



**Parole and Probation
DIVISION DIRECTIVE MANUAL**

AG REVIEW BY:	ORIGINATION DATE: 07/28/1998	APPROVED BY: BERNARD W. CURTIS, CHIEF <i>(Original signature on file)</i>
REFERENCES: NRS 176.0931, NRS 213.1243, NAC 213.290	DATE EFFECTIVE: 06/02/2010	SUBJECT: Lifetime Supervision
PROCESSED BY: Nancy Tiffany	REVISION DATE: 05/31/06, 01/22/08, 05/15/08	DIRECTIVE NUMBER: 6.3.131

A. **PURPOSE:**

To set forth guidelines for the Lifetime Supervision of offenders convicted of crimes pursuant to NRS 176.0931.

B. **POLICY:**

It will be the policy of this Division to supervise offenders ordered by a sentencing Court to Lifetime Supervision in accordance with the requirements of NRS 176.0931 and 213.1243 and NAC 213.290.

C. **PROCEDURE:**

1. Notice of Commencement of Lifetime Supervision and Assignment of Conditions

a. At least 90 days before the first day of the month in which a Lifetime Supervision offender is scheduled to complete a term of parole or probation, the Division of Parole and Probation will provide written notification to the Board of Parole Commissioners of the date that the

offender is scheduled to be discharged. The Division will notify the Board of Parole Commissioners of offenders discharging their prison term as soon as notification is received from the Department of Corrections. The Board of Parole Commissioners will schedule a hearing to establish the conditions of Lifetime Supervision.

- b. The supervising employee will review all available materials, i.e., pre-sentence investigation, and psychological and institutional adjustment reports. Subsequent to the review of these documents, the employee will prepare a Lifetime Supervision memorandum to the Board of Parole Commissioners and forward it to the Pre-Release Unit. Contained in this memorandum will be a summary of the progress of the offender while incarcerated or under supervision and a recommendation for special conditions of Lifetime Supervision. Repayment of any outstanding court ordered financial obligations will be requested as a special condition of Lifetime Supervision.
- c. The Pre-Release Unit will forward all previously received Lifetime Supervision memorandums at least 30 days in advance, when possible, and prepare and forward memorandums for all institutional offenders to the Board of Parole Commissioners.
- d. The Board of Parole Commissioners may review the documents as supplied by the Division as well as the recommended special conditions. The Board of Parole Commissioners may select the special conditions that they believe are appropriate and will notify the division of such by written order.
- e. If, after the Division has reviewed the Board's order and believes that additional conditions are justified, they will petition the Board of Parole Commissioners for those conditions.
- f. Ten days prior to the offender's release from prison or community supervision, the NDOC Caseworker or the supervising officer will contact the offender and provide them with the conditions as ordered by the Board of Parole Commissioners. At that time, the offender will receive and sign for a copy of the conditions.

2. Supervision of Offenders

- a. These offenders will be supervised based upon the type of caseload to which they are assigned, such as Sex Offender, ISU, etc.
- b. The offender will be supervised in compliance with Chapter 6 of the Division's Directive Manual and will be expected to report, pay financial obligations, etc. just like any other offender under supervision. All offenders will be advised to comply with local registration laws and state registration requirements.

- c All offenders will be entered into DONS as Priority 1. A DONS hold may not be placed on an offender on lifetime supervision.

3. Deportee Offenders

- a Offenders who expire their prison term and are released to an ICE detainer, will be monitored on a Parole to Hold caseload in the Pre-Release unit.
 - 1) Once the offender has been deported, the file will remain under the supervision of the Pre-Release unit and remain active in DONS as a Priority 1 or higher notification.
 - 2) If a DONS hit occurs on an offender who has been deported, the Pre-Release unit will forward the file to the command in whose jurisdiction the contact occurred or to the command of original jurisdiction if the contact occurs out-of-state.
 - 3) If the offender is released from ICE custody and their whereabouts are known, the file will be transferred to the command in which the offender plans to reside.
 - 4) If the offender is released from ICE custody and their whereabouts are unknown, the file will be sent to the command of original jurisdiction so that new charges may be filed.
- b Offenders who have been deported and are being monitored in a command office for a term of parole or probation, and have a sentence of Lifetime Supervision subsequent to the term, will be transferred to the Pre-Release unit upon the expiration of the term of parole or probation.

4 Interstate Compact

Offenders will be allowed to transfer via the Interstate Compact, however, they must physically remain in the State of Nevada pending formal acceptance from the receiving state.

5 Modification of Conditions

If during the period of supervision the Division believes that a modification should be made to the conditions, they will advise the offender of the proposed changes and petition the Board of Parole Commissioners for such changes. When any modifications are received from the Board of Parole Commissioners, new conditions of supervision will be drawn up and the offender will sign and be provided a copy of those conditions.

6 Filing New Charges

If an offender is chronic in his/her violations, absconds supervision, violates a substantial condition of the terms of Lifetime Supervision, or commits a criminal act, a criminal complaint will be filed pursuant to NRS 213.1243, (NOC 09810) with the District Attorney's Office in the jurisdiction where the offender was originally sentenced to Lifetime Supervision and a warrant will be requested. This process does not preclude a probable cause arrest.

7 Discharge Process

- a. An offender may petition the sentencing Court or the Parole Board for release from Lifetime Supervision, if they qualify under NRS 176.0931, when 10 consecutive years have elapsed from the date of last conviction or release from incarceration, whichever occurs later. The offender must have complied with the requirements of NRS 179D.010 to 179D.550 and have not been convicted of an offense that poses a threat to the safety or well-being of others in the 10 years since the offender's last conviction or release from incarceration, whichever occurs last. And the offender must be determined not to pose a threat to the safety of others in an evaluation by a person professionally qualified to conduct psychosexual evaluations.
- b. The supervising employee will prepare a progress report, if requested by the Court or Parole Board, by utilizing the Division's format used in the Discharge Request. The supervising employee will not make a recommendation for or against the request for discharge.
- c. If the offender plans to petition the Parole Board for release, rather than the Court, they must follow the instructions and utilize the forms titled "Petition for Release from Lifetime Supervision" located on the iNET. The supervising officer will complete the reverse side of Attachment A, if the offender qualifies under NRS 176.0931. The supervising officer will submit Attachment A, B and C to the Pre-Release unit supervisor, who will forward the originals to the Parole Board for a hearing.
- d. If the petition for release is granted, the offender will be terminated from Lifetime Supervision and the case will be closed.
- e. The offender will be notified, if applicable, that he will be required to continue to register as a sex offender in accordance with NRS 207.090 and 207.152 with local law enforcement agencies.
- f. If the petition is denied by the sentencing Court or the Parole Board, the offender will remain under the supervision of the Division.