CENTRAL OFFICE: INTERSTATE COMPACT

The Interstate Compact Unit in Central Office shall administer the Compact under the supervision of the Interstate Supervisor and with the assistance of assigned officer and support staff. The Interstate Compact Supervisor shall be directly responsible to the Program and Training Manager in Central Office.

The Supervisor shall be responsible for enforcing the policies and procedures of the Compact for adult offenders within the State of Nevada.

REQUIREMENTS FOR SUPERVISION

NRS 213.200:1: Article I of the Compact and NRS 213.200:1 outline rules and regulations for the sending and receiving of parolees and probationers. The Interstate Compact Unit shall process supervision decisions in accordance with those rules and regulations:

...it shall be competent for the duly constituted judicial and administrative authorities of a state party to this Compact (herein called "sending state"), to permit any person convicted of an offense within such state and placed on probation or released on parole

to reside in any other state party to this Compact (herein called "receiving state"), while on probation or parole if:

(1) such person is in fact a resident of or has his family residing within the receiving state and can obtain employment there;

(2) though not a resident of the receiving state and not having his family residing there, the receiving state consents to such person being there. Before granting such permission, opportunity shall be granted to the receiving state to investigate the home and prospective employment of such person.

In accordance with Article I of the Compact and NRS 213.200:2:

(A) resident of the receiving state...is one who has been an actual inhabitant of such state continuously for more than one year prior to his coming to the sending state for more than six continuous months immediately preceding the commission of the offense for which he has been convicted.

Under the terms of the Compact, no state shall refuse to supervise a parolee or probationer who has been convicted and who has the necessary residence and employment qualifications.

SENDING STATE:

The sending state, herein Nevada, in its request for compact supervision, shall secure the consent of the receiving state, herein any state excluding Nevada, in all cases where:

the probationer or parolee is not a resident of the receiving state.

If the qualifications of residence, as referenced above, are met, the parolee or probationer may be sent to the receiving state without the prior consent of the receiving state.

However, under the express terms of the Compact, the receiving state must and shall be given an opportunity to investigate the home and prospective employment of the individual before such individual shall be sent to the receiving state.

Although the qualifications for residency may be met, pre-parolees shall not be released to the receiving state without gaining prior approval of the receiving state.

It has been agreed upon by the Interstate Compact Administrators that:

...the Interstate cooperation structure upon which the Compact is based should lead administrators to request consent for all outgoing parolees and probationers regardless of residence.

PACKET REQUESTING COMPACT SERVICES

(See Forms and Narrative Attached):

The packet requesting Compact services shall be completed by the district officer. The packet (recorded in the mailing order as requested by the Interstate Unit) includes the following:

1. P/P Form 15: Investigation Request.
2. P/P Form 24: Application for Compact Services.
3. P/P Form 3: Agreement to Return.
4. P/P Form 8: Out-of State Travel Permit (See Case Decisions and Management Directives).

ATTACH PHOTO

In all cases, prior to processing the packet, the officer shall check the individual on NCIC/SCOPE.

After completion, the packet shall be sent to the Interstate Compact Supervisor, Central Office. All forms shall be reviewed and, upon approval, shall be forwarded to the receiving state.

Pre-sentence Investigation Units shall complete the packet Requesting Compact Services for subject requesting compact during PSI interview. Packets shall be forwarded to Central Office, Interstate Compact Supervisor, for review and processing immediately after sentencing.

RECEIVING STATE

It shall be the policy of the State of Nevada to extend every cooperation as a receiving state. The Supervisor of Interstate Compact in Central shall assign cases requesting investigation to appropriate districts.

Section 2 of the Compact provides that:

Each receiving state will assume the duties of visitation of and the supervision over probationers or parolees of any sending state and in the exercise of

those duties will be governed by the same standards that prevail for its own probationer or parolees.

In accordance, parolees and probationers accepted for supervision in the State of Nevada shall sign and abide by the Interstate Parole Agreement and the Interstate Probation Agreement. (Forms Section, Orientation Skills Segment of the Manual).

Reply to Investigation Requests:

Form 43 shall record the district officer's evaluative comments for acceptance or rejection of compact plans for probationers or parolees requesting Compact services in Nevada. In all cases, Investigation Requests shall be processed promptly.

All rejections for supervision of out-of state cases shall be reviewed and screened in Central Office by the Interstate Supervisor prior to forwarding rejections to the sending state.

Officers shall make every effort to secure other placement in line with the subject's skills and desires if the initial program specified by the applicant should fail to materialize.

The Compact Administrators state that acceptance should be in accordance with Compact Rules and Regulations and,

"...when it appears that there is a possibility of developing a plan for the individual which will best serve to aid in his ultimate rehabilitation."

In accordance with department policy, the high quality of supervision and casework that accompanies our own cases shall accompany Compact cases.

TIME SPECIFICATIONS

In the 1975 annual meeting of Compact Administrators, the following procedure was agreed upon:

Receiving states shall not be expected to process investigations regarding employment and residence set-ups more than 60 days in advance of proposed placement.

Parole Cases:

In most instances, the district officer shall track 90 days after submitting a Request for Compact Services for a client. The officer shall follow-up on this request if a reply fails to materialize within this 90 day period.

Pre-Paroles:

In accordance with the policy above, the Pre-Parole Supervisor shall process the Request for Compact Services approximately 60 days prior to the subject's release date from the institution.

Probationers:

In appropriate cases, the supervising officer seeking compact services for a probationer may proceed as follows:

1. Verbal contact shall be made with the receiving state compact administrator initially requesting approval for an out-of-state travel permit;
2. Upon acceptance, the probationer may travel to the requested state;
3. The Investigation Packet shall be forwarded by the district officer to Central for review by the Interstate Supervisor. The supervisor shall in turn forward the documents to the receiving state seeking approval or rejection;
4. If rejection is entered by the receiving state, the subject shall return to the State of Nevada for supervision.

Note: document action in the chronos.

TRAVEL PERMITS, P/P FORM 8

Parole and Probation Form 8 shall be used by the Department in all Cases where officers permit clients under their supervision to leave the State of Nevada for purposes of visiting.

Officers shall not permit clients to travel out of state without a written permit. There shall be no emergency situations. Travel without a permit is contrary to Compact Rules and Regulations and jeopardizes the safety of the client concerned. Should the client be stopped in another state and checked on a routine police check and, it is found that the client is on probation or parole and does not have a permit to travel, the client shall most likely be booked as an absconder by the local law enforcement authorities.

Distribution:

Original - file; copy to client; copy to appropriate state.

States Requiring Advance Notification:

The states as recorded below do insist on advance notification

of visits within their states by probationers and parolees. The travel permit shall be completed after approval has been entered by the supervising officer and shall be distributed: a copy to the state to be visited, to the client and a copy filed...on the district level.

1. Alabama
2. Alaska
3. California, (Depending on the nature of the visit)
4. Colorado
5. Connecticut
6. Delaware
7. Florida
8. Hawaii
9. Illinois
10. Indiana, (If visit is to exceed 15 days)
11. Iowa
12. Kansas
13. Kentucky
14. Louisiana
15. Maine, (If visit is to be somewhat extended)
16. Maryland
17. Massachusetts
18. Michigan
19. Minnesota
20. Missouri
21. Montana
22. New York
23. North Carolina, (Always for probationer; for parolees if visit is to extend 15 days)

24. North Dakota
25. Ohio
26. Oregon
27. Pennsylvania
28. Rhode Island
29. South Carolina
30. Texas, (If visit is to exceed 2 weeks)
31. Utah
32. Vermont
33. Virginia
34. Washington
35. Wisconsin, (In case of planned visits, state may use discretion in case of emergency)
36. West Virginia
37. Wyoming
38. Puerto Rico
39. Virgin Islands

Compact Rules and Regulations Referencing Visiting:

Before a parolee or probationer is given permission to visit in another state, careful attention shall be given to the following policies agreed to at the 1952, 1957, and 1967 annual Compact meetings:

1. The time limit for visits applies to intrastate parolees and probationers as well as to interstate.
2. Advance notice of visits should always be sent to the state to be visited if the Administrator of that state has indicated a desire for such notification. (see states listed).
3. At the 1967 annual meeting, it was agreed that the full 30 day visiting permit shall be used with discretion and shall not be used for the purpose of seeking employment.

STATES REQUIRING REGISTRATION OF FELONS PRIOR TO VISIT

The following states require the registration of felons prior to visit. Officers shall advise their clients to check the felon registration laws upon entering the visiting state.

1. Alabama
2. Arizona
3. California
4. Delaware
5. Florida
6. Indiana
7. Kentucky
8. Louisiana
9. Mississippi
10. Montana
11. Nevada
12. New York
13. Ohio
14. Oklahoma
15. Pennsylvania (Philadelphia)
16. Tennessee (county level)
17. Virginia

COMPACT CASE FILES

An "X" in front of a case number designates Compact.

Compact parole cases shall be designated by "X" followed by the initials of the district, i.e. XR80 (Reno) or XV80 (Las Vegas). Numbers shall be assigned on the district level.

CLOSING FILES

When interest in a compact case is to be closed, the following forms shall be processed: Form 46 (Multi-Purpose Form) and a Cooperative Case Report.

If the compact probationer or parolee is to be discharged, a Cooperative Case Report shall be processed 90 days prior to discharge.

INSTRUCTIONS

1. All Interstate forms appear in quadruplicate. In all cases the officer shall forward the first three forms to the Interstate Compact Supervisor in Central Office. In all cases, the last form shall be filed on the district level.
2. The following packet shall be forwarded in the order recorded below to the Interstate Compact Supervisor in Central Office when requesting Compact services:
 - a. P&P Form 15: Investigation Request.
 - b. P&P Form 24: Application for Compact Services.
 - c. P&P Compact Form III: Agreement to Return.
 - d. P&P Form 8: Out of State Travel Permit.
 - e. Attach: A photo of the subject shall be attached in all cases.
3. An example of each Interstate form cited is attached along with a narrative detailing completion.

PACKET REQUESTING COMPACT SERVICES:

SUBJECT SENT OUT-OF-STATE

1. P&P Form 15: Investigation Request:

Completed by: Supervising officer.

Distribution: File last copy at district level. Forward first three (3) to Central Office to the Supervisor of Interstate Services for distribution.

Content: Form 15 requests the receiving state to conduct an investigation and to advise Nevada of a decision on acceptance of the case for supervision.

Placement, employment and defined reasons for transfer are outlined.

Offense, date sentenced, parole and probation period and expiration date are provided.

Signatures: The Supervisor of Interstate Services, Central Office, approves and forwards the request.

2. P&P Form 24: Application for Compact services

Completed by: Supervising officer.

Distribution: File the last copy at the district level. Forward first three (3) to the Supervisor of Interstate Services, Central Office, for distribution.

Content: The officer assists the subject in requesting supervision in another state; supporting reasons for the request are detailed.

Signatures: The subject signs. The Parole and Probation Officer witnesses.

3. P&P Compact Form 3: Agreement to Return:

Completed by: Supervising officer.

Distribution: The last copy is maintained at the district level. The first three are forwarded to Central Office, to the Supervisor of Interstate Services, for distribution.

Content: The subject promises to maintain a defined residence; to comply with conditions of parole and probation in the receiving state; to return to Nevada when so instructed.

The subject is made aware of a return to Nevada if a failure to comply arises.

Signatures: The subject signs. The supervising officer witnesses.

4. P&P Form 8: Out of State Travel Permit:

Completed by: Supervising officer.

Distribution: The last copy is maintained on district level. The first three (3) are forwarded to Supervisor of Interstate Services, Central Office.

Content: Form 8 defines conditions permitting travel, reporting instructions and special instructions.

Signatures: The supervising officer signs.

SUPERVISION OF SUBJECTS RECEIVED FROM OUT-OF-STATE

1. P&P Form 43: Reply to Investigation Request Acceptance or rejection:

Completed by: Supervising officer.

Distribution: Last copy maintained on district level. First three (3) are forwarded to Central Office, to the Supervisor of Interstate Services.

Content: Form 43 is a reply made by a district officer to a state requesting permission to send a probationer or parolee for supervision in Nevada.

The officer shall become familiar with NRS 213.200, Form of Compact, and process a decision accordingly. NRS cites terms for acceptance of compact cases and in subsection 16b, NRS defines residency for Compact.

Acceptance: The officer shall explain any unnecessary delays in processing. Furthermore, any changes in the subject's status from the date of the investigation request to the date of the acceptance report shall be included.

See Form 43 (Reply: Acceptance), attached.

Rejection: In cases where a rejection is processed, the officer shall attach the client's case materials to Form 43 and forward documents to Central Office.

All rejections shall be reviewed by the Interstate Compact Supervisor in Central Office. The officer shall support a rejection with verified information. In no instances shall a subject be rejected if the subject is a bonafide resident of our State in accordance with NRS 213.200.

See Form 43 (Reply: Rejection), attached.

Signatures: The Supervising Officer signs. The Supervisor on Interstate Services, Central Office, approves.

2. P&P Form 10: Cooperative Case Report: Progress Report and Special Report:

(a) Progress Report: Interstate Compact rules require Progress Reports be submitted semi-annually and 60 days prior to discharge.

(b) Special Reports: Any unusual case activity shall be reported promptly to the sending state via Central Office. Any factors which might significantly affect the supervision of the case or success of the individual shall be promptly reported to the sending state. When submitting a special report, the officer shall be certain to include a recommendation providing the sending state with our recommendation in the matter, i.e., continue supervision, early termination, modification, etc.

(c) Final Evaluation: Form 10 shall be submitted to close interest in a case via a final evaluation of case activity 60 days prior to discharge.

In those cases where an officer is recommending an early discharge, the same characteristics and data completion requirements shall adhere as stated when requesting an early discharge for Nevada cases. (Reference Discharge From Probation and Parole. Supervision Skills).

Completed by: Supervising officer.

Distribution: Last copy-district files. First three copies to Central Office.

CENTRAL PROCESSING

1. P&P Form 46: Multi-Purpose Cover Letter:

Completed by: Supervising officer.

Distribution: Last copy maintained on the district level. The first three (3) copies are forwarded to the Supervisor of Interstate Services, Central Office.

Content: Case Status.

Signatures: Supervisor of Interstate Services, Central Office.

INTERSTATE: VIOLATION PROCEEDINGS

1. Forms completed for violation proceedings remain the same for instate and interstate cases with the exception of Form 5m-1, the Interstate Compact Violation Report.

INTERSTATE PAROLE AND PROBATION AGREEMENTS

(Reference Interpretations of Parole and Probation. Supervision Skills).



A. A. CAMPOS
CHIEF PAROLE AND
PROBATION OFFICER

STATE OF NEVADA
DEPARTMENT OF PAROLE
AND PROBATION

CAPITOL COMPLEX
308 N. CURRY STREET
CARSON CITY, NEVADA 89710
(702) 885-3040

INVESTIGATION REQUEST

TO: Mr. Ronald Jackson
Compact Administrator
Michigan Department of Corrections
Lansing, Michigan 00007

Date Requested March 28, 1980

Release Date March 28, 1980

Number R80-0000

Parole Probation
(Check one)

Subject Geitz, Rita

PLACEMENT 8 Bran Lane, Detroit Michigan 00002

Family: Ivan Amos,

EMPLOYMENT None

We desire to transfer this person on (~~parole~~) (probation) to your State.

As a resident
 Family resides in your State
(Check proper description)

Subject has employment
 With your consent

Offense Count I; Robbery: Ct. II: Battery with a Deadly Date Sentenced 3-28-80

Weapon
Parole or Probation Period 3 Years Expiration Date 3-28-83

OTHER COMMENTS: Restitution/multiple/\$150 and to be determined.

1. Restitution to be paid on a budget plan one year from date of Sentencing.
2. S & S for weapons, stolen property and/or controlled substance.
3. Maintain gainful and steady employment after a reasonable period of time after birth of child.

We would appreciate your making the requested investigation and advising as to whether or not you would be willing to accept the case for supervision under the terms of the Interstate Compact. All available case material enclosed.

Very truly yours,

M. Interstate Supervisor
By _____



STATE OF NEVADA
DEPARTMENT OF PAROLE
AND PROBATION
CARSON CITY, NEVADA 89710
TELEPHONE 685-5040

A. A. CAMPOS
CHIEF PAROLE AND
PROBATION OFFICER

APPLICATION FOR COMPACT SERVICES

To NEVADA DEPARTMENT OF PAROLE AND PROBATION
(Paroling authority or probation granting authority)

I, RITA GEITZ, hereby apply for supervision as a parolee or probationer pursuant to the Interstate Compact for the Supervision of Parolees and Probationers. I understand that the very fact that supervision will be in another state makes it likely that there will be certain differences between the supervision I would receive in this state and the supervision which I will receive in any state to which I am asking to go. However, I urge the authorities to whom this application is made, and all other judicial and administrative authorities, to recognize that supervision in another state, if granted as requested in this application, will be a benefit to me and will improve my opportunities to make a good adjustment. In order to get the advantages of supervision under the Interstate Compact for the Supervision of Parolees and Probationers, I do hereby accept such differences in the course and character of supervision as may be provided, and I do state that I consider the benefits of supervision under the compact to be worth any adjustments in my situation which may be occasioned.

In view of the above, I do hereby apply for permission to be supervised on ~~parole~~ [probation] in Michigan State for the following reasons:

Residence (Compact supervision)

I [have read the above] [have had the above read and explained to me], and I understand its meaning and agree thereto.

Signature Rita Geitz
RITA GEITZ

Witnessed by Ron O'Hara

Date March 28, 1980

Original to Central
Copy to District
2 copies to Compact State

STATE OF NEVADA
PAROLE AND PROBATION COMPACT FORM III
AGREEMENT TO RETURN

Sending state—Nevada Receiving state—Michigan
Re: Rita Geitz

I, Rita Geitz, in consideration of being granted ~~parole~~ (probation) by the Second Judicial District Court of the State of Nevada and especially being granted the privilege to be under supervision in the State of Michigan hereby agree:

- That I will make my home with Family Brother: Ivan Amos at 8 Bran Lane, Detroit, Michigan Name and Address until a change of residence is duly authorized by the proper authorities of Michigan Receiving State
- That I will comply with the conditions of ~~parole~~ (probation) as fixed by both the states of Nevada and Michigan Receiving State
- That I will, when duly instructed by the Proper authorities return at any time to the State of Nevada.
- That I hereby do waive extradition of the State of Nevada from any jurisdiction in or outside the United States where I may be found and also agree that I will not contest any effort by any jurisdiction to return me to the State of Nevada.
- Failure to comply with the above will be deemed to be a violation of the terms and conditions of ~~parole~~ (probation) for which I may be returned to the State of Nevada.

Dated March 28, 1980

Signed Rita Geitz

On the 28th day of March, 1980, permission was granted to the above person to reside in the State of Michigan and to be supervised by Michigan

Witnesses:
Rita Geitz
Ron O'Hara

Administrator David Jacobson
Deputy Administrator, Interstate Unit
By Ron O'Hara
Parole and Probation Officer



STATE OF NEVADA
 Department of Parole and Probation
 CARSON CITY, NEVADA 89710
 (702) 885-5040

A. A. CAMPOS
 NEVADA COMPACT
 ADMINISTRATOR

To: Mr. Ronald Jackson
 Compact Administrator
 P. O. Box 03
 Lansing, Michigan 00007

Subject: Geitz, Rita
 Number: R80-0000
 Date: March 28, 1980

OUT-OF-STATE TRAVEL PERMIT

Rita Geitz
 Subject, whose Nevada address is N/A
 has been granted permission to visit in your State for the following purpose:
 Residence
 Residence during visit... Family: Ivan Amos, 8 Bran Lane, Detroit, Michigan
Name and address of relatives, etc., in other State
 Subject will leave Nevada March 28, 1980 and return Nevada N/A
 traveling by Greyhound
Auto, bus, etc., and persons accompanying

REPORTING INSTRUCTIONS (Check One)

Not instructed to report to Parole Office:

Instructed to report to Parole Office:

Instructed to correspond with Parole Officer:

Instructed to report to _____
Name and address of other person

Special Instructions:

You shall report to the nearest County Adult Probation and Parole Department no later than Friday, April 4, 1980.

Original: District File
 Copy: Client and
 Appropriate State

Administrator
 Interstate Parole and Probation
 By: *Ron O'Hara*
 Ron O'Hara, Officer 4064 (1) CB

DISTRICT OFFICES
 511-513 E. SECOND STREET
 RENO, NEVADA 89502

STATE BUILDING
 215 E. BONANZA STREET
 LAS VEGAS, NEVADA 89158

STATE BUILDING
 946 IDAHO STREET
 ELKO, NEVADA 89801

106 E. ADAMS, ROOM 206
 CARSON CITY, NEVADA 89710

131 S. MAINE, ROOM 205
 FALLON, NEVADA 89406

STATE OF NEVADA



DEPARTMENT OF PAROLE
 AND PROBATION

ROBERT LIST
 GOVERNOR

A. A. CAMPOS, CHIEF
 CAPITOL COMPLEX
 308 N. CURRY STREET
 CARSON CITY, NEVADA 89710
 (702) 885-5040

REPLY TO INVESTIGATION REQUEST

To: Mr. Charles O'Brien
 DEPUTY COMPACT ADMINISTRATOR - PAROLE
 30 "f" Avenue
 SACRAMENTO, CALIFORNIA 90009

Date: 3-31-80
 Subject: Justin, David
 Your Number: C-00000
 Parole: X Probation:

The above-named subject has been accepted for supervision under the terms of the Interstate Compact. Progress Reports will be submitted on a semi-annual basis, and emergency and violation reports will be transmitted as warranted.

This Department must deny supervision of the above-named subject for the reasons set forth below. Should significant changes occur in the placement program, we will be happy to re-investigate the program.

Other Comments: Mr. Justin's proposed program is unacceptable for the following reasons:

He is not a resident of the State of Nevada, has no family here, and has no employment. Further investigation revealed that his common-law wife, Kirslin Janan, is presently unemployed.

You are assured of our cooperation and assistance in all matters of mutual concern.

Approved: *Mr. Interstate Supervisor*
 Supervisor of Interstate Services

Administrator
 By: *Stephanie Lanky*
 Stephanie Lanky
 CPR Unit
 D-IV, Las Vegas, Nevada

DISTRICT OFFICES
511-513 E. SECOND STREET
RENO, NEVADA 89502

STATE BUILDING
215 E. BONANZA STREET
LAS VEGAS, NEVADA 89158

STATE BUILDING
346 IDAHO STREET
ELKO, NEVADA 89801

106 E. ADAMS, ROOM 206
CARSON CITY, NEVADA 89710

131 S. MAINE, ROOM 205
FALLON, NEVADA 89406

STATE OF NEVADA



DEPARTMENT OF PAROLE
AND PROBATION

ROBERT LIST
GOVERNOR

A. A. CAMPOS, CHIEF
CAPITOL COMPLEX
308 N. CURRY STREET
CARSON CITY, NEVADA 89710
(702) 885-5040

REPLY TO INVESTIGATION REQUEST

To: Mr. Ron Receiver
Compact Administrator
Michigan Department of Corrections
Wala Wala, Michigan 48838

#XN78-000
Date August 10, 1978
Subject Bye, David
Your Number 76-0000
Parole..... Probation X

The above-named subject has been accepted for supervision under the terms of the Interstate Compact. Progress Reports will be submitted on a semi-annual basis, and emergency and violation reports will be transmitted as warranted.

This Department must deny supervision of the above-named subject for the reasons set forth below. Should significant changes occur in the placement program, we will be happy to re-investigate the program.

Other Comments: David Bye currently resides at 20 Hygh Street, Sparks, Nevada, he is paying \$160.00 rent to his father for a small room in the house located at that address. The room is shared with David by his grandfather. One home visit has been conducted on the subject and the living arrangements are satisfactory.

Employment on subject Bye was verified on August 7, 1978, Go For It Production Company advised that subject Bye started work for them in the production department on July 17, 1978; his employment is acceptable.

You are assured of our cooperation and assistance in all matters of mutual concern.

Approved: *Mrs. Interstate Supervisor*
Supervisor of Interstate Services

By: *Catherine Keltie*
Administrator
Catherine Keltie
Parole and Probation Officer
District II, Reno, Nevada

STATE OF NEVADA
INTERSTATE PAROLE AND PROBATION COMPACT

Capitol Complex
Carson City, Nevada 89710

COOPERATIVE CASE REPORT

Date September 12, 1979

INTERSTATE COMPACT ADMINISTRATOR:
STATE OF CALIFORNIA

Probation/Parole Nevada No. XN77-000
Your No. SHA-00000-NV

Subject: Clarant, Adrian
Address: 65 Flint Rd., Wellington, NV
Supervision level: Minimum Contacts: OV - HV - TC - OFC
Employment: Attending Western Nevada Community College, Carson City, Nevada Restitution: Paid in Full
Type of work, hours, wages: --
Family status: Married
Arrests or violations: None
Recommendations: Honorable Discharge
Conduct, progress and attitude:

On November 22, 1979, this subject will have completed three years probation, during which time she has been referred to the Nevada Department of Vocational Rehabilitation for development of educational and job skills. The court ordered fine of \$500.00 has been paid in full. Adrian was given permission to remarry her former husband, Robert Anderson, with whom she continues to reside in the residence at Sierra Rancho Estates.

Submitted: *Nadine O'Donald*
Parole Officer

Interstate Compact for Nevada
By: *Mrs. Interstate Supervisor*
Deputy Administrator

APPROVED: *Elizabeth Beaman*
District Supervisor

DISTRICT OFFICES

511 E. SECOND STREET
RENO, NEVADA 89502

STATE BUILDING
215 E. BONANZA STREET
LAS VEGAS, NEVADA 89158

STATE BUILDING
946 IDAHO STREET
ELKO, NEVADA 89801

106 E. ADAMS, ROOM 206
CARSON CITY, NEVADA 89710

131 S. MAINE, ROOM 205
FALLON, NEVADA 89406

STATE OF NEVADA



DEPARTMENT OF PAROLE
AND PROBATION

ROBERT LIST
GOVERNOR

A. A. CAMPOS, CHIEF
CAPITOL COMPLEX
308 N. CURRY STREET
CARSON CITY, NEVADA 89710

Ms. Freda Hanes
Assistant Director for Probation
Administrative Office of the
Courts
80 Bell Lane
Riverside, New Jersey

RE: David Amos
OUR: XN79-000
YOUR:

Dear Sir:

.....We would appreciate receiving a current Progress Report.
.....May we know the status of your investigation on the above subject?
.....Has subject been accepted?
.....XXX May we please have a final evaluation of the above named? Subject is due for Discharge on.....
.....Discharge was granted by the Court-Parole Board effective....., and is enclosed for transmittal
to subject.
.....Above subject has transferred/returned to.....
.....Subject has absconded per our report of.....
.....Attached please find material as your requested.
.....Our records indicate that probation-parole was to have expired on.....
.....Attached find copy of subject's Parole Agreement for your information.
.....Please note special condition of parole:.....
.....Earliest above subject can be considered for discharge is.....
.....Please continue supervision.
.....Subject has returned to Nevada, please destroy our case material.
.....Your case material is being retained—destroyed—returned.
.....This closes our interest in this case.
.....REMARKS:

SECTION 25: PRE-PAROLE UNIT

Sincerely,

Ms. Interstate Supervisor

Supervisor of Interstate Services

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OPERATIONS

The Pre-Parole Unit under the supervision of the Program and Training Manager, consists of the Pre-Parole Supervisor in Central Office servicing pre-affairs in Districts I, II, III and V, and the Pre-Release Supervisor in District IV, servicing pre-parole and work release affairs via the Southern Nevada Prison System primarily consisting of District IV.

PROGRAM OVERVIEW

The Pre-Parole Unit's caseload initially consists of those prisoners granted parole dates by the Board of Parole Commissioners. Prisoners shall be eligible for parole consideration as stated in NRS 213.120:

Except as otherwise limited by statute for certain specified offenses, a prisoner may be paroled when he has served:

1. One-third of the definite period of time for which he/she has been sentenced pursuant to NRS 176.033, less good time credits; or
2. One year, whichever is longer.

The Pre-Parole Supervisor checks release dates to insure the parolee has reached the minimum parole eligibility date on or prior to release.

In those cases where the Board orders a parole date, the Pre-Parole Supervisor shall begin the creation and development of release plans with the pre-parolee. The Supervisor assembles the pre-parole package and assigns investigations of program plans, as outlined herein, to applicable districts for investigation, verification and change where necessary. After final evaluation and approval by the Supervisor, the subject is released to the designated program effective on or reasonably within the vicinity after the date ordered by the Board.

RELEASE PROGRAMS

The Pre-Parole Supervisor shall implement release programs for inmates in accordance with instructions as provided by the Board of Parole Commissioners. These instructions specify parole as:

1. Parole to the community;
2. Parole to interstate compact;
3. Parole to a hold (in Nevada or in other jurisdictions);

4. Parole to a consecutive sentence;
5. Parole to an inpatient program.

In accordance with instructions provided by the Board, the Pre-Parole Supervisor shall conduct pre-parole classes at the institution and shall counsel and guide the subject in the development of release plans. The prisoner shall be instructed to initially complete Form 65M, Release Program. Information outlining transportation, money available, residence, employment, job skills and job history is recorded. The Permission for Release of Information shall be completed, as requested on the reverse side of Form 65M, providing the Pre-Parole Supervisor with the authority to release information on the pre-parolee to likely employers.

Note: Reference the Section titled, Release of Information. See subsection - Release of Information to Employers. Orientation Skills Segment of the Manual.

Processing Release: (See Attached Forms)

1. Parole to the Community:

After the subject has completed the Release Program and permission for Release of Information, Form 65M, the Pre-Parole Supervisor shall process the Investigation Request, Form 55M.

The Request and Release along with the following documents shall be forwarded to the district level for investigation, verification and/or revision: Psychological evaluation, commitment letters (from employers, etc.), prison progress report (if available), pre-sentence report, fingerprint card, photograph and criminal record reports (FBI, CII).

It is the investigating officer's responsibility to design a timely, suitable and acceptable release plan where the proposed plan as detailed in the Investigation Request proves unacceptable. This is a priority function.

Investigations on the district level shall normally take between four and six weeks. Upon successful completion, the investigating officer shall submit Form 124M, Pre-Parole Investigation Reply through district channels to the Pre-Parole Supervisor. (Special condition for drug abuse/alcohol abuse program placement), and a warrant check. The warrant check shall be made immediately upon the officer's receipt of the Investigation Request.

Final approval or disapproval of release program plans shall be designated by the Pre-Parole Supervisor. Form 26M, Parolee Release Instructions, shall be issued to the parolee and the supervising officer upon release and shall define reporting instructions.

2. Parole to Interstate:

Release Programs requesting the assistance of the Interstate Compact Unit shall be coordinated by the Pre-Parole Supervisor. In District IV, the Pre-Release Supervisor shall perform all duties of the Interstate Compact Unit concerning out-of-state parolees in that District.

The Application for Compact Services (see Interstate Compact Unit) and the Waiver of Extradition shall be completed by the Supervisor. Release to compact services shall be facilitated only after the Supervisor has received prior approval from the receiving state. Generally, the receiving state shall process investigation, verification, acceptance or rejection of program plans within a 60 day period. In the event of rejection, the subject shall re-appear before the Parole Board requesting revised release instructions.

3. Parole to Hold:

The Pre-Parole Supervisor shall facilitate contact with the Nevada Department of Prisons, Records Division, to coordinate the release of a subject to a state or county holding an outstanding warrant on the subject.

4. Parole to Consecutive Sentence:

Upon the Board's granting a "parole to a consecutive sentence", the Pre-Parole Supervisor:

- (a) Sets up an active file on the inmate and maintains file in Central Office;
- (b) Processes the necessary parole agreements including an institution parole agreement and a "street" parole agreement.

The institution parole agreement is signed and witnessed. The street parole agreement is prepared, however it remains unsigned by the Chief Parole and Probation Officer. When the subject receives a parole to the community, the agreement is signed provided the subject has not expired his/her sentence.

Consecutive Probation:

The Pre-Parole Supervisor maintains a file for all individuals who must be processed to a consecutive probation at the time of release from prison. When the individual is released, either on parole or expiration of sentence, the Pre-Parole Supervisor notifies the appropriate district in order to facilitate the commencement of supervision.

5. Parole to Inpatient Program:

In some cases, the Parole Board will specify program plans for inpatient treatment. The assigned investigating officer shall verify the subject's entrance into the program conferring with program administrators as to length and type of treatment.

DEPARTMENT OF PAROLE AND PROBATION

PRE-PAROLE UNIT

YOUR NAME: _____ NDP# _____
PRINT

RELEASE PROGRAM: HOW DO YOU PLAN TO TRAVEL FROM THE INSTITUTION TO YOUR PLACE OF PAROLE? _____

MONEY IN TRUST ACCOUNT AND OTHER FUNDS AVAILABLE TO YOU UPON YOUR RELEASE? _____

WHERE DO YOU PLAN TO LIVE WHILE ON PAROLE AND WITH WHOM? _____
NAME

ADDRESS

RELATIONSHIP

PHONE NUMBER

UPON YOUR RELEASE WHERE DO YOU PLAN TO WORK: _____
NAME OF COMPANY OR EMPLOYER

ADDRESS OF EMPLOYER

WHOM SHOULD WE CONTACT THERE?

PHONE NUMBER

JOB SKILLS: BE SPECIFIC AS TO DUTIES. WHAT TYPE OF TRAINING OR JOBS HAVE YOU HELD;
JOB TITLE; AND LENGTH OF EXPERIENCE:

NAME OF PERSON WHO CAN AID PAROLE OFFICER IN DEVELOPING A PAROLE PROGRAM IF THE ABOVE
SUBMITTED PROGRAM DOES NOT MATERIALIZE: _____

NAME

PHONE NUMBER

TO: DEPARTMENT OF PAROLE AND PROBATION

This will authorize you to release any information regarding me to employers, when attempting to locate suitable employment on my behalf. My permission has been obtained.

I also do hereby acknowledge that the Parole Board in granting me a Parole, did so based on my good conduct at the Nevada Department of Prisons to date.

I further realize that should I violate any institutional rules and regulations, the Department of Parole and Probation has been authorized to suspend action on my release, pending review by the Parole Board.

DATE	SIGNATURE
WITNESS	

DATE ASSIGNED TO DISTRICT

DIST. NO. _____

RE: _____ NDP# _____

The Board of Parole Commissioners granted Parole effective _____

Deadline to Pre-Parole Supervisor _____

Special Conditions of Parole _____

RESIDENCE: _____

EMPLOYMENT: _____

COMMENTS: _____

FUNDS AVAILABLE: _____

Thoroughly complete this pre-parole investigation. In your investigation of this proposed parole plan and placement, it is necessary that a full and complete report be submitted according to pre-parole investigation acceptance form.

This proposed plan submitted to the Pre-Parole Supervisor must be checked out and verified, and if not satisfactory you are to develop other suitable plans. Not until a plan has been approved will subject's release from the institution be authorized. Pre-parole investigations are given high priority and as such will be completed within the above noted deadline.

PRE-PAROLE SUPERVISOR

PRE-PAROLE INVESTIGATION ACCEPTANCE

TO: _____
PRE-PAROLE SUPERVISOR

RE: _____ NDP# _____

The following verified parole program is submitted and acceptable:

1. The parolee will reside at _____
NUMBER STREET CITY

with _____
NAME AND RELATIONSHIP TO PAROLEE PHONE NUMBER

2. The parolee will be employed by _____
NAME OF COMPANY OR EMPLOYER

NUMBER STREET CITY PHONE NUMBER

O R

The parolee will attend school or training at _____
NAME AND ADDRESS OF SCHOOL OR TRAINING

PHONE NUMBER NUMBER OF HOURS PER WEEK OF ATTENDANCE

3. The special condition of parole for program attendance has been verified:

A. Name of program and person contacted _____

B. Date and time of first appointment _____

**4. A local records check was made and no wants or warrants were found

CHECK BOX

O R

A local records check was made and a B/W is presently outstanding. A Court date for
the parolee's appearance has been arranged for _____
DATE

_____ and the B/W has been removed from active
TIME AND COURT

status.

OFFICER

DATE

DEPARTMENT OF PAROLE AND PROBATION

PAROLE RELEASE INSTRUCTIONS

PAROLEE _____ L# _____

A plan for your parole has been approved and it is mandatory upon your release from the institution that you comply with the following:

You are hereby instructed:

1. To go immediately following your release from the institution directly to:

2. To report your arrival there in person by _____ and to:
Date

3. To report to your employment at: _____ You will reside at: _____

Before you lies the opportunity to plan and re-establish the course of your life toward goals approved by society and in accordance with the principles of good citizenship. You have been assigned a Parole Officer, who will be ready to give you guidance and assistance.

I have received a copy of my Parole reporting instructions. Very truly yours,

Parolee Date

A. A. CAMPOS, CHIEF
Parole and Probation Officer

FORM 26 M
(Revised 1-80)

SECTION 26: SPECIAL SERVICES UNIT

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OPERATIONS

The Special Services Unit under the supervision of the Program and Training Manager shall be comprised of a Senior Parole Specialist, assigned officer and support staff.

PROGRAM OVERVIEW

The Unit's objectives follow:

1. To locate, arrest and return to the proper jurisdiction parole and probation fugitives by coordinating information and criminal intelligence on a state and nationwide basis;
2. To reduce the continued and future incidence of absconding by monitoring case activity from the point of Warrant issuance through resolution and by identifying and recording characteristics of offenders exhibiting a potential for absconding supervision.

Unit Caseload: The Unit's caseload shall consist of all cases for which a Bench or Retake Warrant has been issued and for which resolution is pending.

UNIT RESPONSIBILITIES

The Senior Parole Specialist shall monitor the work performance of the Unit on a daily basis in the areas as recorded:

- (1) Processing Requests for the Issuance of Bench and Retake Warrants.

All requests for Bench and Retake Warrants excluding Gross Misdemeanor Warrants shall be forwarded to the Special Services Unit.

Clerical staff shall be responsible for the processing of documents necessary to facilitate the issuance of Warrants. Requests shall be moved through the Special Services Unit and it shall be the responsibility of Unit Staff to insure that immediate attention is heeded by the Deputy and Chief Parole and Probation Officers and/or by other designated individuals.

Turn around time for processing Bench and Retake Warrants shall not exceed two days.

- (2) Monitoring All Subjects For Whom a Warrant Has Been Issued.

The Special Services Unit shall monitor all subjects for whom

a Warrant has been issued including absconders, offenders in custody in the proper jurisdiction, offenders in custody in other jurisdictions, and offenders who have bailed or who have been released on their own recognizance on the Warrant.

Case activity shall be monitored from the point of Warrant issuance through resolution (reinstatement, revocation or discharge). Monitoring shall begin when Special Services receives a copy of the Bench or Retake Warrant for filing.

Clerical staff shall file Bench and Retake Warrants in Central Office. Upon failure to receive a Bench Warrant from the districts for filing, clerical staff shall facilitate contact with the Unit or District Supervisor to secure such. A Retake Warrant shall be filed after signature is secured by the Chief Parole and Probation Officer and a Parole Board Member. A Retake Warrant shall be filed prior to distribution to the district level.

Warrant lists shall be circulated to the districts on a regular basis for review, not less than once per month.

Monitoring:

Monitoring shall occur through resolution; hence, it is imperative that Special Services be informed of each step and/or action in the case throughout the revocation proceedings and to the point of final case disposition. Form 66M, Disposition Notice, shall be used to communicate case activity.

Warrant Sheet:

A Warrant Sheet shall be utilized by the Special Services Unit to monitor the following: Offender name, case number, current status, discharge date, offense, offender characteristics (assigned codes), and other.

As referenced above, offender characteristics shall be assigned codes which in turn shall assist the Unit in recording specifics referencing the character of the offense and prioritizing the offense in accordance with violence potential.

- (3) Locate, Arrest and Return Absconders to the Proper Jurisdiction.

It shall be the responsibility of the Unit to gather and coordinate information and criminal intelligence on a state and nationwide basis to enhance the Unit's ability to locate, arrest and return to the proper jurisdiction all parole and probation absconders. The preparation of extradition documents is coordinated through this Unit and the Governor's Office. The district liaison officers and Special Services Unit shall

work together in sharing and disseminating information leading to the arrest and return of absconders.

The Unit shall institute preventive measures in seeking to reduce the incidence of absconding. Unit staff shall identify characteristics of absconders defined as "contributing factors to absconding supervision." Such characteristics shall subsequently be utilized in case management.

(4) Coordinate Travel of All Probation and Parole Violators.

All return and movement of violators and absconders shall be coordinated with the Special Services Unit.

Each district shall appoint a Transportation Coordinator who shall be responsible for liaison activities between Special Services and the respective district. The Coordinator shall, in all cases, contact Special Services PRIOR to transport of any violator or absconder; the realistic exception is in those cases where a subject is transported from a local city jail to a local county jail, etc.

The Special Services Unit in unison with the Transportation Coordinator shall assure the use of interdepartmental resources and the efficient movement of violators. The officer shall facilitate transportation arrangements including, but not limited to, the assignment of the officer, whether a one or two officer trip, the date, time and place, etc., probationer or parolee availability, document processing - those documents necessary for transport as well as return documents, i.e., arrest reports, certified copies of convictions, etc.

(5) Notification to NCIC/SCOPE.

It shall be the responsibility of the Special Services Unit to enter and/or withdraw or cancel all "wanted persons" entries in the NCIC/SCOPE Systems; this function shall not be performed on the district level.

Subjects shall be entered into the systems based on their status as fugitives or on the existence of an outstanding warrant. NCIC provides nationwide information while SCOPE provides information relevant only to the State of Nevada.

Should teletype systems become available, Central Office Special Services shall make use of the teletype system in transmitting and obtaining information eventually leading to the location and arrest of fugitives.

(6) Monitoring Special Interest Cases.

Special Services shall place a priority in terms of tracking and apprehending on "special interest cases." Such cases

present a high danger factor in the community and may include those cases working with high violence offenders, sexual offenders, major drug dealers, sophisticated property offender, etc.

SECTION 27: ABSCONDERS

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OVERVIEW

Department's Responsibility:

Absconders, due to their unsupervised status, are uncontrolled and may engage in criminal activities in order to preserve anonymity and secrecy. Due to their minimal economic security, absconders generally find it necessary to participate in less lucrative activities in efforts to support themselves. Although some parolees or probationers do make satisfactory adjustments while at large, this however, is not generally the norm as evidenced by records citing new arrests of absconders.

The Department's responsibility to supervise those placed under their care by the courts and parole board is greatly emphasized. New crimes committed by fugitive clients opens the Department to public and press criticism. Therefore, every effort shall be made to locate and apprehend those on absconder status. An extensive and continuing search for the absconder serves to deter those probationers and parolees who may be considering absconding. Successful apprehension reinforces the futility of flight.

Sincere efforts by all Department officers and by the Special Services Unit shall serve to enhance the accountability and credibility of the Department.

OFFICER RESPONSIBILITY

It can be stated briefly and simply that all the factors which contribute to stability and good parole/probation adjustment are important factors in the prevention of absconding. The supervising officer should be particularly sensitive to the need for establishing a good relationship with the client early in the supervision process and should further seek to gain the cooperation of "significant others" in the client's life. Utilization of all resources available including those within the community-financial, educational, vocational, etc. - serves to encourage the development of stability.

Locating Absconders:

Initially, the officer should take all steps available to locate those on absconder status. The officer is to follow up all sources of information which might help locate the absconder. Following is a suggested list of contacts which may prove to be of value in apprehending the absconder:

SCOPE - NCIC - CLETS - CII - FBI - NDIN - (Criminal Records Information).

Relatives, friends, associates, "significant others."

Bars frequented, restaurants frequented, etc.

Employee records.

Mortgages, deeds.

Life insurance records.

Debtors.

Department of Social Services.

County clerk.

Motor vehicle bureau services.

Directories.

Marriage license bureau.

Charge accounts.

Finance companies/banks.

Hospital and doctor records.

Union membership records.

Postal Forwarding address.

Military records.

Pension records.

Utilities (gas, electric, water).

Warrant Processing:

If after approximately one reporting period, or 30 days, of diligent search for the absconder, an officer has not succeeded in locating the subject, the officer shall, at this time, process violation report documents and request warrant issuance. A warrant shall be filed with Central without delay.

Provide Field Follow-Up:

The officer's responsibility does not come to a halt at the time of warrant issuance. Any subsequent information regarding the possible location of the absconder shall be directed to the Special Services Unit, Central Office. Each officer should be keenly aware of those cases presently under absconder status.

SPECIAL SERVICES UNIT

The Special Services Unit is responsible for locating, arresting and returning to the proper jurisdiction, parole and probation absconders. Reference the Section titled - Special Services Unit. Investigation Skills Segment of the Manual.

SECTION 28: BOARD OF PARDONS
AND POST CONVICTION INVESTIGATIONS

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NEVADA BOARD OF PARDONS COMMISSIONERS

In accordance with NRS 213.010:1, "the state board of pardons commissioners consists of the governor, the justices of the supreme court and the attorney general."

As addressed in NRS 213.020:1, the Nevada Board of Pardons Commissioners shall entertain applications pertaining to the remittance of fines and forfeitures, the commutation of punishment, the granting of pardons and the restoration of civil rights. (See attached application).

NRS 213.020:1 further states:

Any person intending to apply to have a fine or forfeiture remitted, or a punishment commuted, or a pardon granted... shall make out quadruplicate copies of notices in writing of such application, specifying therein:

- a. The court in which judgment was rendered;
- b. The...character of punishment;
- c. The name of the person in whose favor the application will be based;
- d. The particular grounds upon which the application will be based;
- e. The time when it will be presented.

APPLICATION TO THE BOARD

Application to request a fine be remitted is in effect a request for moderation.

Application to request a commutation of punishment is in effect a request for a reduction in the minimum sentence, maximum sentence, or both. It most commonly takes the form of reducing a court imposed minimum sentence to enable the recipient to appear before the Board of Parole for release consideration at a time earlier than the sentence allowed.

Application to request a pardon is in effect a request to relieve a disability imposed upon judgment of conviction for an offense. Pardons may also be considered: (1) to permit a judgment of conviction to be set aside where there is overwhelming and convincing proof of innocence not available at the time of conviction; and (2) to prevent deportation or to permit re-entry into the United States.

A Pardon Does Not Necessarily Include a Restoration of Civil Rights: As cited in NRS 213.090:1

When a pardon is granted for any offense committed, the pardon may or may not include restoration of civil rights. If the pardon includes restoration...it shall be so stated in the instrument or certificate of pardon; and when granted upon conditions, limitations or restrictions, they shall be set forth...

Application Processing/Restoration of Civil Rights: In accordance with NRS 213.090:2,

In any case where a convicted person has received a pardon without immediate restoration of his civil rights and has not been convicted of any offense greater than a traffic violation within 5 years after such pardon, he/she may apply to the state board of pardons for restoration of his/her civil rights and release from penalties and disabilities resulting from the offense or crime of which he/she was convicted...

If the applicant wishes restoration of firearms privileges, the pardon application must specifically state this request. Should a pardon be granted, the certificate of pardon must also specifically state the inclusion of firearms privileges.

INVESTIGATIVE DUTIES: DEPARTMENT OF PAROLE AND PROBATION

The Department of Parole and Probation performs investigations at the request of the Board of Pardons Commissioners. Officers of the Department shall draft and submit investigations in those community cases wherein:

1. An individual under parole supervision has requested a clemency action.
2. An individual discharged from parole has requested a clemency action.

Clemency includes "any favorable action" by the Board of Pardons Commissioners above and beyond the conventional and customary request or action:

1. Request for restoration of civil rights (NRS 213.090).
2. Request to receive the right to carry a firearm.
3. Request that a pardon be granted.

In addition, the officer may receive requests from the Interstate Compact Supervisor for assistance in processing an

investigation for pardons consideration.

ASSIGNMENT OF PARDONS INVESTIGATIONS

In accordance with policy as defined by the Board of Pardons, pardons applications shall be submitted to the Executive Secretary of the Board not less than 60 days prior to the semi-annual meetings of the Board. Time flexibility is permitted in some instances. The Board meets in the Spring (April) and in the Fall (October).

Processing:

The Executive Secretary of the Board initially reviews the application and decides whether the Board shall entertain the application. The applicant is notified of the decision.

If the decision is favorable, the Department of Parole and Probation is requested to investigate the case. The Deputy Chief receives the request and records: date request received, name of the applicant, date mailed to the field, and due date. The application with due date to Central is sent to the supervising district requesting a Pardons Investigation.

Along with the application, the Deputy Chief sends any pertinent information located in the Department or Prison files, i.e., PSI, discharge data, chronos, etc.

The District or Unit Supervisor receives the request and assigns the investigation to an officer. The Unit Supervisor or assignee is responsible for training the investigating officer in conducting the investigation. Deadline dates shall be established to conform with the due date as assigned by the Deputy Chief.

Upon completion of the investigation, the officer submits the report to the District or Unit Supervisor for review and approval. The packet is forwarded to the Deputy Chief.

After review by the Deputy Chief, the Chief enters the Department's recommendation. The investigation packet is returned to the Executive Secretary of the Board.

CONTENT: PARDONS INVESTIGATIONS

It shall be the Department's duty to investigate and report the facts of the offense and the applicant's prior record, to secure and verify all information defining the applicant's present status, reputation and adjustment in the community on a personal, vocational/educational and financial level and to secure all other information deemed pertinent to the consideration.

Progress Subsequent to the Conviction:

In all cases, the Department's presentation should emphasize the applicant's progress subsequent to the conviction.

Emphasis should be placed on presenting the patterns of growth and development exhibited in the applicant's life by way of employment review, financial review, community involvement... Stress efforts employed by the applicant to resolve the problem areas which led to criminal involvement, i.e., active participation in drug/alcohol/financial counseling.

GUIDELINES: PREPARATION FOR WRITING THE PARDONS INVESTIGATION

1. 100% accuracy. Dates shall be verified in all cases.

2. The report should be complete, thorough but not wordy. The thoroughness should complement the attachments, i.e., if a PSI is attached, offense data might appear in less detail.

Remember, you are not called upon to testify. The investigation must present all relevant information.

3. Facts should be qualified.

The applicant should be responsible for providing the majority of verification i.e., submitting diplomas, savings account books, checking account records, mortgage data, business records, tax returns, marital certificate, etc.

Verification of the applicant's circumstances should be made with the least possible embarrassment to the applicant.

4. Opinions should be labeled as opinions.

5. Avoid using legal terminology or professional jargon.

6. Be as direct as possible in presenting information both positive and negative. Present data in a chronological format. Always include dates.

Where necessary, preserve the confidentiality of the source of information based on professional judgment.

7. Obtaining Information Via Interview: An appointment should be made with the applicant and with "significant others" to obtain and verify information as is necessary.

The interview with the applicant should be conducted in the home setting affording the officer the ability to come in direct contact with the applicant's environment and every day living situation.

The officer shall outline a list of those individuals the applicant has provided permission for contact, i.e., employers, family members, community members, criminal justice officials, etc. The means of contact whether it be in person, by phone or by mail, shall be at the discretion of the investigating officer.

Release of Information Forms: (See attached) The applicant shall sign numerous releases. The releases shall be submitted to those agencies requesting permission prior to releasing information.

Who to Interview? Since the emphasis is placed on the applicant's adjustment subsequent to conviction, interviews might be held with family members, present and past employers, creditors, community leaders, victim(s).

If the client is requesting a clemency action and is under supervision at the time of application, an interview should be conducted with the client's supervising officer and with officers who have previously supervised the client.

Letters of Reference: During the interview process, the officer should establish a due date for letters of character reference in support of the pardon. Communications relevant to the applicant must be addressed to the Nevada Board of Pardons but should be submitted to the investigating officer to assist in the evaluation of the applicant.

8. Documenting: Chrono each contact. Entries shall become part of the Department's permanent record.
9. In all cases, complete and attach Release Forms (see attached).

PARDONS INVESTIGATIONS: NARRATIVE AND FORMAT

The Report shall be presented in an outlined format making use of the categories detailed herein. Since the format cannot realistically direct itself to all possibilities, the officer is expected to use initiative in exploring areas of concern uncovered during the course of the investigation which may have a bearing on the Board's disposition of the case.

STEP 1: Introduction/Applicant's Request

Enter a concise statement addressing what the applicant is requesting and cite why. A pardon must be sought for each individual felony conviction.

STEP 2: Offense Data

Present a condensed chronology of the offense for which the applicant is requesting a pardon/clemency. Only the essential facts need appear.

Present the arrest, status of co-defendants and victims and resultant conviction and sentencing.

In addressing crimes of violence, provide more detail. Reference any abnormal personality characteristics.

STEP 3: Criminal Record

Present a summary of the applicant's criminal record and attach copies of FBI, CII and SCOPE/NCIC records: Cite the arresting agency, offense and disposition-include dates.

Cite pardons applications entered elsewhere. Enter status of the applications and define what was sought along with the outcome. Present verified information.

Gathering Data: In gathering data in relation to the applicant's criminal record, as well as in relation to the applicant, the officer should consider, but is not limited to, the following sources of information:

1. Department's File: Refer to the file locating reports and documented information--PSI, Final Progress Report, Restitution Records, Chrono Entries, etc.

If the file is closed, records are available from Central Office. If the file is active and open, the officer has access to other data including arrest reports, monthly reports, parole/probation agreements, permission forms, correspondence of a legal nature, psychiatric reports, etc. (See Case Files).

2. Police and Detective Bureaus: Contact the arresting agency and request and obtain reports or firsthand accounts of the crime as well as obtaining statements of witnesses or co-defendants where possible. This course would be taken if the data is not available through prison or department records.
3. Prison/Jail Records: Consult records kept which reflect applicant's behavior and programming while incarcerated.
4. Law Enforcement Information Systems: Obtain criminal history records prior to and subsequent to the offense. Reference the Section titled - Information Systems in the Investigation Skills segment of the Manual.

5. District Attorney: Contact the district attorney's office and advise the district attorney that the applicant has applied to the Pardons Board and solicit input in this regard.
6. Defense Counsel: Contact counsel for any additional information not referenced in official records.
7. Trial Judge: The trial or presiding judge may be able to provide valuable information relative to the facts of the crime, to the applicant's background, reputation, etc.
8. Clerk of the Court: In the absence of the PSI Report, it may be helpful to check the records regarding original charges and plea bargaining, etc.
9. Minor Judiciary: Contacts with a district justice of the peace, police magistrates, etc., may prove worthwhile in small communities where these individuals may be well informed regarding the past and subsequent history of the applicant.
10. Victims: If the victim of a crime can be contacted, the victim's feelings regarding the granting of the pardon may be obtained. Reference victim information presented in the PSI Report if available.

STEP 4: Current Arrest Data/Pending Charges

Check with sources referenced above including local law enforcement agencies, national criminal record sources, etc., to ascertain any entries subsequent to the conviction. If there are entries which show no disposition, determine the disposition in each instance. If there are new arrests and/or convictions, obtain copies of arrest reports to become familiar with the details of the offense.

Record all pending criminal and civil litigation matters.

STEP 5: Parole/Probation Adjustment/Institutional Adjustment

Briefly define the applicant's adjustment, as applicable, to parole or probation and within the institution. Make use of Department of Parole and Probation records, Department of Prison records and seek out information from the applicant's former or present supervising officer(s) and counselors within the institution. The applicant's counselor may provide information referencing patterns of progress, rehabilitation and prison behavior and adjustment.

STEP 6: Present Situation: Applicant's Social History

Preface this section with a statement indicating the information

refers to the applicant's life style subsequent to the conviction under consideration.

Include, as seen below, current information defining marital and family status, employment, vocational and educational training and history, financial or economic situation, and community adjustment.

In all cases, cite data attached, i.e., certificates and financial statement (where appropriate).

1. Marital and Family Data: Address marital status (married, single, divorced, separated, widowed) and include dates. Reference previous marriages, divorces, etc., along with brief mention as to why the marriage(s) were dissolved and include dates.

Sketch the spouse's character, employment and earnings and relationship with spouse.

Address: Number of minor children from previous marriages including child support information and current family makeup including number of minor or dependent children.

Contact family members: Draw a picture of the applicant's relationship with family members. Include how the family feels regarding the applicant's request before the Board. Note: Contact with family members need not be made in all cases.

Note: The Board is requesting a presentation of the applicant's responsibility in his/her personal life. Present a sketch of the applicant's stability, responsibility, or lack thereof, etc., by way of addressing family data in a succinct and orderly format.

2. Employment History and Vocational and Educational Training: In narrative format, discuss the applicant's current employment and career development pattern. In most cases, refer to the applicant's past five years of employment.

In the majority of cases contact shall be made with the applicant's current employer. Usually, a letter of recommendation is submitted by the employer in the applicant's behalf.

In developing a sketch of the applicant's employment history, briefly mention length of employment, type of employment, responsibilities, pay history, use or application of cited educational or vocational training skills, etc. Include dates, presenting data in a chronological format.

If the applicant's employment or career pattern is defined by a change of jobs and careers, address this and include why.

Not Employed: If the applicant is not employed, discuss why. Mention income from other sources such as public assistance, how long has the applicant received financial assistance from other sources and why? Include dates.

3. Residence Pattern: Present a sketch of the applicant's residence pattern. Detail residential mobility or stability, type of housing (hotel, motel, house, condo, apartment), and provide a neighborhood profile in each instance.

4. Financial/Economic Pattern: Verify all data. Check tax statements, mortgage data, receipts for purchases of autos, land, etc.

By way of narrative format, discuss the applicant's economic planning and stability or lack thereof.

Present a sketch of the applicant's financial management. Reference assets incorporating real estate, bank accounts, vehicle ownership, personal sources of income, etc. Reference liabilities in terms of debts owed. Reference restitution payment history.

It is not necessary to go into great detail. Present only relevant information. Financial statements may be submitted to the applicant where appropriate for completion and notarized signature.

5. Community Adjustment: Present an overview of the applicant's adjustment in the community. Point out how the applicant has made efforts to correct the problem area which initially led to criminal involvement activity such as drug or alcohol dependency, poverty, unemployment, emotional problems, etc.

If the applicant has become productively involved in community life, cite this. Include community involvement activity such as membership in community organizations, religious organizations, and mention the extent of the applicant's involvement in such activities.

Possibly, interview persons in the community familiar with the applicant, i.e., civic leaders, leaders of agencies and organizations in which the applicant cites membership, neighbors, etc.

STEP 7: Benefit of Clemency Action (Pardons Consideration, Restoration of Civil Rights, Firearms Privileges)

State specifically how the clemency action would affect the applicant's life, i.e., impact on career plans and goals, etc.

Include mention of any felony convictions for which pardons have not been received. Indicate if the applicant has intentions to

pursue additional relief in this or other jurisdictions.

STEP 8: Evaluation

Based on the factual content of the report, present a life style description including the applicant's reliability, sense of responsibility, stability, and remedy and attitudes toward his/her problems which led to the conviction. Include how the subject feels about the crime and how the subject views living an arrest free life.

STEP 9: Additional Information

Any additional pertinent information which may come to the investigator's attention and which would be of value to the Board, should be included herein, i.e., psychological information, reference to letters of recommendation received from the sentencing judge as well as personal letters of recommendation.

This information should be included only if it is believed to have a bearing on the Board's disposition of the case.

RECOMMENDATION

The recommendation for the granting of a pardon or clemency shall be entered by the Chief Parole and Probation Officer.

ATTACHMENTS

Release Verifications.

PSI

Certified police reports, arrest reports (where appropriate).

Criminal history records from NCIC, SCOPE, CII, FBI, etc.

Letters of Recommendation (character references): Attach letters received on behalf of the applicant.

Financial Statements (where applicable) with notarized signature.

DISTRIBUTION

District Files: Copy.

Central Office: Original and one copy.

Post Conviction Investigations:

1. Courts may request Department to investigate special cases wherein post conviction relief may be ordered.
2. Writ from prison usually starts such a matter; Department seldom performs post conviction investigations, but it remains an open possibility.
3. The investigation and distribution follows the same general process as a Pardons Board matter.

STATE OF NEVADA
BOARD OF PARDONS
CARSON CITY, NEVADA

POLICIES GOVERNING APPLICATION FOR PARDON OR RESTORATION OF CIVIL RIGHTS.

IN REPLY TO YOUR COMMUNICATION CONCERNING CLEMENCY IN THE FORM OF A PARDON, APPLICATION FORMS ARE HEREWITH PROVIDED. THIS APPLICATION SHOULD BE SUBMITTED TO THE SECRETARY OF THE BOARD NOT LESS THAN SIXTY DAYS PRIOR TO THE SEMI-ANNUAL MEETING OF THE PARDONS BOARD. THE PARDONS BOARD HOLDS MEETINGS IN THE SPRING AND FALL OF EVERY YEAR.

ALL APPLICATIONS FOR PARDON OR RESTORATION OF CIVIL RIGHTS WILL BE REVIEWED BY THE SECRETARY OF THE PARDONS BOARD, AND A DECISION MADE AS TO WHETHER THE PETITION IS TO BE ENTERTAINED. THE APPLICANT WILL BE NOTIFIED OF THE DECISION. IF IT IS FAVORABLE, THE DEPARTMENT OF PAROLE AND PROBATION WILL THEN PROCEED WITH AN INVESTIGATION OF THE CASE. WHEN THE FINAL REPORT OF INVESTIGATION IS MADE AVAILABLE, THE CASE WILL THEN BE STUDIED BY THE BOARD OF PARDONS AND A FINAL DETERMINATION WILL BE MADE WHETHER OR NOT A PARDON OR RESTORATION OF CIVIL RIGHTS SHALL BE GRANTED.

ALL COMMUNICATIONS RELATIVE TO APPLICATIONS MUST BE ADDRESSED TO:

EXECUTIVE SECRETARY
NEVADA BOARD OF PARDONS
309 E. JOHN STREET, SUITE #1
CARSON CITY, NV 89701

RESTORATION OF CIVIL RIGHTS OR A PARDON CANNOT BE ISSUED WITHOUT AN INVESTIGATION.

APPLICATION FOR EXECUTIVE CLEMENCY

TO THE SECRETARY, NEVADA BOARD OF PARDONS:

I HEREBY REQUEST YOU TO:

1. FILE THIS APPLICATION FOR EXECUTIVE CLEMENCY
2. INVESTIGATE THE STATEMENTS HEREIN MADE, AND
3. IF THE FACTS SO JUSTIFY, MAKE A FAVORABLE RECOMMENDATION TO THE NEVADA BOARD OF PARDONS THAT THIS APPLICATION BE APPROVED.

DATE _____

1. NAME OF APPLICANT AS CONVICTED _____
NAME AS KNOWN NOW _____ AGE _____
2. DATE OF BIRTH _____ SEX _____ U.S. CITIZEN _____
SOCIAL SECURITY # _____ PHONE # _____ NSP# _____
PRESENT ADDRESS _____
LENGTH OF TIME AT THIS ADDRESS _____ MARRIED _____ SINGLE _____ DIVORCED _____
PRESENT EMPLOYMENT _____ ANNUAL SALARY \$ _____
FULL OR PART TIME _____ UNEMPLOYED _____
EMPLOYER'S NAME AND ADDRESS _____
3. APPLICANT WISHES TO APPLY FOR: PARDON RESTORATION OF CIVIL RIGHTS
4. I WAS CONVICTED OF (LIST EACH STATE, FEDERAL AND OUT-OF-STATE FELONY). ATTACH SEPARATE SHEET GIVING FULL INFORMATION ABOUT EACH, IF MORE THAN ONE. INCLUDE YEAR OF CONVICTION _____

5. COURT OF CONVICTION IN NEVADA _____ COUNTY _____
SENTENCE _____ SENTENCE DATE (YEAR) _____

DATE DISCHARGED FROM PAROLE _____ FROM PRISON _____

NAME OF LAST PAROLE OFFICER, IF ANY _____

NAME OF SENTENCING JUDGE _____

6. HAVE YOU EVER APPLIED FOR, OR BEEN GRANTED, ANY TYPE OF CLEMENCY _____
IF SO, TYPE OF CLEMENCY AND DATE GRANTED _____

7. APPLICANT'S REASON FOR REQUESTING CONSIDERATION _____

8. IT IS THE POLICY OF THE NEVADA BOARD OF PARDONS THAT APPLICANT BE PRE-
SENT AT THE MEETING OR BE REPRESENTED BY AN ATTORNEY. PLEASE SPECIFY
WHETHER YOU WILL ATTEND, OR IF NOT, WHO WILL BE PRESENT IN YOUR BEHALF.

9. ARRESTS, ETC., SINCE CONVICTION. HAVE YOU BEEN ARRESTED, CHARGED, IN-
DICTED OR CONVICTED OF ANY OFFENSE AGAINST THE PENAL LAWS OF THE STATE
OF NEVADA OR THE UNITED STATES OF AMERICA, SINCE YOUR CONVICTION ON THE
CHARGE FOR WHICH YOU NOW MAKE APPLICATION. ARE THERE LEGAL PROCEEDINGS
NOW PENDING AGAINST YOU? GIVE FULL INFORMATION ON DATES, CASE NUMBERS,
DISPOSITION. THIS INCLUDES FELONY AND MISDEMEANOR CHARGES: _____

10. DO YOU HAVE NOW, OR WILL THERE BE IN THE FUTURE, ANY PLANS TO APPEAL
YOUR CONVICTION THROUGH THE COURTS? _____

I HEREBY STATE THAT THE FACTS CONTAINED IN THIS APPLICATION ARE TRUE AND
CORRECT.

DATE

APPLICANT'S SIGNATURE

WAIVER OF CONFIDENTIALITY AND RELEASE OF INFORMATION

TO: DEPARTMENT OF PAROLE AND PROBATION

THIS IS TO VERIFY THAT I HAVE APPLIED FOR A PARDON AND ACKNOWLEDGE
THAT AN INVESTIGATION WILL BE CONDUCTED PRIOR TO MY CASE APPEARING
BEFORE THE BOARD OF PARDONS. THIS AUTHORIZES YOU TO CONTACT WHATEVER
AGENCIES, EMPLOYERS, INSTITUTIONS, MEDICAL OR MENTAL HEALTH
SOURCES, SCHOOLS, NEIGHBORS, ASSOCIATES, FAMILY MEMBERS AND ANY OTHER
PARTIES OR BODIES WHICH CAN ENABLE YOU TO FULLY FAMILIARIZE THE BOARD
WITH MY PAST HISTORY AND PRESENT SITUATION.

APPLICANT'S SIGNATURE

DATE

RECORD OF EXECUTIVE SECRETARY OF THE BOARD OF PARDONS

APPLICATION RECEIVED _____

ACTION TAKEN AND DATE _____

RELEASE

HAVING MADE APPLICATION FOR A PARDON FROM THE NEVADA BOARD OF PARDONS AND
DESIRING IT TO BE INFORMED AS TO MY RECORD AND CHARACTER, I HEREBY AUTHORIZE
THE INVESTIGATION OF MY CURRENT AND PAST RECORD AND CHARACTER, REFERENCES,
AND HOLD ALL PERSONS WHOMSOEVER FROM ANY LIABILITY BECAUSE OF FURNISHING SAID
INFORMATION. FURTHER, I SPECIFICALLY AUTHORIZE AND REQUEST THE RELEASE OF
ANY AND ALL INFORMATION, WHETHER OF RECORD OR NOT, BY ANY PERSON WHO RECEIVES
SUCH A REQUEST FROM THE NEVADA BOARD OF PARDONS OR ITS REPRESENTATIVES, OR
THE NEVADA STATE DEPARTMENT OF PAROLE AND PROBATION.

APPLICANT'S SIGNATURE

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SUCH A REQUEST FROM THE NEVADA BOARD OF PARDONS OR ITS REPRESENTATIVES, OR
THE NEVADA STATE DEPARTMENT OF PAROLE AND PROBATION.

APPLICANT'S SIGNATURE

DATE:

PART IV

SUPERVISION SKILLS: SECTIONS 29 TO 36

Section 29: Officer Workload and Monthly Activity Reports

Section 30: Case Files

Section 31: Terms of Parole and Probation

Section 32: Case Supervision

Section 33: Case Decisions and Case Management Directives

Section 34: Mental Health Referrals

Section 35: Discharge from Probation and Parole

Section 36: Volunteers in Probation and Parole

SECTION 29: OFFICER WORKLOAD AND
MONTHLY ACTIVITY REPORTS

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WORK UNIT SYSTEM

Units Per Supervision/Investigations

A work unit system shall be employed to schedule the workload of parole and probation officers.

The following units shall be assigned on a monthly basis:

Supervision:

1 Unit per each case under regular supervision.

4 Units per each case under work release supervision (the officer must identify work release cases on the monthly statistical report to receive supervision credit).

Investigation:

2 Units per each of the following investigations:

Compact investigations

Pre-Parole Investigations

Work Release Investigations (Work furlough as recorded on the Monthly Activity Report)

Preliminary Inquiry: Hearing Officer; if volunteer does PI, credit to be shown on charging officer's report

4 Units per each of the following investigations:

Pardons Board Investigations

Post-Conviction Investigations

Pre-Sentence Investigations

Units Per Officer/Monthly Basis:

Although work units completed by each officer vary from district to district, the overall average on an annual basis shall be defined at 70 units per month per officer.

The average work units for officers supervising cases requiring intensive supervision shall be 30 units per month per officer.

The average work units for senior officers shall be 40 units per month per officer.

MONTHLY ACTIVITY REPORTS

The Monthly Activity Report shall be used in determining the continuing workload of the district and for annual and biennial statistical data. Form 44 and 45 shall be used for tallying Nevada and Compact caseloads.

Time Requirements:

The Monthly Activity Report shall be submitted to the Unit/District Supervisor in accordance with district policy. Reports will usually be submitted no later than the second working day of the following month.

The District Supervisor shall forward a total composite and each officer's Report to Central Office no later than the 5th working day of the following month.

Districts may adapt the more detailed Monthly Statistical Report as is used in District IV. Instructions herein relate to Form 44 and Form 45 as attached.

Explanation of Monthly Activity Report/Abbreviations:

Status: Probation (N); Parole (L); or Compact (XN/X1).

Sup'r: Supervision Level: Maximum, Medium (normal), Minimum, Relaxed.

Monthly Contacts: Reference Case Supervision. Supervision Skills.

OV: Office Visit-where the client comes to the Parole and Probation Office to visit the officer. Face to face contact with any officer is counted as an office visit (OV). Contact with support staff is not counted as an office visit.

HV: Home Visit-where the client and officer visit at the client's residence.

EC: Employment Contact-where the client is actually seen by the officer or where the officer visits with the client at the client's place of employment.

PFC: Personal Field Contact-where the client and officer actually make contact in the field.

CFC: Collateral Field Contact-where the officer obtains information from "significant others" as to the client's status. Discreet inquiries are made in the field.

HVA: Home Visit Attempt-where the officer visits the client's place of residence--and the client is not there.

TC: Telephone Call-Where the client speaks with the office via telephone.

NOTE: It is best to define the terms above in the "pure sense" of the abbreviation. Two boxes may be checked where appropriate to add to the clarity of the contact.

In Jail: An X shall be placed herein indicating the client is in jail in either our jurisdiction, another jurisdiction; on local or technical parole or probation charges, as a result of arrest for parole or probation violation or as a result of a Parole and Probation Hold.

B/W Issued: Bench Warrant Issued/Retake Warrant Issued by the Parole and Probation Department.

Revoked: Revoked during the month.

Honorable: Honorable Discharge.

General: General Discharge/deceased individuals shall be recorded under discharges with an asterisk (*).

Dishonor.: Dishonorable Discharge.

Transf.: Case was transferred: Indicate where the case was transferred, for example, I.C. (Interstate Compact), D-IV (to District IV); within your own district...

Rec'd: Entry shall indicate the new case was received on a specific date, for example, X6-2.

TOTALS Instructions for Computing CASES LAST MONTH

1. Bring forward cases from prior month (No X in right hand columns).
2. Subtract: revocations, discharges and transfers (X in appropriate column).
3. Add: New cases received during month (X in received column).
4. TOTAL CASES THIS MONTH** Total active caseload at report time.

Instructions for Computing PB+PL+Compact

1. Record all active probation cases.
2. Record all active parole cases.
3. Record all active compact probation cases.

4. Record all active compact parole cases.
 TOTAL FIGURE** Active caseload at report time.

Check Computations:

1. **TOTAL and **TOTAL CASES THIS MONTH shall EQUAL each other.
2. The starting number must always be the same as previous months ending total.

Officer Kirsten, Jeanette District II-Reno

MONTHLY ACTIVITY REPORT FOR MONTH OF June

CLIENTS IN-STATE	Status	Supr	MONTHLY CONTACTS								In Jail	B/W Inmate	Revoked	Honorable	General	Dishon.	Transf.	Rec'd
			OV	RV	EC	PFC	CFC	HVA	TC									
1 Abernathy, R.	N	N	1	1			1											
2 Amo, S.	N	N	1															
3 Aguerst, A.	N	N	1		1			1	1									
4 Armst, P.	N	N	1	1			1	1										
5 Br, in, A.	N	N	1	1			1	1										
6 Bremn, P.	N	N	1					1										
7 Brefet, Q.	N	N	1	1			1	1										
8 Buven, R.	N	N	1	1	1	1	1											
9 Burnes, P.	N	N	1	1			1											
10 Burst, A.	N	N	1						1									
11 Buseumd, R.	N	N	1	1			1	1										X6-2
12 Carmen, R.	N	N	1	1	1													
13 Camden, P.	N	N	1	1			1											
14 Coopest, C.	N	N	1	1			1											
15 Coonden, D.	N	N	1															
16 Dawsen, O.	N	N	1	1			1	1	1									x6-3
17 Eckermen, R.	N	N	1	1	1		1											
18 Edmen, B.	N	N												X				
19 Friest, F.	N	N	1															
20 Fredmen, G.	L	N	1		1		1	1									X	X
21 Gabriel, M.	N	N	1	1	1		1	1	4									
22 Hausden, R.	N	N					1	1	4									
23 Heden, A.	N	N	1				1	1									X	
24 Jaws, P.	L	N	1	1			1											
25 Greedson, O.	N	N	1	1	1		1	1	4									
TOTAL	X	X	88	37	26	11	79	39	39	1	0	0	2	0	0	7	16	

NEVADA COMPACT **TOTAL
 PD 59 PL 3 PB 10 PL 1 = 73

Wk. Furlough.....0..... Probable Cause.....0.....
 PSI.....0..... PRE-P.....1..... Comp. Inv.....2.....
 Pardons Inv.....0..... Post Conv.....0.....

EQUAL 73 **TOTAL CASES THIS MONTH

**TOTALS MUST AGREE

66	0	2	0	0	7	16
----	---	---	---	---	---	----

Officer Kirston, Jeannette District II-Reno

MONTHLY ACTIVITY REPORT FOR MONTH OF June

CLIENTS COMPACT	Status	Supt	MONTHLY CONTACTS								In Jail	B/W Inced	Revoked	Honorable	General	Dischargeable	Transf./Closed	Rec'd
			OV	HV	EC	PFC	CFC	HVA	TC									
1 Ergel, M.	XN	N					11	3									X	
2 Faulkner, A.	XN	N	1															
3 Frost, R.	XN	N	1				1	1	1									
4 Greeley, R.	XN	N	1						1									
5 Ghost, A.	XL	N	1		1	1	11	1	1									X
6 Gauzman, R.	Xn	N					2		4	X								
7 Had, R.	Xn	N	1			1												X
8 Kruch, M.	XN	N	1	1	11		11	3	1									
9 Rich, P.	XN	N	1	1	11	11												
10 Run, P.	XN	N	1															
11 Sick, Q.	XN	N	1	1	1		1											
12 Turn, B.	XN	N	1	1			1											
13 Whitney, H.	XN	N	1														X	
14																		
15																		
16																		
17																		
18																		
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22																		
23																		
24																		
25																		
TOTAL	X	X																

PB...10...PL...1...

SECTION 30: CASE FILES

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PURPOSE OF

The case file plays a dual role serving as a primary tool for the officer and a permanent Department record. In order to provide communication and uniformity, each district shall apply the numbering system and case file purging system as detailed herein.

CASE NUMBERING: ASSIGNMENT

1. Active case files shall be defined by one case number in all instances except where there are both parole and probation grants.

Where an individual has a parole and probation grant; each file should contain a colored fly sheet which shall cross reference the other file. Case number, the name under which the case is carried and the scheduled discharge date shall be recorded.

2. Parole: Case numbers shall be assigned on the district level for probation cases. Disposition cards shall be completed with a card entered in the district file and forwarded to Central.

Should a person have a case in more than one district, the case number first assigned shall be the number to accompany the case throughout its history.

CASE NUMBERING: SYSTEM

Parole:

An "L" in front of a case number shall designate cases activated on parole.

The two numbers immediately following the letter "L" shall indicate the YEAR the case was activated on parole.

In those cases where a subject appears before the Parole Board in lieu of a violation of parole, the case file number shall be affected as follows: The case file remain with the originally assigned number if, at the time of the hearing, the Board, regardless of action, defines a specific release date. If the Board does not define a specific release date at the time of the hearing, the case shall receive a new file number as appropriate.

Probation:

An "N" in front of a case number shall designate cases activated on probation through December, 1978.

The two numbers immediately following the letter "N" shall indicate the YEAR the case was activated on probation.

Effective January 1979, probation case numbers are defined by district: District II cases indicate R80-001; District IV cases, V80-009, etc.

Concurrent Probation:

Concurrent probations shall be indicated by CC after the originally issued probation number.

Consecutive Probation:

Consecutive probations shall be indicated by CS after the originally issued probation number.

Interstate Compact:

An "X" in front of a case number shall designate Compact.

Parole:

Compact parole cases shall be designated by "X" followed by "L" and the year, i.e., XL80-001. Central shall assign compact parole case numbers.

Probation:

Compact probation cases shall be designated by an "X" followed by the initial of the district and the year, i.e., XR80- for Reno; XV80- for Las Vegas, etc. Numbers shall be assigned on the district level.

DIVISION OF INFORMATION WITHIN THE CASE FILE

Quick Access:

In an effort to provide for easy and quick accessibility to information within the file, those files containing more than one case shall contain case separations by means of a colored fly sheet. Materials pertaining to each case shall be isolated.

CENTRAL OFFICE CASE FILES

1. Central Office maintains files on all individuals under

supervision in Nevada. Data is filed on a select basis.

2. Central receives and retains documents in parole cases including, but not limited to:

Discharge forms;

Compact information and correspondence;

Progress reports;

Probation agreement and rules;

Pre-Sentence reports and attachments;

Legal data;

Psychiatric reports;

Disposition data;

Violation report packet documents;

Restitution and loan account information;

Photos; etc.

3. Central Office receives and retains documents in probation cases including, but not limited to:

Discharge forms;

Compact information and correspondence;

Progress reports;

Probation agreement and rules;

Pre-Sentence reports and attachments;

Legal data;

Psychiatric reports;

Disposition data;

Violation report packet documents;

Restitution and loan account information;

Photos; etc.

4. Central Office does not need, nor shall Central retain

duplicates of all documents, i.e.:

Monthly reports;

Travel permits for Nevada cases;

Correspondence between client and friends; etc.

In the event the officer is unsure of documents required by Central for filing purposes, the officer shall be certain to check with his/her supervisor prior to taking action.

5. Data retained by Central Office upon case closing: Permanent data:

Disposition Data Sheet, Form 17;

Discharge Forms 10-10A-10B;

Final Progress Report, Form 42;

Pre-Sentence Investigation Report - PSI Questionnaire;

Restitution Schedule (to accounting);

Photos;

ALL CHRONO ENTRIES.

PURGING AND ROUTING DISTRICT CASE FILES

As part of case record management, the timely destruction of case files shall preferably be consistent district to district. However, due to the special needs of the rural officers, it is the option of the District Supervisor to retain file materials. Files must be purged and forwarded to Central as indicated herein with the districts. Keeping copies of whatever documents they choose to retain.

1. Closed Files: (Discharged, Revocations with return to detention, etc.)

(a) Hold case file in its entirety for one (1) year excluding duplication of case file documents.

(b) After 1 year, pull chronos, face sheet and original PSI Questionnaire and forward to Central Office.

(c) Destroy remaining file documents.

(d) EXCEPTION: Parole Revocation with Specific Release Date

In those cases where the Board of Parole has revoked a parolee and has at that time specified a date of release, the case file number shall be activated upon that subject's release.

2. PSI Completed/Probation not Granted

(a) Immediately take out the face sheet and chronos along with the original PSI Questionnaire and forward documents to Central Office.

(b) Destroy remaining file documents.

3. PSI Completed/Subject Fails to Appear for Sentencing

(a) Hold the case file indefinitely.

4. In Custody - Probationers

(a) When a probationer is in custody pending revocation, the case file, after processing of appropriate documents by the supervising officer, will be forwarded to the district of court jurisdiction at the same time the prisoner is transported to that jurisdiction.

5. In Custody - Parolees

(a) When a parolee is in custody pending revocation, the case file shall remain at the district where last supervised until the Revocation Hearing disposition has been determined. Depending on that determination, follow procedures herein.

6. Absconder Files

(a) After Warrant issuance, the case file shall be retained in or sent to the district of court jurisdiction to be filed in the Warrant files.

The case file shall be held in the Warrant files until the date of termination of probation or parole or until notification of discharge.

The Special Services Unit shall be responsible for initiating discharges for parole cases from the Warrant files. Staff responsible for the Warrant files on the district level shall initiate the discharge proceedings for probationers.

7. Compact Case Files: Nevada is the Receiving State.

(a) Discharged: Attach Form 46. Immediately upon discharge send to the Interstate Supervisor, Central

Office, the face sheet and chronos. Destroy file documents.

- (b) Subject Returned to Sending State: Attach Form 46. Immediately send to the Interstate Supervisor, Central Office, the face sheet and chronos. Destroy file documents.

8. Compact Case Files: Nevada Cases Going Compact.

- (a) Compact pending cases are to be retained in the district from which a client is sent to another state. These cases are the responsibility of the supervising officer there until such time as the cases are accepted. Once the case is accepted, the client becomes the responsibility of Central Office, Interstate Compact Unit.
- (b) Upon acceptance, the district case file shall be sent to the district office of court jurisdiction. That district shall in turn place the file in the Compact Case Files for storage until the date of discharge. Upon discharge, proceed as instructed herein.

SECTION 31: TERMS OF PROBATION AND PAROLE

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PROCESSING THE PROBATION AGREEMENT, P&P FORM 5

P&P Form 5 shall be processed and signed by every individual placed on probation by order of the court. Although processed differently in each district, the judge, officer and client shall affix their signatures to the agreement.

Prior to the client's affixing his/her signature, the client will have gained a familiarity and understanding of the rules of probation as well as acquiring an awareness of expectations in complying with those rules as a result of discussions with department officers.

Distribution: Original-County Clerk; Yellow-Probationer; Pink-district office; White copies (2) - Central Office.

PROCESSING THE PAROLE AGREEMENT, P&P FORM 9

Prior to release, the pre-parolee acquires a familiarity with the conditions of parole by way of instruction offered by the Department's Pre-Parole Unit. At the time of release, the subject receives reporting instructions and reads and signs the parole agreement.

The subject shall again read, review and acquire a detailed explanation and understanding of the conditions of parole at the initial meeting with the assigned supervising officer. At that time the officer shall be certain the client becomes aware of the expectations regarding compliance with each and every rule.

Distribution: Original-Central Office; Yellow-Parolee; Pink-Prison; Blue-District Office.

PROCESSING THE INTERSTATE PROBATION AGREEMENT AND

THE INTERSTATE PAROLE AGREEMENT,

P&P FORM 5c AND P&P FORM 9c

The individual requesting and receiving Compact services in Nevada shall be subject to the same rules and regulations as Nevada clients. The Interstate Agreements differ only in the introductory paragraphs:

I understand that the very fact that supervision will be in Nevada makes it likely that there will be certain differences between the supervision I would receive in Nevada and the supervision which I would receive in the sending state. I recognize that supervision in Nevada,

if granted, will be a benefit to me and will improve my opportunities to make a good adjustment...

After the client and officer have mutually reviewed the probation or parole rules and regulations, the officer shall be certain the individual has no questions, reservations or misconceptions concerning the Nevada Rules.

Distribution: Original-district office; Copy to Central Office and Subject.

PROCESSING THE DEFERRED JUDGMENT PROBATION AGREEMENT

In granting the subject a deferred sentence coupled with supervision by the Department of Parole and Probation, the court is recognizing the need for assistance and the fact that the party is nonadjudicated. Therefore, fewer restrictions, as seen in the Agreement, shall be placed on the subject during the probationary period assuming the subject remains in compliance with the rules and regulations therein.

The Sentencing Judge may order special conditions or restrictions in areas not addressed in the Agreement: Intoxicants, weapons, associations, cooperation, problems, restitution and search.

Based on the nature of the Deferred Probation Agreement, officers must be especially careful for there are no blanket conditions, therefore, officers must be sure of the client's particular probation rules.

TERMS AND CONDITIONS OF PAROLE

Standard parole conditions are self explanatory. A general review follows with emphasis on problem areas:

1. Release: As clearly detailed in the Parole Reporting Instructions, the parolee is directed to report to the parole officer and program in accordance with the dates specified. Release plans have been designed and verified by officers for this purpose.

Note: Reference the Section titled - Pre-Parole Unit, Investigation Skills segment of the Manual.

It is important that the parolee's initial contact with the Department be handled in a conscientious, thorough and professional manner since this is the client's first contact and initial impression of the system and the Department's role within the system. The basic impression the client

receives at this time may strongly influence his/her perception of the significance of parole.

2. Residence: As stated, the subject shall not change his/her place of residence without first obtaining permission. The officer needs to emphasize the need for "obtaining prior permission." It is the officer's duty to know of the client's whereabouts at all times; hence, the need for prior approval.

3. Out-of-State-Travel: A review of the Interstate Compact Unit Section, Subsection Travel Permits (Investigation Skills), and Case Decisions, Subsection, Visits Out-of-State (Supervision Skills), will provide instructions regarding processing decisions and issuing travel permits.

Generally, prior to issuing a travel permit, the officer should be aware of the subject's background and any restrictions and special conditions. Permits should usually be issued to individuals who have demonstrated stability on parole. Permits should not be issued: (1) to persons behind in restitution payments; (2) to persons suspected of active involvement in criminal activities; (3) for the purpose of seeking employment unless prior permission is obtained from the receiving state; and (4) for the purpose of accepting employment unless such employment has been verified through officials administering the Compact in the receiving state.

4. Employment and/or Program: As stated, the subject shall seek and maintain employment or maintain a program approved by the Department and not change such employment or program without first obtaining permission. In all cases, the officer should emphasize the requirement for "prior permission."
5. Monthly Supervision Reports: A review of the Case Supervision section, will provide instructions referencing time requirements in accordance with levels of supervision.

Monthly Supervision Reports need not be delivered to the Department in person but rather, a specific reporting schedule is to be defined by the officer in accordance with Department supervision requirements. The client should clearly understand when, where and with what frequency s/he is to submit a report.

Any specific reporting directives established by the officer shall be carefully chronicled as the client is held responsible for this appointment.

6. Intoxicants: As stated, the subject shall not drink or

partake of any alcoholic beverages. The officer must emphasize that "no" means complete abstinence. The client must understand that failure to submit to an alcohol test is a violation of parole. If this occurs, the officer should document the refusal and secure a witness.

7. Search: Reference, Search. See Subsection, Conducting a Search - Guidelines When Client is Residing with a Third Party. Technical Skills Section of the Manual.
8. Narcotics: As stated, the subject shall not use, purchase nor possess any narcotic drugs, nor any dangerous drugs... Any amount of a narcotic substance found without verification of a pharmaceutical label or physicians statement, is in violation of Rule 8 and will be confiscated.

213.123 Imposition of tests to determine controlled substance use as a condition of parole.

1. Upon the granting of parole to a prisoner, the board may, when the circumstances warrant, require as a condition of parole that the parolee submit to periodic tests to determine whether the parolee is using any controlled substance. Any such use or any failure or refusal to submit to a test is a ground for revocation of parole.
(Added to NRS by 1969, 181; A 1971, 2026; 1973, 178; 1977, 263)

Officers shall instruct clients to report any medications they are taking.

9. Weapons: As stated, the parolee shall not possess, own, carry or have under their control any type of weapon. The Department interprets weapons to include anything with the potential to produce harm whether to a person or thing, i.e., firearms, knives (4" or longer in length), daggers, numchucks, crowbars, clubs, sharpened screwdrivers, icepicks.

The Unit or District Supervisor may approve use of legal weapons other than firearms. Permission must be specifically given and chronicled in each instance. Permission must be in writing and must contain specific times and places under which such weapons may be in possession by the parolee.

Under no circumstances shall any weapon be carried in a concealed manner, i.e., under car seats. No item which could reasonably be considered to be a weapon should be carried concealed.

10. Associates: Reference, Case Decisions. Supervision Skills. The association condition, more than any other condition,

is subject to broad interpretation and enforcement by the supervising officer. Decisions should be processed on an individual basis. Officers should be guided by careful examination of the results of such association.

Definition of association should be similar to the dictionary definition of association. Chance meetings and brief exchanges of conversation should not be interpreted as association. If, for example, two parolees should meet by chance in a restaurant and join each other for coffee, one would not necessarily construe this as association. If, however, they arrived and/or left the restaurant together, this would be an indication of more than a casual meeting.

Employment Association: In most instances, parolees may be permitted to work for the same business establishment but this decision must involve good judgment. For example, crime partners with minimal prior records, not suspected of current criminal activities, might be allowed to work together. However, persons considered sophisticated or in any way unstable, should not be allowed such an association.

The Association Rule exists for the protection of both the individual and society and, when neither is judged to be jeopardized as a result of association, association should be permitted; although, it may be wise to limit, control or observe such association.

The supervising officer has the authority to grant permission for clients to associate with specific others. This permission must be chronic and any specific restrictions to this association detailed therein.

Denial of association by an officer may be appealed by the parolee by way of chain of command--district, Central, Parole Board.

11. Cooperation: Parole officers shall issue directives in terms of cooperation which are reasonable and which directly apply to the client's needs and rehabilitation. Directives should be clearly chronic as the client shall be held responsible for compliance.

Contract of Marriage: Reference the Section titled - Case Decisions. Subsection, Marriage. Supervision segment of the Manual.

Going into Debt: The officer should instruct the client, where needed, in processing a sound financial decision. In cases where the debt would infringe on the client's ability to make restitution payments or perhaps lead to further illegal activity, incurring the debt should be delayed.

Purchasing a Motor Vehicle/Insurance Proof: Assure sound financial planning, insurance coverage, registration and a valid driver's license.

12. Laws and Conduct: As stated, the subject shall comply with all municipal, county, state and federal laws and ordinances and conduct him/herself as a good citizen. Note that arrests and/or negligent behavior, whether criminally oriented or civilly objectionable, are all referenced under this Rule.
13. Special Conditions of Parole: Special conditions of parole are specific orders of the Board, both to the Department as well as to the parolee. Special conditions are not placed arbitrarily but are the basis of sound reason in lieu of the parolee's past history and current needs. It is thus mandatory that the officer assure that special conditions are being met and that the client has available every assistance from the Department necessary to comply with such orders.

In any case where special conditions are violated, regardless of degree, the officer is obligated to report the violation and shall do so in accordance with department policy.

If for any reason, special conditions are no longer necessary, the conditions should be deleted through proper channels: Direct a letter to the Parole Board with a copy to Central Office, stating the grounds and justification for such a request.

The Special Condition is in force however, until notified by the Board or Central Office of any change.

Directives detailed by the officer in assisting the client shall be specifically defined in the chronic with indication that the client is aware of the process and expectations.

TERMS OF PROBATION

Standard probation conditions are self explanatory. Review discussions of parole conditions as a general guideline.

Rule 5: Narcotics:

Per NRS176.187: Imposition of tests to determine controlled substance use as a condition of probation.

1. Upon the granting of probation to a person convicted of a felony or gross misdemeanor, the court may, when the circumstances warrant, require as a condition of probation that the probationer submit to periodic tests

to determine whether the probationer is using any controlled substance. Any such use or any failure or refusal to submit to a test is a ground for revocation of probation.

(Added to NRS by 1969, 181; A 1971, 2025; 1973, 179; 1975, 895; 1977, 262, 421).

Rule 9: Problems, and Rule 13: Restitution:

Rules 9 and 13, not addressed in the Parole Rules discussed herein, direct the client to be responsible for his/her own behavior by (1) discussing problem areas with his/her supervising officer and by (2) making payments against damages s/he caused.

Reference: Restitution. Investigation Skills Segment.

Rule 14: Special Conditions:

Rule 14 will reference conditions the client must comply with, i.e., submit to search, enrollment in alcohol/drug abuse outpatient treatment programs, restrictions to enter gaming establishments, restrictions to obtain checking accounts, etc.

Reference: Search. Technical Skills segment.

County Jail as a Condition of Probation:

Reference: Case Supervision. Subsection, Entry Levels of Supervision - Probation with Term in Custody. Supervisor segment.

PAP Form 5
Original to County Clerk (White)
Copy to Probationer (Yellow)
Copy to District Office (Pink)
Two copies to Central Office (White)

STATE OF NEVADA
DEPARTMENT OF PAROLE AND PROBATION
Carson City, Nevada 89710

PROBATION AGREEMENT AND RULES

THE STATE OF NEVADA,

Plaintiff,

Criminal Case No. C79-000

v.

McDonald, Darwin

Defendant.

**ORDER ADMITTING DEFENDANT TO PROBATION
AND FIXING THE TERMS THEREOF**

DEFENDANT is guilty of the Crime of Possession of a Slot Machine Cheating Device
....., a Felony or Gross Misdemeanor.

DEFENDANT is sentenced to a term of imprisonment in the Nevada State Penitentiary at Carson City, Nevada, for Two years. Execution of that sentence is hereby stayed and Defendant is admitted to Probation for Four years on the following terms and conditions, to-wit:

1. **RELEASE:** Upon release by the Court you are to go directly to the program approved by the Department of Parole and Probation and shall report to the Probation Officer or other person designated by the Department.
2. **RESIDENCE:** You shall not change your place of residence, employment, nor leave the community, without first obtaining permission from your probation officer in each instance.
3. **REPORTS:** You are required to submit a written monthly report to your supervising probation officer on the first of each month on forms supplied by the Probation Department. This report shall be true and correct in all respects; in addition, you shall report as directed by your probation officer.
4. **INTOXICANTS:** You shall not drink or partake of any alcoholic beverages/whatsoever/to excess (.10 blood alcohol, or above, as determined by any medically recognized valid test, shall be sufficient proof of excess)./
5. **NARCOTICS:** You shall not use, purchase, possess, give, sell or administer any narcotic drugs, nor any dangerous drugs, unless first prescribed by a licensed physician; you shall submit to narcotic or drug testing as required by your Probation Officer.
6. **WEAPONS:** You shall not possess, own, carry, or have under your control any type of weapon.
7. **ASSOCIATES:** Former inmates of penal institutions and individuals of bad reputation shall be avoided.
8. **COOPERATION:** You shall at all times cooperate with your Probation Officer and the Board of Parole Commissioners, and your behavior and attitude shall justify the opportunity granted to you by this probation. You shall always consult your probation officer and obtain his written permission before going into debt, engaging in business, purchasing property, entering into a contract of marriage, or purchasing an automobile.
9. **PROBLEMS:** Whenever problems arise or you do not understand what is expected of you, consult your probation officer as it is his responsibility to help you in the interpretation of the conditions of this probation, which can only be changed by the written consent of the Court when permissible or advisable for effective supervision.
10. **LAWS AND CONDUCT:** You shall comply with all municipal, county, state and federal laws, ordinances and orders and to conduct yourself as a good citizen.
11. **OUT-OF-STATE TRAVEL:** You shall not leave the state without first obtaining written permission, in each instance, from the probation officer.
12. **EMPLOYMENT:** You shall seek and maintain employment, or maintain a program as approved by the Probation Department.
13. **RESTITUTION:** That you will make restitution for damages caused by you to..... in the amount of.....
 1. You shall not enter any licensed gaming establishment to play games.
 2. You shall not associate with any known gaming cheats;
 3. You shall submit your person, vehicle, residence and property to search and seizure at the request of any Parole & Probation Officer without a warrant to determine the presence of cheating devices.Upon complying with the terms and conditions hereof, Defendant shall be permitted to withdraw his plea of Guilty and have the action against him dismissed.

The Court reserves the right to modify these terms of Probation at any time and as permitted by law.

DATED this 3rd day of August, 1979.

In the Second Judicial District Court of the State of Nevada, in and for the County of Washoe.

By Arnel Andrews
Probation Officer

James Chambers
District Judge

Dated August 3, 1979

AGREEMENT BY PROBATIONER

I do hereby waive extradition to the State of Nevada from any State in the Union, and from any territory or country outside the continental United States, and also agree that I will not contest any effort to return me to the United States or to the State of Nevada. I have read, or have had read to me, the foregoing conditions of my probation, and fully understand them and I agree to abide by and strictly follow them, and I fully understand the penalties involved should I in any manner violate the foregoing conditions.

APPROVED Arnel Andrews
Arnel Andrews Probation Officer

PROBATIONER Darwin McDonald
Darwin McDonald

NEVADA BOARD OF PAROLE COMMISSIONERS
PAROLE AGREEMENT

Carson City Nevada August 18, 1978

On the 23rd day of May, 1962, Larry Lane was sentenced by The Honorable O'Henry, District Judge of the Fourth Judicial District Court in and for the county of Elko, State of Nevada, to imprisonment in the Nevada State Prison System, for the crime of 1st Degree Murder for a term of Life with Parole

The Board of Parole Commissioners, by virtue of the authority vested in it by the laws of the State of Nevada, hereby authorizes the Director of the Department of Prisons to allow said Larry Lane on the 18th day of August, 1978, or as soon thereafter as a satisfactory program can be arranged and approved by the Department of Parole, to go upon parole outside the prison buildings and enclosure, subject to the following conditions:

- 1. RELEASE: Upon release from the institution, you are to go directly to the program approved by the Department of Parole, and shall report to the Parole Officer or other person designated by the Department.
- 2. RESIDENCE: You shall not change your place of residence without first obtaining permission from your Parole Officer, in each instance.
- 3. OUT-OF-STATE TRAVEL: You shall not leave the State without first obtaining written permission, from your Parole Officer.
- 4. EMPLOYMENT AND/OR PROGRAM: You shall seek and maintain employment, or maintain a program approved by the Department of Parole and not change such employment or program without first obtaining permission.
- 5. REPORTS: You are required to submit a written monthly report to your supervising Parole Officer on the first of each month on forms supplied by the Department of Parole. This report shall be true and correct in all respects; in addition, you shall report as directed by your Parole Officer.
- 6. INTOXICANTS: You shall not drink or partake of any alcoholic beverages (whatsoever) (to excess). Upon request by any Parole or Peace Officer, you shall submit to a medically recognized test for blood alcohol content. Failure to so submit shall constitute a violation of your parole. Test results of .10 blood alcohol or higher shall be sufficient proof of excess.
- 7. SEARCH: You shall submit to a search of your person, automobile, or place of residence, by a Parole Officer, at any time of the day or night without a warrant, upon reasonable cause as ascertained by the Parole Officer.
- 8. NARCOTICS: You shall not use, purchase nor possess any narcotic drugs, nor any dangerous drugs, unless first prescribed by a licensed physician; you shall submit to narcotic or drug testing as required by any Parole Officer.
- 9. WEAPONS: You shall not possess, own, carry, or have under your control any type of weapon.
- 10. ASSOCIATES: Former inmates or penal institutions and individuals of bad reputation shall be avoided unless permission is granted by the Department. You shall not correspond with persons confined in penal institutions, unless specific written permission has previously been granted.
- 11. COOPERATION: You shall, at all times, cooperate with your Parole Officer and your behavior shall justify the opportunity granted to you by this parole. You shall always consult your Parole Officer and obtain his permission before entering into a contract of marriage, or going into debt, or purchasing a motor vehicle (proof of liability insurance will be required). Whenever problems arise, or you do not understand what is expected of you, consult with your Parole Officer as it is his/her responsibility to help you in the interpretation of the conditions of this parole.
- 12. LAWS AND CONDUCT: You shall comply with all municipal, county, state and federal laws, and ordinances; and conduct yourself as a good citizen.

13. SPECIAL CONDITIONS OF YOUR PAROLE

14. YOUR PAROLE EXPIRATION DATE IS Life

15. CREDITS: You shall receive no credit, whatsoever, on this sentence should you be absent from supervision at any time and be considered an absconder.

This parole is granted to and accepted by you, subject to the conditions stated herein, and with the knowledge that the Board of Parole Commissioners have the power, at any time, in case of violation of the conditions of parole to cause your detention and/or return to prison. Your right to vote has been revoked and may be restored upon Honorable Discharge for parole.

[Signature] Chief Parole Officer
Dated August 18, 1978

APPROVED BY THE BOARD OF PAROLE COMMISSIONERS

AGREEMENT BY PAROLEE

I do hereby waive extradition to the State of Nevada from any state in the United States, and from any territory or country outside the continental United States, and also agree that I will not contest any effort to return me to the United States or to the State of Nevada.

I have read or had read to me, the following conditions of my parole, and I fully understand them and I agree to abide by and strictly follow them. I fully understand the penalties involved should I in any manner violate the foregoing conditions.

Witness [Signature] Parolee Larry Lane
Dated 8-18-78

STATE OF NEVADA
DEPARTMENT OF PAROLE AND PROBATION
NEVADA INTERSTATE PROBATION AGREEMENT

I, _____, hereby apply for supervision as a probationer pursuant to the Interstate Compact for the Supervision of Parolees and Probationers. I understand that the very fact that supervision will be in Nevada makes it likely that there will be certain differences between the supervision I would receive in Nevada and the supervision which I would receive in the sending state. I recognize that supervision in Nevada, if granted, will be a benefit to me and will improve my opportunities to make a good adjustment. In order to get the advantages of supervision under the Interstate Compact, I do hereby accept such differences in the course and character of supervision as may be provided, and I do state that I consider the benefits of supervision under the Compact to be worth any adjustments in my situation which may be occasioned.

- 1. RELEASE: Upon release by the Court you are to go directly to the program approved by the Department of Parole and Probation and shall report to the Probation Officer or other person designated by the Department.
- 2. RESIDENCE: You shall not change your place of residence, employment, nor leave the community, without first obtaining permission from your Probation Officer in each instance.
- 3. REPORTS: You are required to submit a written monthly report to your supervising Probation Officer on the first of each month on forms supplied by the Probation Department. This report shall be true and correct in all respects; in addition, you shall report as directed by your Probation Officer.
- 4. INTOXICANTS: You shall not drink or partake of any alcoholic beverages/whats(over/to excess (.10 blood alcohol, or above, as determined by any medically recognized valid test, shall be sufficient proof of excess).
- 5. NARCOTICS: You shall not use, purchase, possess, give, sell or administer any narcotic drugs, nor any dangerous drugs, unless first prescribed by a licensed physician; you shall submit to narcotic or drug testing as required by your Probation Officer.
- 6. WEAPONS: You shall not possess, own, carry, or have under your control any type of weapon.
- 7. ASSOCIATES: Former inmates of penal institutions and individuals of bad reputation shall be avoided.
- 8. COOPERATION: You shall at all times cooperate with your Probation Officer and the Board of Parole Commissioners, and your behavior and attitude shall justify the opportunity granted to you by this probation. You shall always consult your Probation Officer and obtain his written permission before going into debt, engaging in business, purchasing property, entering into a contract of marriage, or purchasing an automobile.
- 9. PROBLEMS: Whenever problems arise or you do not understand what is expected of you, consult your Probation Officer, as it is his responsibility to help you in interpretation of the conditions of this probation, which can only be changed by the written consent of the Court when permissible or advisable for effective supervision.
- 10. LAWS AND CONDUCT: You shall comply with all municipal, county, state and federal laws, ordinances and orders and to conduct yourself as a good citizen.
- 11. OUT-OF-STATE TRAVEL: You shall not leave the state without first obtaining written permission, in each instance, from the Probation Officer.
- 12. EMPLOYMENT: You shall seek and maintain employment, or maintain a program as approved by the Probation Department.
- 13. RESTITUTION: That you will make restitution for damages caused by you to _____ in the amount of _____

14. SPECIAL CONDITIONS OF YOUR PROBATION: _____

I have read, or have had read to me, the foregoing conditions of my probation, and fully understand them and I agree to abide by and strictly follow them, and I fully understand the penalties involved should I in any manner violate the foregoing conditions.

PROBATIONER _____
WITNESS _____
DATED _____

District—White, Central—Pink, Subject—Yellow

CONTINUED

4 OF 5

STATE OF NEVADA
DEPARTMENT OF PAROLE AND PROBATION
NEVADA INTERSTATE PAROLE AGREEMENT

I, _____, hereby apply for supervision as a parolee pursuant to the Interstate Compact for the Supervision of Parolees and Probationers. I understand that the very fact that supervision will be in Nevada makes it likely that there will be certain differences between the supervision I would receive in Nevada and the supervision which I would receive in the sending state. I recognize that supervision in Nevada, if granted, will be a benefit to me and will improve my opportunities to make a good adjustment. In order to get the advantages of supervision under the Interstate Compact, I do hereby accept such differences in the course and character of supervision as may be provided, and I do state that I consider the benefits of supervision under the Compact to be worth any adjustments in my situation which may be occasioned.

1. **RELEASE:** Upon release from the institution, you are to go directly to the program approved by the Department of Parole, and shall report to the Parole Officer or other person designated by the Department.
2. **RESIDENCE:** You shall not change your place of residence without first obtaining permission from your Parole Officer, in each instance.
3. **OUT-OF-STATE TRAVEL:** You shall not leave the State without first obtaining written permission, from your Parole Officer.
4. **EMPLOYMENT AND/OR PROGRAM:** You shall seek and maintain employment, or maintain a program approved by the Department of Parole and not change such employment or program without first obtaining permission.
5. **REPORTS:** You are required to submit a written monthly report to your supervising Parole Officer on the first of each month on forms supplied by the Department of Parole. This report shall be true and correct in all respects; in addition, you shall report as directed by your Parole Officer.
6. **INTOXICANTS:** You shall not drink or partake of any alcoholic beverages (whatsoever) (to excess). Upon request by any Parole or Peace Officer, you shall submit to a medically recognized test for blood alcohol content. Failure to submit shall constitute a violation of your parole. Test results of .10 blood alcohol or higher shall be sufficient proof of excess.
7. **SEARCH:** You shall submit to a search of your person, automobile, or place of residence, by a Parole Officer, at any time of the day or night without a warrant, upon reasonable cause as ascertained by the Parole Officer.
8. **NARCOTICS:** You shall not use, purchase nor possess any narcotic drugs, nor any dangerous drugs, unless first prescribed by a licensed physician; you shall submit to narcotic or drug testing as required by any Parole Officer.
9. **WEAPONS:** You shall not possess, own, carry, or have under your control any type of weapon.
10. **ASSOCIATES:** Former inmates of penal institutions and individuals of bad reputation shall be avoided unless permission is granted by the Department. You shall not correspond with persons confined in penal institutions, unless specific written permission has previously been granted.
11. **COOPERATION:** You shall, at all times, cooperate with your Parole Officer and your behavior shall justify the opportunity granted to you by this parole. You shall always consult your Parole Officer and obtain his permission before entering into a contract of marriage, or going into debt, or purchasing a motor vehicle (proof of liability insurance will be required). Whenever problems arise, or you do not understand what is expected of you, consult with your Parole Officer as it is his/her responsibility to help you in the interpretation of the conditions of this parole.
12. **LAWS AND CONDUCT:** You shall comply with all municipal, county, state and federal laws, and ordinances; and conduct yourself as a good citizen.
13. **SPECIAL CONDITIONS OF YOUR PAROLE:** _____

I have read or had read to me, the following conditions of my parole, and I fully understand them and I agree to abide by and strictly follow them. I fully understand the penalties involved should I in any manner violate the foregoing conditions.

PAROLEE _____

WITNESS _____

DATED _____

District—White, Central—Pink, Subject—Yellow

81-M (Rev. 1/76)
Mag Card 7469

STATE OF NEVADA
DEPARTMENT OF PAROLE AND PROBATION
PROBATION AGREEMENT AND RULES

THE STATE OF NEVADA)	
)	CRIMINAL CASE NUMBER _____
PLAINTIFF,)	
)	ORDER ADMITTING DEFENDANT TO
VS.)	PROBATION
)	AND FIXING THE TERMS THEREOF
)	
DEFENDANT.)	

DEFENDANT is charged of the Crime of _____, a felony.

DEFENDANT, having pleaded guilty to the above mentioned offense, and the Court, without entering a judgment of guilt, does hereby defer further proceedings, and admits the defendant to probation for _____ years on the following terms and conditions, to wit.

1. **RELEASE:** Upon release by the Court, you are to go directly to the program approved by the Department of Parole and Probation and shall report to the Probation Officer or other person designated by the Department.
2. **RESIDENCE:** You shall not change your place of residence or employment without first obtaining permission from your Probation Officer in each instance.
3. **OUT-OF-STATE TRAVEL:** You shall not leave the state without obtaining permission, in each instance, from the Probation Officer.
4. **REPORTS:** You are required to submit a written monthly report to your supervising Probation Officer on the first of each month on forms supplied by the Probation Department, or as directed by your Probation Officer.
5. **NARCOTICS:** You shall not use, purchase nor possess any narcotic drugs, nor any dangerous drugs, unless first prescribed by a licensed physician; you shall submit to narcotic or drug testing as required by your Probation Officer.
6. **LAWS AND CONDUCT:** You shall comply with all municipal, county, state and federal laws and ordinances.
7. **EMPLOYMENT AND/OR PROGRAM:** You shall seek and maintain a program as approved by the Probation Department.
8. **SPECIAL CONDITIONS OF YOUR PROBATION** _____

Upon complying with the terms and conditions hereof, the Court will not enter a judgment of guilty, will discharge the defendant, and will dismiss the proceedings against him.

DATED this _____ day of _____, 19____.

In the _____ Judicial District Court of the State of Nevada, in and for the County of _____.

DISTRICT JUDGE

Probation Officer _____

Probationer
358

SECTION 32: CASE SUPERVISION

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ENTRY LEVELS OF SUPERVISION

Supervision begins immediately upon the entering of the court's decision to grant probation or on the date the parolee is actually returned to the community.

Probation with Term in Custody:

In those cases where a client has received a probation and as part of that probation has received a term in custody, the officer shall actively supervise the client while in custody beginning with the onset of the term in custody. The level of supervision shall usually be defined by the requirements set for minimum supervision. During this period, the officer shall focus on problem solving and planning for the client's release and reintegration into the community. During the last 60 days prior to release, nominal supervision is appropriate, allowing the officer the needed time to facilitate contacts and formalize and verify arrangements for release.

Entry Levels/Parole Cases:

Entry levels for supervision shall be structured for the parolee. Each parolee shall be placed under maximum supervision for a period of at least 30 days allowing for an initial period of evaluation and adjustment.

After the 30 day period, supervision requirements shall be re-evaluated and the appropriate level of supervision determined during a case review by the officer and supervisor. (See #3, Goal Planning).

Entry Levels/Probation Cases:

Entry levels for supervision shall be chosen to most appropriately meet the needs of the probationer. Maximum supervision for 30 days may be useful, but not always necessary.

RECLASSIFICATION

Reclassification, an integral part of case work management, concerns changes of a planned and relatively permanent nature. These changes are distinguished from temporary changes effected by the supervising officer, i.e., corrective actions or changes to meet crises and emergency or transitory needs.

Reclassification Determination:

Supervision levels shall be reclassified by the Unit or District Supervisor upon the recommendation of the supervising officer. In all cases, reclassification actions shall be documented in the

chronos and initialed by the Unit or District Supervisor.

Factors Influencing Reclassification:

A great deal of discretion shall be employed in determining the degree or level of supervision taking into account the seriousness of the offense, potential danger to the community, client needs and goals as defined by the officer and client, file data including reporting record, employment record, use of leisure time history, home visits and environment, responsibility in making restitution payments, payment of fines and fees, meeting of special conditions, compliance with rules and regulations of probation or parole, etc.

SUPERVISION STATUS

Classification of supervision status is based upon the minimum number of contacts to be made within a designated time period to effect adequate supervision. The Department requirements established for the 5 levels of supervision assist the officer in planning and organizing his/her caseload and further assist the supervisor in evaluating the officer's work.

Officers shall be expected to adhere to the requirements as set herein for each level of supervision. Cases are designated by different degrees of supervision to fulfill a two-fold purpose - to provide the client with the maximum opportunity to adjust to parole or probation supervision and to provide adequate protection for the community.

Contacts:

Contacts, as recorded below, may be combined to meet requirements, i.e., personal contact and an employment check may be accomplished in one visit.

In all cases, contacts shall be evenly spaced throughout the month to insure continuing supervision and compliance with parole and probation rules and regulations.

OFFICER RESPONSIBILITY

The supervising officer shall be responsible for evaluating the appropriateness of supervision and movement. The evaluation of supervision level suitability for each client should be accomplished on a minimum of a quarterly basis.

During case audits, supervisor personnel shall check the appropriateness of the supervision level in accordance with client progress.

DEGREES OF SUPERVISION: MINIMUM CONTACT REQUIREMENTS

1. INTENSIVE SUPERVISION: Clients supervised within the Intensive Supervision Unit include:
 - (a) Career criminals suspected of being actively involved within the criminal subculture and with the criminal element.
 - (b) Heavy drug abusers requiring regular testing and behavior monitoring. Clients actively engaged in sales activity requiring regular testing and behavior monitoring.
 - (c) Dependent individuals requiring extensive assistance including those who are emotionally handicapped, mentally ill, and those individuals not capable of organizing or managing their lives without intervention, etc.

Minimum Contact Requirements:

Specific contact requirements shall not be established due to the nature of the caseload in Intensive Supervision, but requirements shall definitely exceed the contact requirements of maximum supervision.

2. MAXIMUM SUPERVISION:

Maximum Supervision may be employed in any case where it is felt to be an appropriate supervision tool. As stated previously, each parolee shall be placed under maximum supervision for at least a 30 day period allowing for initial adjustment and in compliance with goal planning requirements. Clients may be placed on maximum supervision in those cases where instability may surface and/or problems occur, i.e., new arrests, technical violations of a serious nature, etc.

Where a client is placed on maximum supervision as a temporary corrective measure, the need for instituting the measure must be re-evaluated monthly by the supervising officer with concurrent approval by the immediate supervisor.

Minimum Contact Requirements:

- (1) Monthly Supervision Report: One completed Form 6-7 submitted per month;
- (2) Verified Living Arrangements: One Home Visit (HV) per month;
- (3) Other Personal Contact: Face to face communication. Observations do not fall within the meaning of

personal contact for minimum requirement purposes, but shall be documented.

One other personal contact per month in the home (HV) environment or in the field environment, i.e., at work sites (EC), restaurants, sporting areas, clubs, social agencies, institutions (PFC) or in the office (OV), etc.

- (4) Verified Employment: Per Month. May or may not be a personal contact.

Employment check via a collateral field contact with the employer (CFC); employment contact on the job in person or by personal observation (EC); or by receipt of check stub.

- (5) Specific Knowledge of Free Time Activities: Via actual observation or reported observation by a credible source (CFC).

3. MEDIUM OR NORMAL SUPERVISION

The greatest number of cases are generally supervised in accordance with requirements as set forth for medium supervision. Clients classified under medium status are completing basic parole and/or probation requirements and are in need of active supervision by staff providing support to continue to meet requirements. Clients falling within medium supervision are attempting, to some noticeable degree, to successfully reintegrate into society.

Minimum Contact Requirements:

- (1) Monthly Supervision Report: One completed Form 6-7 submitted per month;
- (2) Verified Living Arrangements: Via a home visit (HV) or collateral field contact with, i.e., landlord, family member (CFC) or receipt of rent receipt.
- (3) One Personal Contact Per Month: Person to person communication. Observations do not fall within the meaning of a personal contact for minimum contact requirement purposes but shall be documented.

Contact in the home (HV) or field environments such as at work sites, clubs, restaurants, sporting areas, social agencies, institutions (PFC), etc.

Office visits or telephone communications qualify as the one required personal contact on alternate months only.

- (4) Verified Employment Per Month: Via a CFC with the employer, employment contact on the job either in person or by personal observation (EC) or by receipt of check stub.

Length of Time Under Normal Supervision

The length of time under medium supervision shall be determined by the client's needs in terms of structure necessary to assist the client in successfully completing his/her parole or probation and in adjusting to life within the community.

Movement from Normal to Minimum Supervision

A case file shall be submitted to the Unit/District Supervisor for review and reclassification upon approval to minimum supervision where, for a period of 6 continuous months, the client has been:

- (1) Employed with an adequate income;
- (2) In a stable living environment;
- (3) Without arrests or significant technical parole or probation violations;
- (4) Cooperative throughout supervision; and
- (5) Meeting special conditions.

4. MINIMUM SUPERVISION

Minimum Contact Requirements:

- (1) Monthly Supervision Report: One completed form 6-7 submitted per month;
- (2) One Personal Contact per Quarter: Face to face communication. Observations do not fall within the meaning of a personal contact for minimum contact requirement purposes, but shall be documented.

Contact in the home environment (HV) or field environment, i.e., at work sites, sporting areas, institutions (PFC), etc.

Office visits do not qualify as the one required personal contact.

- (3) Verified Employment on a Quarterly Basis. See Verified Employment as defined in Medium or Normal Supervision.

5. RELAXED SUPERVISION

Clients supervised in accordance with standards set forth for relaxed supervision include:

- (1) Parolees who have adjusted well on normal or minimum supervision but who do not qualify by statute for early discharge. (Reference, Discharge from Parole and Probation. Supervision Skills).
- (2) Parolees and probationers who have adjusted well on normal or minimum supervision but who are not feasible candidates for early discharge due to (1) a long parole, (2) objection by the district attorney or judge, etc. Relaxed supervision provides a noteworthy alternative for these individuals.
- (3) Individuals who may be medically incapacitated, hospitalized or otherwise not in a position to be a threat to the community or such individuals not in a position to benefit from active supervision intervention.
- (4) Special cases as determined through staffing by officer and Unit or District Supervisor.

Minimum Contact Requirements:

- (1) Monthly Supervision Report: One completed Form 6-7 submitted per quarter.
- (2) One Personal Contact per Quarter: A housing and employment check should be made at the time of personal contact. Any face to face contact qualifies.

RURAL CASELOADS

It is realized that it is often difficult, given time and distance, to meet the expectations of maximum and intensive supervision in the rural areas. Every effort should be made to cultivate resources in these areas where cases are located to assist the officer in monitoring client behavior, i.e., with local law enforcement agencies, community agencies, juvenile parole and probation officers, family members, volunteers in parole and probation, etc.

DEFINITION OF SUPERVISION CONTACTS

(Reference Officer Workload and Monthly Activity Reports. Orientation Skills segment of the Manual).

Recording Contacts:

Any of the following contacts made by a supervising officer, another officer, volunteer or intern shall be recorded in the supervising officer's Monthly Activity Report.

Monthly Supervision Reports:

In submitting the monthly report, the client provides the officer with current residential, employment, medical, and financial information. Problems causing concern are recorded. Contacts with the justice system are detailed.

The officer and client should establish a consistent time frame for the monthly collection and/or receipt of the supervision report. Any specific directive to a client shall be carefully entered in the chronos and the client shall be held responsible for this appointment.

Verified Living Arrangements/Home Visit (HV):

Visits to the client's residence, including personal contact with the client and household members, prove to be an essential part of the casework process. The home visit affords the officer an adequate knowledge of household members and an awareness of their attitudes in relation to each other and in relation to the client and parole or probation. Most importantly, the visit offers the officer an increased familiarity with the client and with present and/or potential problem areas.

To be most effective, the officer should vary the time, day and hour of the home visit.

When visiting in the client's home: (1) Use good judgment at all times; (2) Treat the client and household members with dignity; (3) Become familiar with who lives in the home and who is in the home at the time of the visit; (4) If appropriate, speak with household members; (5) If appropriate, request to see the rental agreement, etc.

In crisis situations, it is appropriate to leave the residence and to return later with sufficient backup.

Although the county jail is often a client's residence for a period of time, a contact there is a personal field contact (PFC). By contrast, a residential treatment center is a client's permanent residence in the free community and a contact there is considered a home visit (HV).

Contacts with staff at the jail or treatment center are considered collateral field contacts (CFC).

Verified Employment:

Employment verification may be made via: A collateral field or telephone contact with the employer, a personal contact with the client on the job, an observation of the client on the job, and via a receipt of the client's check stub.

Contact with the employer proves to be a valuable source of information not only in regard to the client's work habits and ability but in other areas of the client's adjustment, i.e., relationships with others, ability to work within a structure, etc.

When conducting on-site visits, the officer should conform with policy regarding visits on the job detailed and/or indicated by the employer. The officer should make every effort to do nothing which might jeopardize a client's employment. It is the officer's responsibility to advise the client that there will be contact on the job site. The client then has the opportunity to discuss such with the employer prior to the officer's visit.

Note: Reference, Release of Information. It is incumbent upon the officer to perform in accordance with Release of Information Department Policies as they relate to employers. (Orientation Skills).

In rare cases, it may be that an employer is unaware of the client's status and unless it is crucial and/or detailed in Release of Information that the employer become aware of the individual's status, other measures to verify employment may be preferable.

SUPERVISION TECHNIQUES AND CONTROLS AND DISTRICT RESOURCES

The officer has many tools available to assist him/her in performing the dual functions of community protection and rehabilitation of the offender. Such tools incorporate a vast array of supervision controls often combined with the utilization of district resources, i.e., services offered by community, law enforcement and other support agencies.

Supervision controls incorporate supervision techniques applied by the officer to enforce the rules and regulations of probation and parole. The degree and type of supervision controls instituted differ in accordance with client needs, goals, stability and cooperation - cooperation of the client and cooperation of "significant others."

The officer is encouraged to create and design supervision techniques within professionally reasonable and appropriate parameters, and to encourage and support the client in completing a successful probation or parole. Basically, controls are built into supervision requirements as established by the Department, i.e., home visits, knowledge of client free time activities and employment verification.

Further controls set or instituted by the officer in problem situations or in situations presenting concern, might include the following:

1. In situations where the client is in need of a structured environment, the officer may require the client to report into the office on a weekly basis;
2. In situations where the officer may suspect the client of using narcotics or alcohol, the officer may require testing on a set schedule;
3. In situations where the client is experiencing difficulty in maintaining employment, the officer may require the client to report to the office with a detailed list of employment contacts for the previous day;
4. In situations where the client fails to make restitution payment as ordered by the court, the officer may require the client to bring his/her paycheck to the officer prior to cashing for restitution payment;
5. In situations where the officer suspects the client of violation of residence requirements or of criminal activities, the officer may conduct home visits at "odd" (but reasonable) hours, times or frequencies; likewise, the officer may establish a curfew restricting the client to his/her residence on or after a stipulated hour or time for a scheduled time period.

In all cases, the officer must set time periods, set the grounds for open communication and set the controls with discretion and within reason. Mostly, controls need to be backed by a purpose. Controls must not be set on an arbitrary basis nor for the purpose of harassment in any instance.

In order that a supervision technique be established for optimal effectiveness the officer must realize that where controls are set, the officer is, in reality, setting a control on himself/herself. The officer must follow up on the completion of the task, assignment or behavior (1) to verify that the control is being applied or completed as required, (2) to gauge the effectiveness of the control and (3) to maintain and gain the respect and faith of the client.

Other Supervisory Tools: Surveys and Surveillance

Surveys: Periodic surveys of areas in the community defined as delinquent areas, questionable resorts or areas frequented by criminals and questionable elements in the community should be conducted.

The knowledge that parole and probation officers conduct such surveys on a periodic basis and are familiar with such areas may result in a development of the attitude of respect on the part of the client and will more importantly act as a deterrent to the client who may frequent such areas.

Surveillance: Occasionally, situations may arise in the supervision process which require sophisticated surveillance techniques such as observation of a person or place for a specified time period or the following of an individual or group of individuals again for a specified time period. In order for either tool to be effective, a great deal of skill and resourcefulness and the services of two or more officers is required.

SUPERVISION AND THE UTILIZATION OF DISTRICT RESOURCES

The development of cooperative working relationships with community agencies, law enforcement agencies and the courts enables the officer to create a support environment and communication network within which s/he may function most effectively. Support and communication can only enhance the officer's effective case management skills. Resources available to the officer within the district will assist the officer in acquiring and maintaining a thorough knowledge of the individual cases or his/her caseload.

Community Agencies:

As a beginning in the process of familiarizing oneself with the community (or the district), the officer should gain an awareness of community agencies, their functions and their effectiveness. The officer should endeavor to develop a working knowledge of these agencies by way of (1) developing personal contact in the community; (2) communicating and sharing information with fellow officers; (3) seeking out directories of service agencies, etc.

After acquiring knowledge of the services in the district, the officer is able to take advantage of the services by combining services with goal planning schedules and supervision techniques and controls.

Law Enforcement Agencies/Police Cooperation:

The Officer's development of a cooperating working relationship

with the police agencies within the district is imperative in that police serve as a primary information source regarding client activities as well as serving as a support system providing assistance and backup in effecting arrests, conducting searches, etc.

On a regular basis, each district should supply the local police agencies with a list of probationers and parolees under the Department's supervision thus assuring notification prior to or upon the arrest of clients and assuring the flow of communication on any indication of delinquent behavior of clients. In many cases, the officer is thus able to enter the situation prior to its becoming a serious problem.

Communication Problems:

Problems the officer can not resolve on a one-to-one basis with any law enforcement agency personnel, may be directed to the officer's immediate supervisor. Problems should be dealt with promptly and efficiently for the development and the maintenance of a good working rapport with support agencies is an absolute necessity for the effective functioning of the Department.

Courts:

The officer should create and develop a working knowledge of the functions and jurisdiction of all the courts serving the district and should develop a cooperative relationship with judges and court support staff.

CASE RECORDING IN SUPERVISION: CHRONOLOGICAL ENTRIES

Purpose:

The case records provide the officer with an ongoing history of case activity. There exists numerous benefits to maintaining records in a professional manner:

1. All "significant others," places, events and occurrences in the client's life are recorded, providing the officer with a total view of the client's daily life.
2. As an evaluation tool, case records incorporate goal planning schedules as well as outlining actual approaches and steps to meet goals. The officer is able to evaluate progress on an ongoing basis in order that the schedule be developed and altered as is necessary to maximize the client's potential for success.
3. Records assist the officer in processing the many significant decisions s/he makes daily. The officer relies on case record data to justify revocations and discharges and all factors leading to revocations and discharge.

4. Records assist the officer in justifying actions. The officer must work within many legal controls and must be able to prove compliance, i.e., time restraints in revocation proceedings (Preliminary Inquiry Hearings), establishing probable cause for search, arrest, etc.
5. Case records facilitate and create communication from officer to officer regardless of client or officer transfer. The client is able to make a smooth transition when the officer is able to utilize the case history to supply data relating to treatment program, goal planning scheduling implementation and development, progress or lack of progress, etc.
6. Case records provide the basis for thorough and supportive report writing. The officer must be able to support all reports with facts and data, i.e., monthly activity reports, violation reports, incident reports, progress reports, etc.
7. Failure to enter pertinent information in the chronos, leaves an officer vulnerable at the time of report writing, testifying or accounting for supervision of the client.

Entries:

1. Data shall be recorded in chronological order on the right hand side of the case file and shall clearly illustrate case activity on a per contact, event or action basis. All entries must be signed. In cases where approval is required by supervising officers, the activity shall be initialed, i.e., reclassification from maximum to a medium level of supervision.
2. Entries must be consistent from officer to officer. Entries must be explicit and concise as well as legible and orderly. Notes shall not be entered in abbreviated form. Shorthand and other methods of abbreviated note taking shall not be acceptable practice.
3. All chronological entries shall be permanently filed in Central Office. Immediately prior to case file purging, chrono entries shall be forwarded to Central Office.
4. Content: The date and time of contact, event, occurrence, circumstance, action, place, specific behavior, etc., shall be illustrated. Location (address) and nature of contact and persons seen and/or contacted, or activity, event, etc., shall be clearly recorded. All contacts with "significant others" shall be recorded without discretion.

In situation where contact was effected by someone other than the supervising officer, this should be clearly indicated (and signed).

Selectivity of material to be incorporated is extremely important. As stated previously, the record shall include: (1) all pertinent data relating to client activity including officer impressions and conclusions; (2) all events, actions and occurrences which indicate progress (or lack thereof) toward goals as established via the goal planning schedule, (3) all client failures to comply with rules and regulations of parole or probation including missed appointments, unsuccessful efforts at maintaining ongoing employment, etc., (4) all disciplinary actions instituted to provide positive stimulus to comply with rules of parole or probation, etc.

The nature of the contact shall be described as briefly as possible but, at the same time, shall be informative. Entries should be expanded in those instances where the contact is unusually significant as defined by the supervising officer. Entries should be expanded to add clarity. In those cases where the entry might appear nebulous, elaborate to provide substance.

CASE AUDITS

Cases shall be audited on an ongoing basis during many stages of the supervision process but no less than once yearly. Case audits occur at times of reclassification of supervision levels, upon entry of violation reports for approval, upon receiving requests from counsel, upon auditing restitution, upon case transfer, upon review of goal planning schedules, upon discharges, etc.

During the audit process, the the supervisors shall insure that the officer is complying with the requirements as detailed herein for each level of supervision.

Monthly Activity Report:

On a monthly basis, the supervisors shall review each case under maximum supervision by way of review of the Monthly Activity Report to insure compliance with supervision standards. Those cases not in compliance shall be discussed with the supervising officer.

In all cases, physical case reviews shall be conducted at least every 60 days or before a case is returned to normal supervision, to insure maximum supervision requirements and standards have been met.

GOAL PLANNING

(See Attached Client Profile and Case Plan)

When employing supervision techniques; supervising officers and

their clients shall work within a philosophy of goal planning throughout the many stages of supervision as set forth in the goal plan format. The goal planning structure enables each case to receive a continuity of services regardless of case transfer. The overall goal plan structure assists the client in defining strong areas and problem areas and further provides alternatives, as designed by the client and officer, to abate problem areas on an ongoing basis. The goal plan structure provides one of the officer's most effective supervision controls, is a measure of accountability for the Department and aids in the planning, implementation and review of overall agency programming.

Goal Plan Format:

Because goal plan scheduling is in its embryonic stages, the schedules (seen below) shall be subject to adjustment.

1. A goal plan sheet shall be placed in each casefile requesting special conditions, potential problem areas, positive factors and goals. At the top of the sheet a review date will indicate a time for review by the supervisor approximately 60 days after assignment (See Attachment).
2. The officer is to devote the first sixty (60) days of supervision to becoming familiar with the client, outlining what the client wishes to accomplish during the time under supervision and defining and developing workable and realistic goals.

It is imperative that the officer, while assisting the client in the development of realistic goals, incorporates the following steps:

- (a) Involve the client from the beginning.
- (b) Use the client's strengths to set goals which will assist the client in meeting his/her needs.
- (c) Use small steps to attain goals.
- (d) Outline and define tasks and establish time requirements and specifications (for officer and client) for meeting the defined goals.

3. First Review Date With Supervisor

Within the first 30 days, it is necessary for the officer to make sufficient contact with the client to implement goal planning.

At the end of the first 30 day period, the case will be reviewed by the officer and supervisor. At that time, the supervisor will check to verify (a) that a home visit has

been made within the first 10 days of supervision, and (b) the progress of goal planning. The supervisor shall offer assistance where necessary and evaluate the possible reduction in the level of supervision (such reduction, where deemed appropriate, would be submitted to the Unit/District Supervisor for approval).

4. Second Review Date with Supervisor:

At the end of the first 60 days, the case is jointly reviewed by the officer and supervisor. The case plan is finalized and approved by the supervisor and a subsequent review date is established approximately 60 to 90 days later. (120-150 days after initial supervision).

5. Third Review Date with Unit Supervisor:

After 4 to 5 months (120-150 days) of supervision, the Unit Supervisor shall evaluate the progress of the case plan and institute changes as are necessary. A review date will be set approximately 7 months thereafter (after approximately one year of supervision) or as is appropriate.

GOAL PLANNING EXAMPLE

Case Profile and Goal Planning Agenda

Introduction:

It is important to note that there is no exclusive or "right" case plan for any situation. The officer in the case herein has chosen to initially approach the problem from two fronts and to then incorporate such areas as transportation and physical fitness, as time went on.

Case Profile:

The subject is a 32 year old WMA on probation for Involuntary Manslaughter. He was intoxicated and hit and killed a pedestrian with his automobile. The offense occurred one year ago and the subject has just received probation.

Interviews reflect:

Prior to coming to Nevada 2 years ago, the subject lived in Los Angeles where he worked as a cab driver and part-time musician. He was heavily involved with narcotics and at one point was addicted to heroin. The subject moved to Las Vegas, kicked the heroin and turned to alcohol as a substitute. Since the offense, the subject has stopped drinking and begun work as a craps dealer. He has functioned as a craps dealer for a 10 month period.

The subject is likeable and an intelligent individual (2 years of college). However, he is underweight, very depressed, full of guilt and remorse at having killed another individual. He has no friends locally since he stopped drinking. He devotes most of his time to dabbling into photography and being alone. He is depressed about his social life, his physical condition (skinny and out of shape), an excess of bills, no transportation, and his job. In regard to his job, although he has worked for 10 months as a craps dealer, it has been in one of the downtown clubs. On the job he is withdrawn and anxious. He falls to pieces when one of his supervisors watches him work and finds himself making the same mistakes on the table over and over again.

30-DAY AUDIT ON NEW CASES

Client's Name: _____ Senior: _____

Officer: _____

Date: _____

1. Home visit first 10 days: _____
2. Client informed of office days: _____
3. Progress of case plan: _____
4. Recommendation regarding supervision level: _____

30-DAY AUDIT ON NEW CASES

Client's Name: _____ Senior: _____

Officer: _____

Date: _____

1. Home visit first 10 days: _____
2. Client informed of office days: _____
3. Progress of case plan: _____
4. Recommendation regarding supervision level: _____

30-DAY AUDIT ON NEW CASES

Client's Name: _____ Senior: _____

Officer: _____

Date: _____

1. Home visit first 10 days: _____
2. Client informed of office days: _____
3. Progress of case plan: _____
4. Recommendation regarding supervision level: _____

CASE REVIEW AUDITS

Officer: _____ Unit Supervisor: _____
Date: _____ Client's Name: _____

- I. Audit after _____ of case supervision.
A. Senior 30-day Audit: _____
B. Officer "Case Plan": _____
C. Officer's General Knowledge of the case: _____

CASE REVIEW AUDITS

Officer: _____ Unit Supervisor: _____
Date: _____ Client's Name: _____

- I. Audit after _____ of case supervision.
A. Senior 30-day Audit: _____
B. Officer "Case Plan": _____
C. Officer's General Knowledge of the case: _____

ADDRESS ALL COMMUNICATIONS TO
A. A. CAMPOS
CHIEF PAROLE AND
PROBATION OFFICER

STATE OF NEVADA
DEPARTMENT OF PAROLE AND PROBATION
Carson City, Nevada 89710
Telephone 885-5040

DISTRICT OFFICES
STATE BUILDING
360 MILL STREET
RENO, NEVADA 89502
STATE BUILDING
215 E. BUHANZA STREET
LAS VEGAS, NEVADA 89101
STATE BUILDING
840 IDAHO STREET
ELKO, NEVADA 89801

PAROLE/PROBATION MONTHLY SUPERVISION REPORT FOR _____, 19____

Name _____ Phone Number _____

1. Address _____ Number and Street _____ City and State _____
Mailing Address _____ City and State _____

2. Did you move during the month? _____ If yes, did you notify police agency? _____

3. I live with _____ Relationship _____

4. Did you change employment during reporting period? _____ If so, why? _____

Current Employer _____ Phone No. _____

Address _____ My job is _____

My parole/probation status is known at my employment by (Give name and title) _____

Monthly wage \$ _____ Monthly take-home pay \$ _____ Expenditures for month were \$ _____ Other Income \$ _____

Working days absent _____ Reason _____

5. Do you have a bank account? _____ Checking: balance \$ _____ Savings: balance \$ _____

Name of bank and/or credit union _____

6. List all motor vehicle(s) owned or operated:

Year Make Model Color License No. Owner Insured by

7. Were you arrested or questioned by police officers during the month? _____ If yes, explain in detail _____

8. Problems regarding family, home, employment, etc.—explain _____

9. Did you consult a physician during the month? _____ Reason _____

Was medication prescribed? _____ Name of medication _____

10. If you have been ordered to pay restitution, fine, and/or attorney fees, complete the following: Are you current on your obligation, if not explain why _____

MY SUPERVISING OFFICER IS _____ READ AND COMPLETE REVERSE SIDE

FOLLOWING ARE GENERAL RULES TO GUIDE YOU IN COMPLYING WITH THE RULES AND REGULATIONS OF YOUR PAROLE OR PROBATION AGREEMENT

1. I have complied with all municipal, county, state and federal laws, ordinances, and orders and conducted myself as a good citizen.
2. I will consult my Parole and Probation Officer for verbal/written permission to:
 - a. Buy an automobile or any other motor vehicle.
 - b. Borrow money or go into debt.
 - c. Change residence, employment, and/or program.
 - d. Leave the Community or the State.
 - e. Marry.
3. Whenever problems arise or I do not understand what is expected of me, I will consult my supervising officer for assistance and will be guided by his advice.
4. I will not associate, correspond or communicate in any way with persons who are on parole or probation nor anyone who has been convicted of a crime.
5. I DO NOT possess, own, or have under my control any type of weapon.
6. I have not used, purchased, possessed, given, sold, or administered any illegal, narcotic, or dangerous drugs.

I HAVE THIS MONTH READ AND UNDERSTAND THE ABOVE, AND THE INFORMATION I HAVE SUBMITTED IN THIS REPORT IS TRUE TO THE BEST OF MY KNOWLEDGE AND BELIEF.

.....
Signature

.....
Date

Countersigned by:

.....
Sponsor/Volunteer Officer

Report approved by:

.....
Parole and Probation Officer

COMMENTS:

SECTION 33: CASE DECISIONS AND CASE MANAGEMENT DIRECTIVES

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CASE DECISIONS

The following are some of the more common decisions supervising officers make daily. The material outlined below is not intended to be all inclusive but rather acts as a general guideline providing suggestions.

Chronological Recording:

Case decisions shall be recorded in chrono entries with indication of date, time, location, nature of the contact and person(s) involved as well as including that information the officer deems pertinent. Reference Case Supervision. Case Recording in Supervision. Supervision Skills.

1. MARRIAGE:

Marriage is a decision in which the client is entitled to make his/her own decision providing the client's behavior is not illegal.

While the client shall be required to consult with his/her supervising officer prior to applying for a license to marry, the final decision rests solely with the client and intended spouse.

Emphasis should be placed upon:

1. The ability of the client and intended spouse to contract a legal marriage, and
2. The communication of the rules of parole and probation to the intended spouse with note of the limitations, restrictions and legal barriers imposed.

Exception: If the client has a history of victimizing wives and/or personal family members, the officer should require a meeting with both parties and shall require the client to advise the intended spouse of this past history.

Documentation: Documentary verification of the marriage should be seen and recorded in the chrono entries. A Permission to Marry Form should be completed with a copy to the client and a copy to the files.

2. RESTITUTION. Reference Restitution. Investigation Skills.

3. EXCUSE FROM REPORTING:

For short periods, it is within the scope of the officer's authority to excuse the client from reporting for good and sufficient reasons. The nature and detail of such action shall be documented in the chronos.

Valid reasons for granting permission to excuse clients from reporting may include, but are not limited to: Physical incapacity to travel (pregnancy, hospitalization, illness), nature of employment (trucking), etc.

In cases where a client is traveling extensively on a job, the client should submit monthly reports by mail along with paycheck stubs. Paycheck stubs may be returned to the client if requested. The officer should know the name of the company, address, phone number(s) and the name of the client's supervisor.

The officer should be aware of those cases where excuse from reporting may be indicative of other problems. The excuse may warrant investigation and subsequent follow-up. Preventative measures may enable a subject to avoid situations not conducive to positive adjustment or crime free living.

4. RESIDENCE AND EMPLOYMENT/PERMISSION TO CHANGE:

Maintaining current and accurate information regarding the residence and employment of clients proves to be a required and necessary part of the case record and supervision. Up-to-date information is needed to process decisions which are vital to the interests of the client, the community and the Department.

In accordance with the rules and regulations of parole and probation, the client is required to discuss with the officer any proposed changes in residence or employment. The client is required to obtain the officer's approval prior to changing residence or voluntarily quitting employment. The importance and significance of these regulations should be discussed with the client at the initial interview since violation may result in disciplinary action. The importance of these regulations should be impressed upon the client throughout supervision. Each case must be considered individually allowing for extenuating circumstances and flexibility.

The supervising officer shall be authorized to grant permission to a client to change residence or employment within the district. Permission to change residence or employment should not be granted or denied routinely. Since it is generally in the best interests of the client and the community for the client to maintain a stable residence and employment situation, it is the officer's responsibility to weigh the proposed

change to see:

1. If it appears that the move or new employ will improve the client's situation and ultimately affect his/her adjustment in a positive manner;
2. If it does not constitute an excessive risk;
3. If it does not contribute to violating laws or policies of the Department.

The officer should note that frequent changes in residence and employment programs may be indicative of problems requiring attention and intervention. However, the officer may incorporate changes in residence and employment with positive factors in the client's adjustment. Change in either area may constitute a reward for the client and may be structured as a goal in appropriate cases.

Economic Status:

Officers shall process an Economic Status (Form 82) update semi-annually in general caseloads. If, for example, restitution were an issue with employment change, the officer would immediately process an update in the client's financial standing.

5. RESIDENCE POLICY: PAROLEES MAKING RESIDENCE IN DISTRICT I:

In accordance with department policy, no parolee may reside in District I, unless:

- (a) It is the original area of residence at the time the parolee fell,
- (b) The parolee was convicted or committed in a District I jurisdiction.

This policy applies when one is paroled from the prison or when a parolee is transferred from another area within or out of the state.

This policy refers to any area supervised by District I staff. This policy relates to residence and not employment.

6. DISTRICT TO DISTRICT TRANSFER OF CLIENTS:

After receiving the request for transfer, the supervising officer should ascertain whether or not the move is in the best interest of the client's positive adjustment. The officer should consider the client's proposed program in terms of residence, employment

and family contacts in the requested district.

Processing Client Transfer:

In accordance with department policy, when a client indicates a desire to transfer to another district within Nevada, the sending district shall telephone the receiving district and,

1. Advise that a client wishes to transfer;
2. Ask that the receiving district investigate the proposed placement program immediately;
3. Indicate whether the receiving district is willing to accept the transfer upon program approval.

The receiving district shall effect an immediate investigation of the proposed placement plan and advise the sending district of its decision to accept or reject the transfer. It is within the jurisdiction of the jurisdiction of the receiving district to deny the transfer.

Document Preparation:

After approval has been entered by the receiving state, the officer shall process the required paperwork:

1. P&P Form 42, Progress Report: Complete with documentation in the comments section noting supervision adjustment and progress, or lack thereof;
2. Chrono Entries: Record the new home and/or work address and phone numbers where the client may be reached in the receiving district.

Detail reporting instructions as given to the client.

Case File Movement and Client Preparation:

Retain a copy of the Progress Report in the client's file and forward the original and the case file to the newly assigned district. The client shall be given specific reporting instructions to be followed upon arrival.

7. INTERSTATE TRANSFER OF CLIENTS:

In processing transfers to another state, it is necessary to comply with the spirit and letter of the Interstate Compact. It should be kept in mind that basically the Compact is designed to permit the client to return to the place where he/she originated and/or to the place where family resides.

It is the officer's responsibility to be certain the transfer program is appropriate. The officer should be aware of the client's potential to become involved in illegal activities in the requested area. It is suggested that the officer look to the real reasons behind the request for transfer. Where appropriate, explore alternatives to possible problems causing the client's request to transfer. (Reference Interstate Compact Unit. Investigation Skills).

8. VISITS:

During the period of the client's supervision, there may be times when the client will express a desire to visit friends or relatives outside the area to which the client has been released on parole or probation. Ordinarily, such visits are legitimate and desirable and constitute a positive factor in the subject's adjustment.

However, it is the responsibility of the officer to evaluate the client's request as well as to evaluate the reasons for the visit, taking into consideration the client's criminal background, stability, current adjustment and currency of restitution payments. If in the opinion of the officer, the proposed visit gives evidence of community danger, criminal involvement or problems for the client, the officer should consider these factors very carefully prior to granting permission.

If the officer, after careful consideration of the request, feels that the visit is not in the best interest of the client and the community, the officer may deny the client permission for the proposed visit. However, if the officer feels the visit does not pose any particular problem, the officer may approve the visit and chrono the specifics of the visit.

In Nevada:

The visit may be granted for a period not exceeding 30 days. Contact shall be made with the supervisor in the district to be visited. The supervisor shall be made aware of the visit and of any pertinent information.

9. VISITS - OUT OF STATE:

In compliance with Compact Rules and Regulations, travel out of state shall not exceed 30 days. As stated by the Compact, "the full 30 day visiting permit shall be used with discretion..."

The Compact further states that travel permits shall not be issued solely for the purpose of seeking employment nor shall travel permits be issued for the purpose of accepting employment unless employment has been verified through officials administering the Compact.

Advance Notification of Visit:

A number of states do require advance notification of visits by probationers or parolees. Refer to the Interstate Compact Unit section for a list of such states.

Registration of Felons:

The officer shall advise the client to check the criminal registration requirements immediately upon arrival.

Travel Permit/P&P Form 8:

A Travel Permit shall accompany all clients visiting states other than Nevada. In emergency situations, the officer may grant verbal approval for travel. This approval shall be explicitly entered in the chronos with all relevant information recorded therein.

The officer issuing the travel permit should be aware of any and all restrictions placed on the client. Travel permits should not be issued to clients who are unemployed, behind in restitution payments, suspected of active involvement in criminal activities, etc. Exceptions may be made in exceptional circumstances.

The officer issuing the permit should review the client's financial flow prior to granting approval to travel: Will the monies spent on the visit in any way interfere with the client's financial stability as in paying bills in a responsible manner, caring for family financial needs, paying restitution, etc.

Blanket Travel Permits:

Blanket travel permits may be issued for purposes of verified interstate employment, i.e., truck driving. This permit enables a client to respond to the needs of his/her employer on an on-call basis at any time and relieves the officer of the necessity of issuing new travel permits for every business venture. A Travel Permit of this type is "open ended" with the understanding that it will be used only in the course of employment and that regular supervision will be in effect during these periods when the client is in the district of supervision.

Distribution of Travel Permits:

Original: District File
Copy: Client
Copy: Appropriate state

10. PERMISSION TO LEAVE THE UNITED STATES:

Requests for such permission are unusual. When they do occur, they should be given the same careful consideration by the officer as any other travel request.

If, after considering the relevant facts, the officer feels the visit should be granted, the officer shall effect contact with the Supervisor of Interstate Compact and discuss the rules and regulations pertaining to the visit in the requested country.

Keep in mind that Canada and Mexico are not members of the Compact. Furthermore, the client should be cautioned of the possibility that a Visa or passport may not be issued and that some countries may restrict the entry and travel of individuals convicted of criminal activities.

No client convicted of using, possessing or selling narcotics shall be permitted to leave the United States without registering with the Bureau of Customs.

11. PERMISSION FOR THE CLIENT TO VISIT/CORRESPOND WITH INMATES OF THE NEVADA STATE PRISON:

If a client wishes to correspond with, or visit, an inmate in any correctional institution, prior approval and written permission must be secured from the supervising officer. A copy of the letter shall be sent to the Nevada State Prison solely for the prison's information.

The correspondence should include: identifying information of the client; offense, sentence and release date of the client; a brief statement of the purpose of the requested visit; and the name of the inmate to be visited.

The officer shall be certain the client clearly understands that approval by the officer is not approval by the institution. The officer is simply advising in writing that the Department of Parole and Probation has no objection to the visit. The client should clearly understand that the Department has no authority to approve visits for inmates in correctional institutions.

The officer should further advise the client that a general permission to visit an inmate at NSP does not release the client from the rule of obtaining permission prior to leaving the district of supervision (i.e. Although a client in the District II may have general permission to visit her husband at NSP in District IV, it is the client's responsibility to notify the supervising officer and request approval for any overnight visit outside the area of residence).

12. DISCIPLINARY ACTION OTHER THAN WARRANT ACTION:

The supervising officer is expected to take reasonable disciplinary action whenever a client's behavior continues to deteriorate despite prior efforts on the part of the officer.

The objective of such action should be: (1) To forestall a further deterioration of the client's behavior which might otherwise lead to warrant issuance and (2) To establish conditions promoting a more stable parole or probation adjustment.

Action of this nature may involve the imposition of special directives, i.e., placing the client under intensive supervision for a specified time period with the requirement of personal reports on a weekly or more frequent basis.

Action may further include, but is not limited to: Review of the client's conduct with the client with a warning that continued conduct may result in more drastic measures; a requirement of specific activities, efforts, i.e., reporting into the department officer each morning prior to work; specific instructions not to frequent certain drinking or recreational establishments; specific instructions not to associate with defined individuals or groups; etc.

If any special directives are issued to the client, it is the responsibility of the officer to see that these directives are carried out by the client. The effectiveness of these actions must constantly be re-evaluated. When these actions have served their purpose, they must be modified or eliminated.

Efforts should be made to explain to the client that disciplinary action is being taken to maximize the client's positive adjustment to supervision. The client should be made to understand the failure to adhere to disciplinary directives will be considered a serious violation of parole or probation.

Chrono Entries:

The nature and detail of the disciplinary action and interview must be recorded in the chronos. The initials of the officer and client should be secured therein.

13. EARLY DISCHARGE - DECISION TO PROCESS:

Reference Discharge from Probation and Parole. Subsection, Early Discharge, Supervision Skills.

14. LEVELS OF SUPERVISION - ADJUSTMENT OF:

NOTE: Reference, Case Supervision. Supervision Skills.

15. SUPERVISING OFFICER - REQUEST FOR CHANGE OF:

Officer and client assignment need not always prove compatible and productive. In those cases where the officer believes a reassignment would benefit and effect rehabilitation, the officer should confer with his/her immediate supervisor. A reassignment may be an appropriate move and may positively effect the client's adjustment.

CASE MANAGEMENT DIRECTIVES

1. Firearms: A directive from the Administrative Office, United States Courts and an opinion from the Nevada Attorney General regarding Title 18, United States Code, Section 1202, denies possession of firearms or ammunition to any persons who have been convicted of a felony.

2. Alien Registration: In accordance with Federal Law, it is necessary for all aliens to register with the United States Department of Justice, Immigration and Nationalization Bureau between January 1 and 10 of each year by submitting Form I-53 which may be obtained at a local U.S. Post Office.

Officers should notify clients who are aliens to comply with this requirement and should note that such notification has been given in the chronos.

3 Union Activity: Clients may join and become a member of any legitimate union organization. However, a client may not hold either an elected or an appointed office of any nature in a union organization (including that of steward), nor may a client engage in picketing, strike breaking or other organizational activities.

This policy is not an indication of Department bias but is motivated solely by the welfare of the community and the best interest of the individual client. Experience indicates that union leaders throughout the United States have been in general accord with this policy.

In the event that adherence to the foregoing policy should impose unwarranted hardship upon any client and should, in the opinion of the district supervisor, there be mitigating circumstances, the details shall be brought to the attention of the Deputy Chief who may in individual cases modify the policy.

SECTION 34: MENTAL HEALTH REFERRALS

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MENTAL HEALTH REFERRALS

Whenever it becomes apparent that a client may be in need of mental health services, an attempt should be made to refer the client to either the departmental psychologist or to a reputable mental health agency available in the community. Mental health services exist to support the officer in dealing with the client's adjustment problems.

Although the client may be reluctant to accept referrals, the officer should provide encouragement and interpret the need for the referral. It is suggested that services offered by mental health professionals be structured as part of the client's goal planning schedule with realistic goals established, i.e., attending the sessions once a week for a period of a month. In this case, the supervising officer will wish to develop and maintain contact with the client's counselor and will, in most cases, work with that individual in possibly establishing and revising goals on a continuing basis.

In some cases, attending mental health counseling is a condition set by the Sentencing Court or Parole Board; hence, the client must attend to remain under supervision by the Department, however, when a mental health agency deems attendance no longer necessary, this condition may be modified as directed in this Manual. It is helpful therefore if Court or Board orders are written in such a way that mental health counseling is ordered if "deemed appropriate" based on an intake evaluation.

Except in extreme cases, mental health referrals should not be forced on clients.

Release of Information: Secure the client's signature on a Release Form. The officer has received the client's permission to seek information from the helping agency and the helping agency in turn has visual proof of the client's permission to communicate information.

HOSPITALIZATION

(See Application for Emergency Hospitalization Attached)

Circumstances will at times arise where a defendant, probationer or parolee may present a serious mental health problem to the extent of being injurious to self and to others if permitted to remain at liberty.

If such an occurrence is encountered by an officer during pre-sentence investigation work, the officer may request that the court hospitalize the defendant.

In cases involving an individual on probation or parole, the officer, believing the individual to be likely to injure self or other if not immediately hospitalized, may process application for emergency hospitalization.

NRS Chapter 433A: Care and Treatment of Mentally Ill Persons.

Admission to Mental Health Facilities: Generally:

433A.160 Emergency Admissions: Procedures.

1. Application for an emergency admission of an allegedly mentally ill person for evaluation and observation may be made by a duly accredited agent of the department, an officer authorized to make arrests in the State of Nevada or a physician, psychologist, social worker or public health nurse. The agent, officer, physician, psychologist, social worker or public health nurse may take an allegedly mentally ill person into custody without a warrant for the purpose of making an application for emergency admission for evaluation, observation and treatment under NRS 433A.150 and may transport the person or arrange the transportation for him with a local law enforcement agency to a public or private mental health facility for the purpose of making such application.

2. The application shall reveal the circumstances under which the person was taken into custody and the reasons therefor.

3. For the purposes of subsection 1, "duly accredited agent of the department" means any person appointed or designated by the director of the department to take into custody and transport to a mental health facility pursuant to subsections 1 and 2 those persons in need of emergency admission.

4. Any person who has reason to believe that another person is mentally ill and because of such illness is likely to harm himself or others if he is not immediately detained or that such person is gravely disabled by mental illness, may apply to district attorney of the county where the allegedly mentally ill person is found, and the district attorney may, if satisfied that the person is likely to harm himself or others or is gravely disabled as defined in subsection 2 of NRS 433.194:

(a) Issue an order to any peace officer for the immediate apprehension of such person and his transportation to a public or private mental health facility; and

(b) Make application for the admission of such person under the emergency admission provisions of NRS 433A.150.

(Added to NRS by 1975, 1603)

Involuntary Court-Ordered Admission:

433A.200 Petition for court-ordered admission: Filing; contents.

Proceedings for an involuntary court-ordered admission of any person in the State of Nevada may be commenced by the filing of a petition with the clerk of the district court of any county where the person who is to be treated resides. The petition

may be filed by the spouse, parent, adult children or legal guardian of the person to be treated or by any physician, psychologist, social worker or public health nurse, by a duly accredited agent of the department or by any officer authorized to make arrests in the State of Nevada. Such petition shall be accompanied:

1. By a certificate of a physician or certified psychologist stating that he has examined the person alleged to be mentally ill and has concluded that as a result of mental illness the person is likely to harm himself or others or that he is gravely disabled, as provided in subsection 2 of NRS 433.194; or

2. By a sworn written statement by the petitioner that:

(a) The petitioner has probable cause to believe that such person is mentally ill and, because of such illness is likely to harm himself or others, or is gravely disabled, as defined in subsection 2 NRS 433.194; and

(b) That such person has refused to submit to examination or treatment by a physician, psychiatrist or certified psychologist.

(Added to NRS by 1975, 1604)

(Date)

APPLICATION FOR EMERGENCY HOSPITALIZATION
BY OFFICER AUTHORIZED TO MAKE ARRESTS

TO: Administrator _____ Hospital

I, _____, an officer
(Print or Type Name of Applicant)

authorized to make arrests in the State of Nevada, having reason
to believe that

(Name) (Age)

(Address)

is mentally ill and, because of such illness, is likely to in-
jure himself-herself or others if not immediately detained,
hereby make application, under the provisions of Section 14 of
the Nevada Hospitalization of the Mentally Ill Law (NRS Chapter
433 as amended July 1, 1967), for the admission to the above-
named hospital of the above-named patient for emergency obser-
vation and diagnosis, and request that said patient be examined
by a Psychiatrist on duty at said hospital.

The circumstances under which said patient was taken into
custody and the reasons therefor are as follows:

(Signature and Rank of Applicant)

(Precinct or Service)

SPOUSE, PARENT, NEAREST RELATIVE
OR LEGAL GUARDIAN OF PATIENT

Name	Address	Relationship
_____	_____	_____
_____	_____	_____

SECTION 35: DISCHARGE FROM PROBATION AND PAROLE

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DISCHARGE FROM PROBATION

The probationer shall be discharged from probation and no longer held responsible for the conditions of probation with guidelines established by Nevada Revised Statutes 176.225, and 176.245.

HONORABLE DISCHARGE

In compliance with NRS 176.225, an Honorable Discharge shall be granted to:

1. Every defendant who:
 - a. Has fulfilled the conditions of his probation for the entire period thereof; or
 - b. Is recommended for earlier discharge by the Chief Parole and Probation Officer; or
 - c. Has demonstrated his/her fitness for Honorable Discharge, but, because of economic hardship, verified by a Parole and Probation Officer, has been unable to make restitution as ordered by the Court, may, at any time thereafter, be permitted by the Court to withdraw his/her plea of guilty or nolo contendere, and enter a plea of not guilty; the Court may set aside the verdict of guilty, and, in either case, the Court shall, thereupon, dismiss the indictment or information against such defendant, who shall, thereafter, be released from all penalties and disabilities resulting from the offense or crime of which he has been convicted.
2. The probationer shall be informed of this privilege in his probation papers.
3. The probationer may make such application and change of plea in person, or by attorney authorized in writing, or by a Parole and Probation Officer authorized in writing but any subsequent prosecution of the defendant for any other offense, such prior conviction may be pleaded and proved, and shall have the same effect as if probation had not been granted or the indictment or information had not been dismissed.
4. The Clerk of the Court shall notify every person who, and every agency which, to his knowledge of the conviction that the probationer has been honorably discharged and is released as provided in subsection 1.

5. Any amount of restitution remaining unpaid constitutes a civil liability arising upon the date of discharge.

Order Honorably Discharging Probationer, Form 10:

The Order states:

It is therefore ordered that the previous finding of Guilty be changed to that of Not Guilty and the information herein be dismissed.

It is further ordered that said Defendant be, and is hereby discharged from supervision and release from all penalties and disabilities resulting from the crime of which he has been convicted.

GENERAL DISCHARGE

In compliance with NRS 176.235, a General Discharge shall be given to:

1. Every defendant whose term of probation has expired and:
 - a. Who has failed to make restitution in full as ordered by the court, without a verified showing of economic hardship; or
 - b. Who has otherwise failed to qualify for an honorable discharge as provided in NRS 176.225 but is not subject to dishonorable discharge under NRS 176.245; or
 - c. Whose whereabouts are unknown but who is not known to have committed any violation of law during his term of probation.
2. Such General Discharge releases the probationer from any further obligation except a civil liability arising on the date of discharge for any unpaid restitution, but does not entitle the probationer to any privilege conferred by NRS 176.225.
3. In any case where a convicted person has received a General Discharge from probation and has not been convicted of any offense greater than a traffic violation within ten years of such discharge, such person may apply to the Department of Parole and Probation requesting that the General Discharge be changed to an Honorable Discharge. If, after investigation, the Department determines that the applicant meets the requirements of the subsection, it shall petition the sentencing Court to change the General Discharge to an Honorable Discharge. If the department refuses to submit such petition, the applicant may, after

notice to the department, petition the sentencing court directly for an Honorable Discharge pursuant to the provisions of NRS 176.225.

Order for General Discharge of Probationer, Form 10A:

The Order states:

It is therefore ordered that said Probationer be, and is hereby given a general discharge without any of the benefits provided in NRS 176.225 and released from further supervision and from any obligation respecting the conditions of said probationer heretofore imposed by this Court in accordance with the statute in such cases made and provided.

In some districts, judges refuse to sign General Discharges where a fine or restitution has not been paid and subsequently request and execute a Dishonorable Discharge. However, it is the responsibility of the supervising officer to make the recommendation in accordance with the Statute as previously set forth.

DISHONORABLE DISCHARGE

In compliance with NRS 176.245, a Dishonorable Discharge shall be given to:

Every defendant:

1. Whose probation has been revoked; or
2. Whose term of probation has expired, whose whereabouts are unknown, and for whose arrest a warrant has been issued.

Order Dishonorably Discharging Probationer, Form 10B:

The Order states:

It is therefore ordered that said Probationer be, and is hereby dishonorably discharged from supervision and from any obligation respecting the conditions of said probation. Having failed to comply with the conditions of said Probation previously imposed by this Court, a Dishonorable Discharge is granted without restoration of civil rights as is provided in NRS 176.225.

Deferred Judgment: In cases where judgment has been deferred, there is no provision for General or Dishonorable Discharge from probation.

OFFICER RESPONSIBILITY: PROCESSING PROBATION DISCHARGES

1. Probation discharges are processed at the district level. Early discharges are processed at Central Office.
2. In preparing a case for discharge, the supervising officer shall complete Progress Report Form #42. In the Recommendation Section, the officer shall determine:

--If an early discharge date is appropriate and in compliance with the department's provisions recorded herein;

--the type of discharge to be recommended.

The officer shall support the Recommendation in the Comments Section and shall include:

--justification for the early termination and honorable discharge (where applicable);

--a Summary of Supervision in lieu of the discharge recommendation: Address progress, adjustment, (or lack of adjustment) and concurrent or consecutive probations or paroles (where applicable). Include a final evaluation of the subject.

--Compact cases submit Form 10, Cooperative Case Report, 60 days prior to discharge date.

3. Submit for Approval:

The Progress Report shall be submitted for supervisory approval at least 30 calendar days prior to discharge date.

Approval is generally required from two supervisory staff. Care must be exercised in recommending the appropriate discharge. Each district designates a method for tracking cases and notifying supervisory officers of pending discharge dates.

4. After Supervisory Approval:

The Petition Section of the Discharge Request shall be completed by district support staff.

5. Present to Court:

The Petition shall be presented to the sentencing court for review, approval and signature. Upon approval, the court clerk shall file one copy.

6. Distribution:

The remaining three copies shall be distributed to the probationer, district files and Central Office files.

EARLY DISCHARGE FROM PROBATION: DEPARTMENT POLICY

Early discharges shall be granted in those cases where special conditions have been met and the individual circumstances of the case so warrant the special consideration.

Determinate Period of Probation:

In cases where a determinate period of probation has been ordered, the general guideline shall state that early discharges shall be considered after the subject has completed $\frac{1}{2}$ of the specified period ordered. This period shall be determined from the date of sentence to the date of expiration.

However, should the court order the probationer to spend a period of time in jail as a condition of probation, this condition must be taken into consideration when recommending an early release. If, for example, the court has ordered a 4 year probationary period with a special condition that the probationer spend the first nine months of the probation in jail, that period of incarceration should not be counted as time on probation for consideration of early discharge. Only the actual time in the community shall apply to the computation.

Early Discharge Prior to Completion of $\frac{1}{2}$ of the Specified Period:

Early discharges shall be considered prior to the subject having served $\frac{1}{2}$ of the period, if significant extenuating circumstances exist which would warrant such action. Such significant factors shall be set forth in the final evaluation presented for approval.

Determinate Period of Probation Granted on a Deferred Judgment Case:

In cases where a determinate period of probation has been granted on a deferred judgment case, it is the general guideline that an early discharge shall be requested after the subject has completed $\frac{1}{2}$ of the specified term. Special conditions must be met and the individual circumstances of the case must so warrant the action. Such individual circumstances shall be set forth in the final evaluation presented for approval.

Indeterminate Period of Probation:

In cases where a standard probation has been granted for an indeterminate period, the general guideline that early discharges shall be considered after the subject has completed $\frac{1}{2}$ of the specified period need not be followed. For example, if the order is for probation of an indeterminate period not to exceed 5 years, the officer need not wait two and one-half years before applying for discharge. No specific time shall be designated. The

officer shall apply good judgment in determining discharge application. In the final evaluation, the officer shall state that the probationer has benefited optimally from supervision and that further intervention by the Department is not warranted.

The officer shall not request an early discharge. Such action is not considered to be an early discharge but is simply a discharge.

The officer shall submit the final evaluation at such time as the officer ascertains this to be an appropriate course of action.

Indeterminate Period of Probation Granted on Deferred Judgment Cases:

In cases where an indeterminate period of probation has been granted on a deferred judgment case, a discharge may be requested at any time after the date of the grant of probation, should individual circumstances so warrant.

The final evaluation should state that the probationer has benefitted optimally from supervision and that further intervention by the department is no longer warranted.

OFFICER RESPONSIBILITY: PROCESSING THE EARLY DISCHARGE, (PROBATION)

(See General Instructions for Form 42 completion under Processing Probation Discharges)

1. Complete Progress Report, P&P Form 42:

The Progress Report shall be completed with the officer substantiating the recommendation for early discharge in the Comments Section. The Report shall present an overall picture of the individual's eligibility for early discharge as a result of commendable performance.

An officer submitting a recommendation for early discharge shall take into account the offense for which the subject is on probation as well as considering the subject's criminal history.

The persons on probation for serious offenses, i.e., sophisticated involvement in narcotics traffic, serious crimes of violence, etc., and those persons considered to be sophisticated or professional criminals shall not generally be recommended for early discharge consideration. (District attorney may request input).

2. Review by District Supervisor:

The District/Unit Supervisor shall review the request and shall

forward the report to Central Office for further review and approval by the Deputy Chief.

3. Approval From Deputy Chief:

The Deputy Chief shall enter approval where appropriate and shall request support staff to complete the Petition as outlined on P&P Form 10: Order Honorably Discharging Probationer. The Report and Order shall be returned to the District; copy to Central files.

4. Approval by the Sentencing Court:

It is the responsibility of the district staff to deliver the Petition for early discharge to the court. If approval is granted, the Petition shall be signed and returned to the district. Distribution of the Order -- to the clerk of the court, Central Office files, district files and to the probationer.

REQUESTS FOR EARLY DISCHARGES, (PROBATION):

NEVADA CASES UNDER SUPERVISION IN OTHER STATES

Requests from other states for early discharges must be reviewed by the Interstate Supervisor, Central Office. A Progress Report, generally meeting the criteria outlined for early discharge processing herein, shall accompany the request. Upon receiving the request and report, the Interstate Compact Supervisor shall, after review and approval, submit the request to the appropriate district for processing.

REQUESTS FOR EARLY DISCHARGES, (PROBATION):

OUT-OF-STATE CASES UNDER SUPERVISION IN NEVADA

The supervising officer shall complete Form 10, Cooperative Case Report, and shall submit the request to the Interstate Compact Supervisor in Central Office. After review and approval, the Supervisor shall process the information to the sending state.

Document Distribution:

File on copy on the district level; forward three to Central Office. At Central one shall be filed and the remaining two shall be forwarded to the sending state.

DISCHARGE FROM PAROLE

The Department sets forth the following guidelines for the issuance of honorable, general and dishonorable discharges

from parole. Discharges shall be issued from Central Office.

HONORABLE DISCHARGE: PAROLE

Honorable Discharges shall be issued to:

1. Those who have performed satisfactorily on parole and whose history on parole supervision does not include any of the factors cited under General or Dishonorable Discharges.
2. Those who have completed paroles in custody, such as paroles to holds and consecutive paroles. No restoration of civil rights shall be granted until such time as a subsequent parole in the community has been satisfactorily completed.

GENERAL DISCHARGE: PAROLE

General Discharges shall be issued to:

1. Those whose whereabouts are unknown at the time of expiration of parole, but for whom no warrant has been issued.
2. Those who have suffered misdemeanor convictions subsequent to having been granted parole (except for minor traffic offenses or for ex-felon failure to register).
3. Those who have misdemeanor or felony charges pending at the time of expiration of parole. Should the charges be later dismissed, or the parolee found not guilty, such party may then apply for favorable consideration for an Honorable Discharge.
4. Those who have parole violation charges pending at the time of expiration and who have had an approved violation report on file, a Preliminary Inquiry Hearing waived, or probable cause found at a Preliminary Inquiry Hearing in that violation case.

DISHONORABLE DISCHARGE: PAROLE

Dishonorable Discharges shall be issued to:

1. Those for whom a parole violation warrant is outstanding at the time of expiration of parole, and whose whereabouts are unknown, due to having absconded supervision.
2. Those who have suffered a felony conviction subsequent to the date parole was granted.

3. Those who have in their history any combination of any two or more factors or incidents cited in the General Discharge section.

NO DISCHARGE ISSUED

Discharges shall not be issued to parolees who have had their parole revoked and are returned to prison or to parolees who are deceased.

CRIMINAL REGISTRATION AS REQUIRED BY NRS 207.090 AND 207.152

1. As stated on P&P Form 28, Final Discharge from Parole:

Be it further known that registration, as a convicted person pursuant to NRS 207.090 and 207.152 is no longer or still required. Any registration requirements from convictions other than the ones listed above are still in force and effect.

The Statutes cited during final discharge proceedings relate to the criminal registration requirements for the conviction(s) of concern as stated on the final discharge form. The final discharge document does not address criminal registration requirements for any other convictions of record.

2. NRS 207.090:1 states:

It is unlawful for any convicted person to be or remain in the State of Nevada for a period of more than 48 hours without, during such 48 hour period, registering with the sheriff...

4. NRS 207.152:

NRS 207.152 specifically address the registration requirements for sex offenders. "Sex offender" is defined in NRS 207.151. NRS 207.156 addresses relief of registration.

Penalty for Failure to Register: In accordance with NRS 207.150 and NRS 207.157, failure to register is a misdemeanor.

5. Relief of Registration Requirements: Board of Parole Commissioners:

In accordance with NRS 207.090:5:

When so ordered in the individual case by the district court in which the conviction was obtained, by the state board of parole commissioners or by the state board of

pardons commissioners, whichever is appropriate, the provisions of this section do not apply to a convicted person who has had his civil rights restored.

A restoration of civil rights in those cases involving sex offenses shall not absolve convicted persons from the requirements of registration. Relief may be sought as outlined in NRS 207.156.

6. Guidelines:

Registration Requirements to Appear on Final Discharge From Parole:

- (a) Offenders other than sex offenders do not have to register if granted an Honorable Discharge with Restoration of Civil Rights.
- (b) Offenders other than sex offenders do have to register if granted an Honorable Discharge, General Discharge or Dishonorable Discharge without Restoration of Civil Rights.
- (c) Per NRS 207.152, sex offenders must register regardless of Restoration of Civil Rights.

RESTORATION OF CIVIL RIGHTS: PAROLE

NRS 213.155:1 state, Board of Parole Commissioners has the authority to restore civil rights upon expiration of parole.

Policy of the Board in Determining Restoration of Civil Rights:

Steps 1 through 3 address the policy the Board shall employ in determining Restoration of Civil Rights (exceptions may exist under unusual circumstances):

1. Restoration shall be granted in cases where an Honorable Discharge from parole has been issued if the subject has been without substantial violation during the term of parole.

Substantial Violation: Shall Include:

- a. Verified use of controlled substances in violation of parole;
- b. Any criminal conviction other than minor traffic violations;
- c. Any violation of parole for which the subject has been found guilty by the Parole Board.

2. No person shall be granted a restoration of civil rights who has felony criminal charges pending at the time of discharge.

3. Criteria in Cases Where Parole is Less Than One Year:

The Board of Parole Commissioners recognized restoration as a privilege earned not as something uniformly doled out to all individuals discharged from parole. Hence, any person whose term of parole is shorter than one year and who otherwise meets the criteria for restoration, shall not receive a restoration.

Exception: If the individual's behavior during the parole term was commendable and exemplary, and such individual was recommended for restoration by the Department of Parole and Probation, such individual shall generally receive Restoration of Civil Rights.

P&P FORM 16, RESTORATION OF CIVIL RIGHTS

The restoration of Civil Rights shall serve as an Order removing all civil disabilities resulting by law of the State of Nevada from the subject's conviction of a felony. Rights restored include, but are not limited to, the right to vote, the right to hold public office, and the right to be licensed in some of the state controlled and licensed professions.

The Restoration references only the specific offense for which parole was served. Each conviction must be considered upon its own merits for restoration.

Firearms: Persons discharged should be advised that the Restoration of Civil Rights does not exonerate any person convicted of a felony from owning or possessing or having under his control any firearms and/or ammunition.

RESTORATION OF CIVIL RIGHTS: AFTER PAROLE DISCHARGE

In accordance with NRS 213.155:2,

In any case where a convicted person has completed his/her parole without immediate restoration of his civil rights and has not been convicted of any offense greater than a traffic violation within five years after completion of parole, he/she may apply to the state board of parole commissioners for restoration of his civil rights and release from penalties and disabilities which resulted from the offense or crime of which he was convicted. If after investigation, the board determines that the applicant meets the requirements of this subsection, it shall

restore him/her to his/her civil rights and release him/her from all penalties, and disabilities from the offense or crime of which he/she was convicted...

OFFICER RESPONSIBILITY: PROCESSING PAROLE DISCHARGES

1. Parole Discharges shall be issued from Central Office.
2. Complete P&P Form 42, Progress Report. Complete the Progress Report in accordance with instructions cited under, "Officer Responsibility; Processing Probation Discharges."
3. After supervisory review on the district level, the Report shall be forwarded to Central Office for review and approval by the Deputy Chief.
4. Distribution: Copy to Central, Warden and applicant.

EARLY DISCHARGE FROM PAROLE

In accordance with NRS 176.033:3:

At any time after a parolee has served $\frac{1}{2}$ of the period of his/her parole, the State Board of Parole Commissioners, upon the recommendation of the Department of Parole and Probation may petition the Court of original jurisdiction requesting a modification of sentence. The Board shall give notice of the petition and hearing thereon to the attorney general or district attorney... Upon hearing the recommendation... and good cause appearing, the Court may modify the parolee's original sentence by reducing the term of imprisonment but in no event shall the term be made less than any minimum term prescribed by the applicable penal statute.

Qualifying Time:

Only actual time spent in the community shall be recognized as qualifying time. Time spent in any type of incarceration shall not be considered. If, for example, the original parole was a four year term to a hold and the subject had spent 1 year in custody as a result of that hold, that year would not be considered as legitimate parole time for purposes of consideration for an early discharge.

OFFICER RESPONSIBILITY: PROCESSING EARLY DISCHARGES FROM PAROLE

(See General Instructions for Form 42 completion under Processing Probation Discharges).

1. Complete P&P Form 42, Progress Report.
2. Recommendation Section: An officer entering a recommendation for early discharge should take into account the offense for which the subject is on parole and the subject's criminal history. Exemplary behavior while on parole shall not necessarily be the only criteria for early release. The seriousness of the offense shall be considered as well as the overall prior record.

Recommendations for early discharge shall not usually be entertained for professional criminals, persons involved in large narcotics transactions, etc.

3. After supervisory review on the district level, the Report shall be forwarded to Central Office for review and approval by the Deputy Chief.

The request shall be presented to the Board of Parole Commissioners. If approved by the Board, the request shall be presented to the court of original jurisdiction for final approval.

The district attorney in the district of original jurisdiction shall be notified and may contest the application.

The supervising officer entering the request and recommendation should be fully prepared to argue the case in court if necessary.

EARLY DISCHARGE, PAROLE: INTERSTATE COMPACT

The Supervisor of Interstate Compact in Central Office shall be contacted to assist the officer in facilitating early discharge recommendations for out-of-state parolees.

The supervising officer shall submit the Cooperative Case Report, P&P Form 10, along with the request for early discharge forwarded to the sending state and one shall be filed in Central Office.

Case No.

Petition and Order for Honorable Discharge from Probation:

IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA,

IN AND FOR THE COUNTY OF WASHOE

* * *

THE STATE OF NEVADA,

Plaintiff

vs.

JAMES HIE

Defendant

PETITION

To the Honorable Judge ALBERT STEIN, of the SECOND Judicial District Court of the State of Nevada, in and for the County of WASHOE, the Undersigned Chief Probation Officer for the State of Nevada now reports as follows concerning the above Defendant: Said Defendant was placed on probation by order of this Court for a term of 5 YEARS, said Order being dated the 18th day of MARCH, 1975. Said Probationer has satisfactorily completed all of the conditions of probation, while under supervision in the State of NEVADA.

THEREFORE, the undersigned recommends that said Probationer be discharged from further supervision.

Dated this 25th day of MARCH, 1980.

[Signature]
Probation Officer

* * * * *

ORDER (HONORABLY) DISCHARGING PROBATIONER

In this cause it appearing that the above-named Defendant was heretofore placed on probation in charge of the Chief Probation Officer of the State of Nevada, and it further appearing from the petition of said Probation Officer that the period of such probation expired on APRIL 18, 1980.

IT IS THEREFORE ORDERED that the previous finding of Guilty be changed to that of Not Guilty, and the Information herein dismissed.

IT IS FURTHER ORDERED that said Defendant be, and is hereby discharged from supervision and released from all penalties and disabilities resulting from the crime of which he has been convicted.

[Signature]
District Judge

Dated this 1st day of May, 1980.

Case No. C79-00
Petition and Order for General Discharge from Probation:

IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF WASHOE

* * *

THE STATE OF NEVADA, Plaintiff
vs.
W. A. DUNN Defendant

PETITION

To the Honorable Judge J. R. STEWART, of the SECOND
Judicial District Court of the State of Nevada, in and for the County of WASHOE,
the Undersigned Chief Probation Officer for the State of Nevada now reports as follows concerning the above Defendant:
Said Defendant was placed on probation by order of this Court for a term of 1 YEAR, said Order being
dated the 16th day of APRIL, 19 79. Said Probationer has generally completed all of the
conditions of probation, while under supervision in the State of NEVADA.

THEREFORE, the undersigned recommends that said Probationer be discharged from further supervision. However,
such discharge will provide for none of the benefits provided for in NRS 176.225.

Dated this 25th day of APRIL, 19 80

J. M. Chief
Chief Probation Officer

* * * * *

ORDER FOR GENERAL DISCHARGE OF PROBATIONER

In this cause it appearing that the above-named Defendant was heretofore placed on probation in charge of the Chief Probation Officer of the State of Nevada, and it further appearing from the petition of said Probation Officer that the period of such probation expired on MARCH 16, 19 80.

IT IS THEREFORE ORDERED that said Probationer be, and is hereby given a general discharge without any of the benefits provided in NRS 176.225 and released from further supervision and from any obligation respecting the conditions of said probation heretofore imposed by this Court in accordance with the statute in such cases made and provided.

J. R. Stewart
J. R. STEWART District Judge

Dated this 1st day of May, 19 80

Case No. 000000
Petition and Order for Dishonorable Discharge from Probation:

IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF WASHOE

* * *

THE STATE OF NEVADA, Plaintiff
vs.
A. HART Defendant

PETITION

To the Honorable Judge W. W. BARNES, of the SECOND
Judicial District Court of the State of Nevada, in and for the County of WASHOE,
the Undersigned Chief Probation Officer for the State of Nevada now reports as follows concerning the above Defendant:
Said Defendant was placed on probation by order of this Court for a term of 3 YEARS, said Order being
dated the 30th day of JUNE, 19 77. Said Probationer has failed to comply with all of the
conditions of probation, while under supervision in the State of NEVADA.

THEREFORE, the undersigned recommends that said Probationer be Dishonorably discharged and released from further supervision.

Dated this 27th day of JUNE, 19 80

Chief Probation Officer

* * * * *

ORDER DISHONORABLY DISCHARGING PROBATIONER

In this cause it appearing that the above-named Defendant was heretofore placed on probation in charge of the Chief Probation Officer of the State of Nevada, and it further appearing from the petition of said Probation Officer that the period of such probation expired on June 30th, 1980.

IT IS THEREFORE ORDERED that said Probationer be, and is hereby dishonorably discharged from supervision and from any obligation respecting the conditions of said probation. Having failed to comply with conditions of said Probation previously imposed by this Court, a Dishonorable Discharge is granted without restoration of civil rights as is provided in NRS 176.225.

W. W. BARNES

District Judge

Dated this 20th day of July, 19 80

DEPARTMENT OF PAROLE AND PROBATION
PROGRESS REPORT FOR PERIOD ENDING March 1980

DISTRICT NO. II

FILE NO. N78-000

NAME Hip, James

ADDRESS 800 Acre Lane, Reno

CUSTODY STATUS: Parole from 4-18-75 to 4-18-80
Probation X from 4-18-75 to 4-18-80

SUPERVISION: N. X Mn. Mx

SUPERVISION RESPONSE: Adheres closely
 Acceptable standard
 Needs close supervision
 Fails to comply

RESIDENCE: Lives with: Self Spouse Parents Other
MARITAL STATUS: Single Married Separated Divorced
DWELLING: Buy Rent X
 Room Apartment House Mobile home

EMPLOYMENT: Employer Go For It Art Mart

Address 980 1st Street, Sparks, NV -- Phone: 972-0000

Type of work Artist Hours 40 p/w Wages \$800 p/m

Adjustment: X Doing well X Dependable Improving
Maintaining Regressing Unemployed

Income: X Adequate Poor Spouse working

ARRESTS: Date NONE Offense
Agency Police report attached
Violation report made
Disposition

Restitution and/or fine: Not ordered X Balance
Regular payments Irregular payment No payment

RECOMMENDATION: Continue supervision
Early termination date
Type discharge: Hon. X D.H. Gen.

COMMENTS:

On April 18, 1975, Mr. James Hip was granted the privilege of probation. Since this time he has resided at two different addresses, the latest, being 800 Acre Lane, Reno. Mr. Hip has been employed with 3 different employers. He has upgraded his salary and career learning potential at each job.

Mr. Hip is currently employed by Go For It Art Mart where he works as a Head Layout Artist.

Since Mr. Hip has successfully met his probation agreement and all rules therein, it is recommended that he be honorably discharged.

Upon checking with DMV and SCOPE/NCIC, the subject has had no negative contact with local law enforcement agencies.

Officer: Reviewed: Approved:

A. A. CAMPOS, Chief 7324

ORIGINAL to Applicant
DUPLICATE to Parole Department
TRIPLICATE to Warden

NSP No. 00000

STATE OF NEVADA
BOARD OF PAROLE COMMISSIONERS

FINAL DISCHARGE FROM PAROLE

TO ALL TO WHOM THESE PRESENTS COME . . . GREETINGS:

The Nevada Board of Parole Commissioners by virtue of the authority vested in it by law, does hereby discharge from parole and further liability under his/hax sentence.

Rhya, Barry
who was on the 19th day of January, 1977,
convicted of the crime of Sale of Controlled Substance/cc/Possession Stolen Property
/cc/Use of a Controlled Substance

in the District Court of the State of Nevada in and for the County of Washoe
and as legal punishment therefore was then in and by said court sentenced to imprisonment in the Nevada State Prison for the term of 4 yrs./cc/2 yrs./cc/2 yrs. and on the 6th day of January, 1978, was paroled, from the said Nevada State Prison upon an order of the Board of Parole Commissioners for a term of Expiration of Sentence 6-27-80

Be it further known that registration, as a convicted person pursuant to NRS 207.090, for the conviction hereby receiving final discharge of parole from, is No Longer required. Any registration requirements from convictions other than the one(s) listed above are still in force and effect.

Dated at Carson City, Nevada, this 28th day of July, 1980

NEVADA BOARD OF PAROLE COMMISSIONERS

By: [Signature]
Department of Parole and Probation

STATE OF NEVADA
BOARD OF PAROLE COMMISSIONERS

FINAL DISCHARGE FROM PAROLE

GENERAL

TO ALL TO WHOM THESE PRESENTS COME . . . GREETINGS:

The Nevada Board of Parole Commissioners by virtue of the authority vested in it by law, does hereby discharge from parole and further liability under his/~~her~~ sentence.....

Carlson, Steve

who was on the 14th day of January, 1976, convicted of the crime of Uttering a Forged Instrument

in the District Court of the State of Nevada in and for the County of Washoe

and as legal punishment therefore was then in and by said court sentenced to imprisonment in the Nevada State Prison for the term of Five (5) Years and on the 23rd day of December, 1976, was paroled, from the said Nevada State Prison upon an order of

the Board of Parole Commissioners for a term of Expiration of Sentence 627-80.

Be it further known that registration, as a convicted person pursuant to NRS 207.090, for the conviction hereby receiving final discharge of parole from, is Still required. Any registration requirements from convictions other than the one(s) listed above are still in force and effect.

Dated at Carson City, Nevada, this 24th day of July, 1980

NEVADA BOARD OF PAROLE COMMISSIONERS

By *[Signature]*
Department of Parole and Probation

STATE OF NEVADA
BOARD OF PAROLE COMMISSIONERS

FINAL DISCHARGE FROM PAROLE

DISHONORABLE

TO ALL TO WHOM THESE PRESENTS COME . . . GREETINGS:

The Nevada Board of Parole Commissioners by virtue of the authority vested in it by law, does hereby discharge from parole and further liability under his/~~her~~ sentence.....

Doyle, David

who was on the 6th day of December, 1976, convicted of the crime of Batt. W/Intent To Commit Robbery

in the District Court of the State of Nevada in and for the County of Carson City

and as legal punishment therefore was then in and by said court sentenced to imprisonment in the Nevada State Prison for the term of Four (4) Years and on the 8th day of February, 1978, was paroled, from the said Nevada State Prison upon an order of

the Board of Parole Commissioners for a term of Expiration of Sentence 11-16-80

Be it further known that registration, as a convicted person pursuant to NRS 207.090, for the conviction hereby receiving final discharge of parole from, is Still required. Any registration requirements from convictions other than the one(s) listed above are still in force and effect.

Dated at Carson City, Nevada, this 28th day of July, 1980

NEVADA BOARD OF PAROLE COMMISSIONERS

By *[Signature]*
Department of Parole and Probation

STATE OF NEVADA
BOARD OF PAROLE COMMISSIONERS

RESTORATION OF CIVIL RIGHTS

WHEREAS, John Doe was on
September 26, 1976, convicted of the crime of Possession of a Controlled
Substance

in the District Court of the State of Nevada in and for the County of Clark
and as legal punishment therefore was duly and regularly sentenced to imprisonment in the Nevada
State Prison, and on June 26, 1982, by action of this Board was discharged from
further service of sentence upon determination of this Board that all penal obligation to the State by
virtue of the crime committed had been fully met.

This Restoration of Citizenship shall not be construed as a Pardon or as a remission of guilt or
forgiveness of the Offense, and shall not operate as a bar to greater penalties for second offenses
or subsequent convictions or conviction as a habitual criminal.

WHEREAS, said John Doe
has now applied to this Board for an order removing all civil disabilities resulting by the law of this
State from his conviction of felony; and it appears to the satisfaction of the Board that his conduct
since service of sentence warrants such action.

NOW, THEREFORE, IT IS ORDERED, that all civil disabilities resulting by the law of the
State of Nevada from said conviction of felony be and hereby are removed.

NEVADA BOARD OF PAROLE COMMISSIONERS

By [Signature]
Deputy Chief

Dated June 27, 1982
P&P 16

SECTION 36: VOLUNTEERS IN PAROLE AND PROBATION

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OPERATIONS

The Program and Training Manager in Central Office shall manage the VIP Program under the direct supervision of the Chief and Deputy Chief Parole and Probation Officers. On the district level, each District Supervisor shall select a VIP coordinator to manage the Program. The coordinator shall communicate directly with the Program and Training Manager on all VIP matters. Communications shall be routed via the District or Unit Supervisor enabling the supervisor to remain advised of local VIP matters and affording the supervisor the opportunity for input.

The VIP Manual, outlining the Program's structure, and the Volunteer Orientation Materials, providing an introductory guide to Parole and Probation, are available for study and review upon request from the district coordinator.

MANAGEMENT

Management of the VIP Program shall be very much like management of parole and probation officers insofar as employing job descriptions, work performance standards, employee evaluations, and training.

Essentially, the Program shall be perceived as a professional unit and those participating in the program shall be expected to accept "professional responsibility" as members. Volunteers shall be expected to comply within reason with Program standards and those choosing not to be committed shall be asked to resign.

OBJECTIVES

1. Provide manpower assistance to the ever increasing workload within the Department.
2. Facilitate the concept of community corrections as a viable mode of rehabilitation for the offender.
3. Assist interested citizens, educational institutions, public and private organizations, and other outside entities in finding an avenue for work experiences within the parole and probation system.
4. Allow the client/offender opportunities to interact with non-authoritarian persons representing the Department who are qualified successful citizen role models.

The VIP Program shall follow the above stated goals within the

guidelines of the Department's overall goals including:

- Protection of the Community
- Service of Justice
- Address needs of client/offender

STAFFING

Positions shall be assigned in each district based on a needs assessment by the Program and Training Manager, Unit or District Supervisor and the VIP district coordinator.

Positions shall include, but are not limited to, adult volunteer probation counselor, probation officer assistant, job developer, clerical assistant, alcohol, vocational and educational counselors, preliminary hearing officer...

GENERAL VIP PROGRAM

Recruitment:

Recruitment efforts shall be mainly aimed at (1) referrals by parole and probation officers and (2) contacts made by Department and District VIP Coordinators.

The basis of recruitment shall be the evolution of a "small, active, and manageable VIP corps" in each district, for example, the corps may consist of 10 to 35 members or as little as 4 to 5 members depending on district needs.

The VIP Program shall be defined by a working philosophy of an active, manageable and productive force. VIP recruitment lists shall be maintained for limited periods of time. Individuals must be actively involved and motivated to remain part of the volunteer list.

Intake Procedures:

Initially the interested volunteer shall receive a written Program explanation along with an application form. The District Coordinator shall provide an overview and shall complete the screening process as outlined in the VIP Manual.

Orientation:

Orientation shall initially encompass: (1) issuing the VIP Manual and materials to the applicant with assignments; (2) meeting with the VIP district coordinator for discussion of the Manual and; (3) administering and processing the VIP Exam.

Upon completion and the showing of continued interest on the applicant's part, the individual shall sign the Volunteer Probation Service Application and shall receive a Department Identification Card.

Training:

The VIP shall be trained in parole and probation officer functions. The District Training Officer in cooperation with the VIP district coordinator shall assure that the VIP's are invited to all parole and probation officer training sessions. VIP's shall be treated as members of the Department, subject to all Department policies and procedures.

The VIP shall also participate in training sessions designed specifically for VIP's and shall be made aware of a limited number of mandatory training sessions.

Case Assignment:

Cases selected for VIP supervision shall be reviewed by the Unit/District Supervisor and by the VIP district coordinator. Selection of the officer to work with the VIP shall be equally as important.

The VIP Manual lists "points to consider" in selecting cases and officers for VIP supervision.

After case selection, the supervision officer shall contact the VIP and effect case assignment. At this time, the supervising officer shall review the case history, goals and planning with the VIP.

Evaluation:

Periodically, the volunteer's work performance shall be formally evaluated. Throughout the case assignment, the supervising officer shall offer the volunteer methods to improve and provide effective supervision. The district coordinator shall insure that supervising officers working with the VIP Program be supportive and helpful on an ongoing basis.

TERMINATION OF VOLUNTEER STATUS

When a VIP chooses to no longer be involved in the Program or

is deleted from the VIP roles by the VIP Coordinator, it is necessary that Identification Cards and all other Departmental equipment and materials be retrieved by the VIP Coordinator.

FORMS PROCESSING

The VIP Coordinator shall make use of forms as cited in the VIP Manual. Examples and instructions are referenced therein.

END