

Nevada panel wants more money for probation, parole

By Ed Vogel, Las Vegas Review-Journal

CARSON CITY – Gov. Brian Sandoval should increase funding for the state Division of Parole and Probation in the budget he prepares for the Legislature to consider next year, a commission of legislators, judges, police and the attorney general decided Wednesday.

The Commission on the Administration of Justice proposed changes to boot camps and sentencing programs that could lead to more people receiving parole, rather prison time. But members fear the changes would increase parole costs and would not be funded in the governor's budget.

"Everything surrounds funding probation in a reasonable way," said Phil Kohn, a commission member and the Clark County public defender. "Some of these things will cost money but may save in the long run. We can all agree the Division of Parole and Probation has to be adequately funded, or the whole system breaks down."

But state Sen. Greg Brower, R-Reno, thinks he has a better idea. He said later he is drafting a bill to do away with parole completely. Instead, offenders would serve determined-length sentences. A former U.S. attorney, Brower said the federal correctional system does not have parole.

He noted that Phillip Garrido had been sentenced to a 50-year sentence in Nevada before he kidnapped 11-year-old Jaycee Lee Dugard in South Lake Tahoe in 1991. Largely through parole system failures, Dugard was not discovered for 18 years. The California Legislature made a \$20 million settlement to Dugard.

"If Garrido had served even half of the 50-year sentence, he

would have been in prison (at the time Dugard was kidnapped)," Brower said.

The Division of Parole and Probation is authorized to hire 432 employees and has 401 people on the job. The commission Wednesday did not give a figure on how much in extra funding Sandoval should request.

Sandoval proposed in the legislative session last year to reduce state spending on the agency – which had been funded at \$40 million a year – to \$32 million. Legislators later restored the funding to about \$39 million. But even the \$40 million had been deemed too low by some. A legislative audit in 2008 determined that 31 percent of parolees were not visited by their parole officers twice a month as recommended.

Although the state may be short in funds, commission members voted to propose that the Division of Parole and Probation must provide pre-sentence reports to courts by 21 days before sentencing. In 3,700 cases over the past year, district judges delayed sentencing in part because they wanted more time to review reports that were not submitted in a timely manner.

Commissioners also recommended that the Legislature re-establish a 90-day safe keeper evaluation program under which some inmates would be evaluated and might be released to non-prison programs by judges.

Assemblyman Richard McArthur, R-Las Vegas, repeatedly questioned how the commission could support increasing parole and correctional programs when the state does not have money to fund them adequately now.

"We are just setting ourselves up for failure," said McArthur, who was defeated in a state Senate primary race in June. "I am not sure why we are drafting this letter. We are supposed to make policy decisions, not fiscal ones."

But Assemblyman William Horne, D-Las Vegas, said the

commission should not reject parole and inmate sentencing changes just because it assumes they won't be funded.

"Let's face it, not everything this commission or another subcommittee recommends is fundable," Brower responded.

Horne, the commission chairman, noted the commission had been rebuffed by a past governor when it recommended higher funding for Parole and Probation.

"The administration budget was woefully short of the target," said Horne, who did not name the governor, although he likely was talking about Sandoval's predecessor, Jim Gibbons. "The director's hands were tied by the budget the governor submitted for his department."

Also Wednesday, commissioners took no action on a proposal to establish an independent office to conduct coroner's inquests. The proposal grew out of controversial officer-involved shootings in Clark County.