

Nevada provides compassionate release to eligible incarcerated individuals through two programs: **Residential Confinement** for those who are ill or physically incapacitated¹ and **Geriatric Parole** for those who are age 65 or older.²

Note that some state agency materials also refer to Residential Confinement for individuals who are incapacitated or in ill health as “compassionate release,” “medical release,” or the “298” program.

RESIDENTIAL CONFINEMENT³

I. ELIGIBILITY

Medical Condition – To be eligible for Residential Confinement, an incarcerated individual must meet one of the following criteria.

- The individual is physically incapacitated or in ill health to such a degree that the individual does not, and likely will not, pose a threat to public safety.⁴
- The individual is terminally ill with a life expectancy of less than 18 months and is not, and likely will not become, a threat to public safety.⁵

Exclusions – An incarcerated individual cannot be released to Residential Confinement if they were ever sentenced to death or are serving life imprisonment without the possibility of parole.⁶

II. APPLICATION OR REFERRAL

An incarcerated individual who is physically incapacitated, in ill health, or terminally ill may submit a request for Residential Confinement to the Director of the Department of Corrections (Department).⁷ In addition, Department medical staff must identify individuals receiving chronic medical care and contact the Associate Warden of Programs (AWP) to review the individual for Residential Confinement.⁸ Additionally, prison officials and employees, family members, attorneys and representatives, and medical and mental health professionals may also submit a Residential Confinement request on behalf of an incarcerated individual.⁹ Requests must be in writing and state the reasons Residential Confinement is appropriate.¹⁰

III. DOCUMENTATION AND ASSESSMENT

At least two licensed physicians or nurses, one of whom the Department does not employ, must verify in writing that the incarcerated individual is physically incapacitated, in ill health, or terminally ill and expected to die within 18 months.¹¹

The AWP of the individual’s facility coordinates Residential Confinement tasks of the medical staff and the Offender Management Division (OMD).¹² The AWP is responsible

for ensuring all paperwork is completed before an individual is referred to the Offender Management Administrator (OMA) for Residential Confinement.¹³ The OMA reviews the medical recommendation and verification and prepares a recommendation for the Director of the Department.¹⁴

IV. DECISION-MAKING PROCESS

Decision-Maker – The Director of the Department of Corrections decides whether to assign an incarcerated individual to Residential Confinement.¹⁵

Decision – There is no information about the Director’s decision-making process.

Notice – The OMA notifies the Division of Probation and Parole (Division) under the Department of Public Safety of the Director’s approval of Residential Confinement.¹⁶ The OMA also notifies the Board of County Commissioners for the county where the individual will reside at least 45 days before the individual is released from Department custody.¹⁷

Victims – A Victim Services Officer notifies victims Residential Confinement is approved.¹⁸ Victims who have requested notification may submit documents to the Division about the individual’s placement on Residential Confinement.¹⁹ After approval, the individual must authorize the release of their medical information to victims.²⁰

Pre-Release Planning – When the OMA notifies the Division of the approval for Residential Confinement, it includes a release plan; however, there is no information on what is included in the plan.²¹ The Department does not assume responsibility for the medical care or costs for an individual placed in Residential Confinement.²² For releases generally, the Department assists eligible individuals in applying for Supplementary Security Income with the Social Security Administration.²³ There is no additional information about whether the Department helps with pre-release planning or aids in arranging placements.²⁴

Release – The OMA and the Division coordinate the release of an individual approved for Residential Confinement.²⁵ The release is not finalized until the Division completes its residential reviews and approvals.²⁶ The individual must reside in Nevada.²⁷ There is no further information on the release process.²⁸

V. POST-DECISION

Conditions – The Division supervises and establishes the conditions of Residential Confinement.²⁹ The Chief Parole and Probation Officer provides a written statement of the conditions of confinement and discusses it with the individual.³⁰ Individuals on Residential Confinement must stay in their residences whenever they are not receiving medical treatment or engaged in other authorized activities.³¹ Residential Confinement

also requires the individual to receive unannounced visits by Division officers at their residence or other places the individual is expected to be to ensure the individual is following the conditions of Residential Confinement.³² The Division may use electronic monitoring devices for supervision.³³

Term – The Residential Confinement term is for the remainder of the individual’s sentence.³⁴

Fees – The Division charges individuals assigned to Residential Confinement a monthly fee of at least \$30.00 for the cost of supervision.³⁵ Payment of the fee is a condition of Residential Confinement.³⁶ The fee may be waived if the Division determines that payment would create an economic hardship.³⁷ The Division may also receive and distribute any restitution the individual is required to pay while on Residential Confinement.³⁸

Revocation or Termination – If an individual assigned to Residential Confinement escapes or violates any law or conditions set by the Department or the Division, they may be returned to custody of the Department.³⁹ If an individual is absent from their residence without authorization, they are deemed escaped and a warrant is issued for their arrest.⁴⁰ The Division must conduct an inquiry when there is an allegation of escape or a violation of a condition of confinement and the individual may be returned to custody while the inquiry is pending.⁴¹ The inquiring officer must provide the individual with notice of the inquiry and relate the acts constituting the alleged escape or violation, and the individual has an opportunity to be heard.⁴² The inquiring officer submits their findings and a recommendation on custody to the Chief Parole and Probation Officer, who then makes the final decision on whether to return the individual to the custody of the Department.⁴³

VI. REPORTING AND STATISTICS

The Department of Corrections includes brief information on Residential Confinement in its *Monthly Factsheet*, published on the Department website.

- In 2023, three individuals applied for Residential Confinement, one individual was accepted, and no one was denied or released.⁴⁴
- In 2024, three individuals applied for Residential Confinement, no one was accepted, and one individual was either denied or released.⁴⁵

GERIATRIC PAROLE

I. ELIGIBILITY

Criteria – Incarcerated individuals may be eligible for Geriatric Parole if they meet all the following criteria.

- The individual must be 65 years of age or older.⁴⁶
- The individual has served at least a majority of the maximum term or maximum aggregate term of their sentence.⁴⁷
- The individual must not pose a “significant and articulable” risk to public safety.⁴⁸
- The individual must not have been found to be a “habitual criminal.”⁴⁹

Exclusions – Even if an incarcerated individual meets the age and time-served criteria, they are not eligible for Geriatric Parole if they are sentenced to death or life imprisonment without the possibility of parole.⁵⁰ An individual is also not eligible for Geriatric Parole if they were convicted of a crime of violence,⁵¹ certain crimes against children,⁵² sexual offenses,⁵³ and offenses related to driving under the influence that result in bodily injury or death.⁵⁴

II. APPLICATION OR REFERRAL

Incarcerated individuals apply for Geriatric Parole by submitting an *Application for Consideration of Geriatric Parole* to the Nevada Board of Parole Commissioners (Board).⁵⁵ Prison officials and employees, the attorney or representative of the individual, family members, and medical or mental health professions may apply on behalf of the individual.⁵⁶ The application form must include the individual’s name, date of birth, Department of Corrections (Department) identification number, list of convictions and the corresponding case numbers, reason for requesting Geriatric Parole, and the name and contact information of the person submitting the form.⁵⁷

III. DOCUMENTATION AND ASSESSMENT

Documentation – Incarcerated individuals may attach supporting documents to the application such as medical records, institutional and program participation records, parole plans, and documents concerning eligibility for Medicaid or Medicare.⁵⁸

Verification – Within 15 days of receiving an application for Geriatric Parole, the Board must notify the Department of the application and ask for verification of the incarcerated individual’s age and length of time in custody for eligibility

confirmation.⁵⁹ The Department should respond to the Board's request within 30 days.⁶⁰

If the Department finds that the individual does not meet the eligibility criteria, it will notify the Board and explain the reasons for its decision.⁶¹

If the Department finds that the incarcerated individual meets the criteria, it notifies the Board of potential eligibility, places the individual on the next available list of those eligible for parole, and provides a progress report that will help the Board in deciding whether it should grant Geriatric Parole.⁶² The parole eligible list is given to the Board at least 40 days before its scheduled action and provides each individual's name, crime, county of sentencing, date and length of sentence, time served, and amount of credit.⁶³

The Board notifies the individual and the person who submitted the application on their behalf, if applicable, if the individual is eligible or ineligible in writing within 30 days.⁶⁴

Progress Report – The Department Director must keep records on each incarcerated individual, including demographics, conviction records, medical records, and comprehensive behavioral records.⁶⁵ For parole generally, the individual's caseworker uses this information to prepare a "progress report" and any required release documents at the time the incarcerated individual is placed on the parole eligible list.⁶⁶ The progress report is a standardized document and the report writer, usually the caseworker, is responsible for ensuring it is accurate and complete.⁶⁷ The progress report includes the following information.

- A vital data section, with name, age, ethnicity, county of commitment, and commitment type and date.⁶⁸
- A sentence structure section, including a description of the individual's sentence and the individual's progress towards completing their sentence.⁶⁹
- An offense summary for individuals who did not have an automated intake section, with a detailed description of each offense and information on "deviant sexual conduct, sexual abuse of the victim, injuries to the victim, use of weapons, and the means of capture if meaningful to the understanding of the crime."⁷⁰
- A holds and detainers section, listing descriptions of any holds and detainers on the individual.⁷¹
- A section on the individual's location, custody, and assignment history, including details on the individual's housing, program participation, and work participation.⁷²

- A credit earnings section, detailing time served and earned on the current sentence.⁷³
- A program participation section where the caseworker provides a narrative description of the individual’s participation in work, education, vocational training, and treatment.⁷⁴
- A narrative section on the individual’s release plans, provided by the caseworker.⁷⁵ The Department and individual must develop a reentry plan no later than six months before parole eligibility.⁷⁶ The Division of Probation and Parole (Division) reviews the plan and coordinates with state agencies for services.⁷⁷ The reentry plan should include a description of the individual’s proposed residence, employment or means of financial support, any treatment available related to their behavioral health needs, and eligibility and enrollment status for Medicaid or Medicare, with contact information as appropriate.⁷⁸ Caseworkers should have the individual correct any incomplete or unsuitable plans.⁷⁹
- An evaluation by the caseworker or other institution staff that includes information not in the previous sections,⁸⁰ such as prior criminal history; number of parole appearances;⁸¹ institutional adjustment, relationships,⁸² and disciplinary history;⁸³ and personality factors like chemical dependency, mental illness, intelligence,⁸⁴ and ability to behave in a socially acceptable manner.⁸⁵

A mental health evaluation is prepared separately from the progress report if the individual’s sentence is for a crime with real or threatened violence.⁸⁶ The Board may request mental health evaluations for other individuals on a case-by-case basis.⁸⁷

Relevant input from Department staff for the progress report is collected and added by the caseworker.⁸⁸ Institution staff are permitted to write personal letters for or against an individual’s parole, but only as private citizens.⁸⁹ The Associate Warden or their designee reviews and approves the progress report and release documents.⁹⁰

IV. DECISION-MAKING PROCESS

Decision-Maker – The Board makes all final decisions regarding whether to grant or deny Geriatric Parole.⁹¹

Notice – After receiving the Department’s list of incarcerated individuals to consider for parole, including Geriatric Parole, the Board sends the list to all law enforcement agencies in Nevada and any other “appropriate persons” at least 30 days before any scheduled action.⁹² The Board must notify the incarcerated individual and victims of the hearing within five days of setting a hearing date,⁹³ as well as notify the person who submitted the application, as applicable.⁹⁴

Victims – Victims may submit documents and testify at the parole hearing.⁹⁵ If a victim is notified of a parole hearing, they must also be notified of the final decision.⁹⁶ Generally, victims have the right to be notified of the individual’s scheduled release date and to receive full and timely restitution.⁹⁷

Hearing – The Board schedules and conducts Geriatric Parole hearings following the same procedures it uses when considering incarcerated individuals for general parole.⁹⁸ Parole hearings are open to the public.⁹⁹ The Board may allow in-person testimony of victims’ families members, supporters, judges, district attorneys, law enforcement, or anyone present and may ask questions of anyone in attendance.¹⁰⁰ Parole hearings are usually held at one of the Board’s offices and the incarcerated individual participates via video from their institution.¹⁰¹

At the hearing, individuals are allowed to confer with a representative and speak on their own behalf or have a representative speak on their behalf.¹⁰² A representative may be an attorney, family member, friend, or other incarcerated individual.¹⁰³ Parole cannot be denied without a hearing; if a hearing cannot take place, either parole is granted or the hearing is rescheduled.¹⁰⁴ The Board may deny parole if an individual refuses to attend a hearing or sign the notice for the hearing.¹⁰⁵

Factors – In deciding whether to grant Geriatric Parole specifically, the Board must consider the following factors.

- Age.
- Behavior while in custody.
- Potential for violence.
- Reported severity of any illness, disease, or infirmity of the individual.
- Available alternatives for keeping geriatric individuals with medical conditions in a traditional setting.¹⁰⁶

In addition to the Geriatric Parole factors, the Board must also consider a broader set of factors that apply to parole generally.¹⁰⁷ These factors include potential recidivism, offense seriousness, criminal history, victim input, institutional record, previous parole violations, and length of incarceration.¹⁰⁸

The Board may also choose to consider aggravating and mitigating factors.¹⁰⁹ Examples of aggravating factors include repetitive criminal conduct, victim vulnerability, and willingness to participate in programming and treatment.¹¹⁰ Mitigating factors include positive adjustment to reentry or work programs, successful completion of parole previously, and community or family support.¹¹¹ The Board may not consider whether the individual has appealed their conviction in its decision.¹¹²

Decision – The Department informs the Board of any disciplinary infractions that occur between the parole hearing and the Board’s decision and an infraction may negatively impact the outcome.¹¹³ At least four votes are required.¹¹⁴ As with its general parole decisions, the Board must provide written notice of decisions on Geriatric Parole requests to incarcerated individuals within 10 working days after the hearing.¹¹⁵ The individual’s copy of the hearing results are given to a Department representative and the caseworker or institution staff determine how the individual receives the results, without unnecessary delay.¹¹⁶

A majority of the Board may rescind a grant of parole, with a “review of previous order” hearing, if the individual commits a serious disciplinary infraction in the time between parole being granted and release or if the Board receives new adverse information that was unavailable at the hearing.¹¹⁷

Reentry Plans – If parole is granted, the Division reviews the individual’s reentry plan for approval.¹¹⁸ If the reentry plan is not approved, the Division assists the individual in developing a new plan before release.¹¹⁹ Additionally, reentry plans are revised when the Board considers and approves a different version of the plan from the one the Department developed initially.¹²⁰ The Board may rescind parole if the individual does not cooperate in developing a plan.¹²¹

If the reentry plan specifies the individual will reside in transitional housing, the Division may pay for all or a portion of the cost of the housing based on the individual’s financial need.¹²²

V. POST-DECISION

Denials and Appeals – An individual who has been denied Geriatric Parole must wait at least 24 months to reapply unless the Board has prescribed a shorter period, or the Department Director requests reconsideration because of the individual’s “adverse” health.¹²³ If parole is denied, the Board must provide specific recommendations to improve the individual’s chances of receiving parole in the future.¹²⁴

Release – The Department provides no information on release procedures or transferring custody to the Division.¹²⁵ Before release, the Department assists eligible individuals in applying for Supplementary Security Income with the Social Security Administration to ensure benefits begin immediately after release.¹²⁶ The Department is also required to submit eligible individuals for enrollment in Medicaid coverage immediately upon their scheduled release or up to 90 days before release for eligible individuals with a chronic disease or certain disabilities.¹²⁷ Additionally, if an individual is eligible for Medicare, the Department Director must complete the enrollment application for the individual.¹²⁸ Individuals may be required to submit a test for HIV.¹²⁹

The Department Director¹³⁰ may also provide the following before an individual is released.

- Mediation services to the individual and their family members and friends who provide them with support.¹³¹
- Money not to exceed \$100, based on economic need.¹³²
- Required notices.¹³³
- Photo ID issued by Department.¹³⁴
- Information and assistance on acquiring a driver's license or state ID, if the individual does not have one or requests assistance.¹³⁵
- Suitable clothing.¹³⁶
- Cost of transportation to residence anywhere within the continental United States.¹³⁷
- A 30-day supply of all medications currently prescribed.¹³⁸

Supervision – The Division supervises all individuals released on parole, including those released on Geriatric Parole.¹³⁹ The Division assesses individuals on parole for risks and needs and uses the results of the assessment to develop a case plan.¹⁴⁰ The case plan must include how the individual's criminogenic risk factors will be addressed and a list of responsivity factors to consider.¹⁴¹ The Division will continually assess the individual at scheduled periods and change the case plan as appropriate.¹⁴²

The Division will contact the individual in person or via telephone within the first five days of release.¹⁴³

Conditions – The Board prescribes any terms and conditions of Geriatric Parole at the time of the individual's release.¹⁴⁴ The Board has an approved list of standard conditions which are included in every parole agreement and a list of special conditions that may be imposed if reasonable.¹⁴⁵ The Board may also impose individual special conditions.¹⁴⁶ Conditions may include requiring the individual to remain in the state or a specific county, prohibiting contact with specific people, restricting movement to certain locations, and forbidding conduct that may be harmful to the individual or another person.¹⁴⁷ Before an individual is released on parole, they must sign and submit a document stating they will comply with the conditions of parole.¹⁴⁸

Individuals who owe restitution on release may be required, if practicable, to pay restitution as a condition of parole.¹⁴⁹ The Board may assign an individual's wages while on parole to the Division for the purposes of restitution.¹⁵⁰ Failure to pay restitution as required is a violation of parole, unless the failure is due to an

economic hardship; individuals are then entitled to a hearing to prove economic hardship.¹⁵¹ Any amount of restitution that is unpaid after the individual is discharged from parole becomes a civil liability.¹⁵²

Fees – The Division charges individuals on parole generally a supervision fee of \$30 a month.¹⁵³ The fee is a condition of parole unless waived for economic hardship.¹⁵⁴

Termination – An individual remains on parole until the expiration of the maximum term or maximum aggregate term of their sentence, less any credits earned, or until parole is revoked.¹⁵⁵

Inquiry on Parole Violations – If an individual is arrested for a violation of parole, they remain in the custody of the arresting county’s jail until an inquiry is held to determine probable cause exists that the individual has violated their parole, unless the Chief Parole and Probation Officer orders the individual placed on residential confinement.¹⁵⁶ Inquiries should take place within 15 working days of the individual’s arrest.¹⁵⁷ Convictions for violating federal or state law, or a local ordinance are considered probable cause and an inquiry does not need to be held.¹⁵⁸

The Board must give the individual notice of the time, place, and purpose of the inquiry and provide the alleged violations.¹⁵⁹ At the inquiry, the individual is allowed to appear and speak on their own behalf, obtain counsel, present relevant evidence and witnesses, and confront and question opposing witnesses.¹⁶⁰ The individual may also waive the inquiry hearing.¹⁶¹

If the inquiring officer finds probable cause exists, the individual remains in detention pending the Board’s hearing, unless the Chief of Probation and Parole releases the individual on parole again or assigns the individual to residential confinement within 15 days of the inquiry.¹⁶²

Parole Board Hearing on Revocation – The Board must hold the hearing on the revocation of parole within 60 days of the individual being returned to custody of the Department or assigned to residential confinement.¹⁶³ The individual and their attorney, if applicable, must receive a notice of the charge and a copy of the allegations before the hearing.¹⁶⁴ The individual has the right to counsel, present witnesses and evidence, and confront adverse witnesses at the hearing.¹⁶⁵ The Board may consider factors such as misbehavior, including dangerous or criminal conduct, or resistance to abiding by parole rules in determining whether to revoke parole.¹⁶⁶

If the Board determines the individual violated parole, it may order the individual to forfeit all or part of the credits earned for good behavior after the individual’s release on parole, after notice to the individual.¹⁶⁷

VI. REPORTING AND STATISTICS

The Board must publicly disclose the number of decisions to grant, deny, revoke, and continue parole and its reasons for each decision; however, information on which paroles are Geriatric Paroles is not publicly available.¹⁶⁸

NEVADA COMPASSIONATE RELEASE

PRIMARY LEGAL SOURCES

RESIDENTIAL CONFINEMENT

Statute

Nevada Revised Statutes, § 209.3925 (2026), available through the Nevada Legislature, <https://www.leg.state.nv.us/NRS/NRS-209.html#NRS209Sec3925> (start at source link <https://www.leg.state.nv.us/nrs/> and then click link for “Chapter 209” under “Title 16-Correctional...” heading then scroll to click link for “NS 209.3925” under “Custody, Care,...” heading).

Agency Policy

Nevada Department of Corrections, Administrative Regulation §§ 523, 523.04, *Residential Confinement Programs and Re-Entry Court Administrative Regulation-523: Compassionate Release* (May 25, 2023), https://doc.nv.gov/About/Administrative_Regulations/Administrative_Regulations/ (click link "500 Series: Classification & Management of Offenders" then scroll to and click link "AR 523 Residential Confinement Programs and Re-Entry Court").

GERIATRIC PAROLE

Statute

Nevada Revised Statutes, § 213.12155 (2026), available through the Nevada Legislature, <https://www.leg.state.nv.us/NRS/NRS-213.html#NRS213Sec12155> (start at source link <https://www.leg.state.nv.us/nrs/> and then click link for “Chapter 213” under “Title 16-Correctional...” heading then scroll to click link for “NS 213.12155” under “Release of Prisoner on Parole” heading).

Agency Policy

Nevada Board of Parole Commissioners, *Application for Consideration of Geriatric Parole* (Mar. 27, 2023), <https://parole.nv.gov/uploadedFiles/parolenvgov/content/Information/Geriatic%20Parole%20Applications%20final%203.27.23.pdf> (start at source link <https://parole.nv.gov/Information/Forms/> then click link "Application for Geriatric Parole" under "Notification & Application Related Forms").

NOTES

* *Id.* means see prior note. *Supra* means refer to specified note for full citation.

¹ Nev. Rev. Stat. § 209.3925 (2026); Nevada Department of Corrections, Administrative Regulation §§ 523, 523.04(1), *Residential Confinement Programs and Re-Entry Court Administrative Regulation-523* (May 25, 2023) [hereinafter *Residential Confinement*], https://doc.nv.gov/uploadedFiles/docnvgov/content/About/Administrative_Regulations/AR%20523%20Residential%20Confinement%20Programs%20and%20Re-Entry%20Court%20-%20Final%20%2005.25.23.pdf (start at source page https://doc.nv.gov/About/Administrative_Regulations/Administrative_Regulations/ and click link "500 Series: Classification & Management of Offenders" then scroll to link "AR 523 Residential Confinement Programs and Re-Entry Court").

Note that although the Department of Corrections (Department) sometimes uses the term “compassionate release,” the statute says Residential Confinement is a continuation of imprisonment and not a release (Nev. Rev. Stat. § 209.3925(6)(a)).

Note the Department does not publish its regulations in the Nevada Administrative Code. See Nev. Rev. Stat. § 233B.039(1)(b) (2026). The regulations may be found on the Department’s website: https://doc.nv.gov/About/Administrative_Regulations/Administrative_Regulations/.

² Nev. Rev. Stat. § 213.12155 (2026).

³ Nevada statutory law has a provision for Residential Confinement based on the age of the incarcerated individual; the eligibility criteria is almost identical to the criteria for Geriatric Parole, and the process is the same as it is for Residential Confinement based on a medical condition. See *id.* § 209.3923 (2026). However, there is no indication this process is used and no additional policy or information available in Nevada law or Department policy. For those reasons, discussion of Residential Confinement based on age is excluded from this memo.

⁴ *Id.* § 209.3925(1)(a)(1); *Residential Confinement*, *supra* note 1, § 523.04(2)(A).

⁵ Nev. Rev. Stat. § 209.3925(1)(a)(2); *Residential Confinement*, *supra* note 1, § 523.04(2)(B).

⁶ Nev. Rev. Stat. § 209.3925(7); *Residential Confinement*, *supra* note 1, § 523.04(2)(C)-(D).

⁷ Nev. Rev. Stat. § 209.3925(2)(a)(2); *Residential Confinement*, *supra* note 1, § 523.04(4)(b).

⁸ *Residential Confinement*, *supra* note 1, § 523.04(3).

⁹ *Id.* § 523.04(4)(a)-(e); Nev. Rev. Stat. § 209.3925(2)(a)(1)-(5).

¹⁰ Nev. Rev. Stat. § 209.3925(2)(b); *Residential Confinement*, *supra* note 1, § 523.04(5).

¹¹ Nev. Rev. Stat. § 209.3925(1)(b); *Residential Confinement*, *supra* note 1, § 523.04(2)(A)-(B).

Note the statute allows for licensed nurses to provide medical verification, but the Department regulation only mentions physicians.

¹² *Residential Confinement*, *supra* note 1, § 523.04(6).

¹³ *Id.*

¹⁴ *Id.* § 523.04(7).

¹⁵ Nev. Rev. Stat. § 209.3925(1).

¹⁶ *Id.* § 209.3925(3)(b); *Residential Confinement*, *supra* note 1, § 523.04(8)(D).

¹⁷ Nev. Rev. Stat. § 209.3925(3)(a); *Residential Confinement*, *supra* note 1, § 523.04(6) [at p. 6, section is misnumbered], (8)(C).

¹⁸ Nev. Rev. Stat. § 209.3925(4)(a); *Residential Confinement*, *supra* note 1, § 523.04(8)(B).

¹⁹ Nev. Rev. Stat. § 209.3925(4)(b).

²⁰ *Residential Confinement*, *supra* note 1, § 523.04(8)(A).

²¹ *Id.* § 523.04(8)(D).

²² *Id.* § 523.04(7) [at p. 7, section is misnumbered].

²³ Nevada Department of Corrections, Administrative Regulation §§ 816, 816.01, *Pre-Release Preparation of Applications for Supplemental Security Income: Institutional Pre-Release Preparation of Applications for Supplementary Security Income Claims* (Sept. 18, 2018), https://doc.nv.gov/uploadedFiles/docnvgov/content/About/Administrative_Regulations/AR%20816%20-%20Pre-Release%20Preparation%20of%20SSI%20-%2009172018.pdf (start at source link https://doc.nv.gov/About/Administrative_Regulations/Administrative_Regulations/ then click "800 Series: Offender Programs" then click the link for "AR 816 Pre-Release Preparation...").

²⁴ Note that Nev. Rev. Stat. §§ 209.3517 (2026) (allowing Department Director to apply for Medicaid eligibility on behalf of an individual), 209.511 (2026) (required actions by Department Director upon release), 422.272428 (2026) (allowing pre-release coverage for individuals with medical conditions), 422.27487 (2026) (allowing incarcerated individuals to apply for Medicaid enrollment upon release), state that the Director must complete paperwork for Medicaid eligible individuals who have a chronic disease or illness 90 days ahead of release or, for those who do not meet the medical criteria, at the time of release. However, it is unclear whether these provisions apply to release based on Residential Confinement given that Residential Confinement is not considered a release on parole (*Id.* § 209.3925(6)(a)).

²⁵ *Residential Confinement*, *supra* note 1, § 523.04(6) [at p. 6, section is misnumbered].

²⁶ *Id.* § 523.04(6)(A) [at p. 6, section is misnumbered].

²⁷ Nevada Department of Corrections, Administrative Regulation §§ 523, 523.05(6), *Residential Confinement Programs and Re-Entry Court Administrative Regulation-523: General Provisions for Residential Confinement* (May 25, 2023) [hereinafter *General Provisions*], https://doc.nv.gov/uploadedFiles/docnvgov/content/About/Administrative_Regulations/AR%20523%20-%20Residential%20Confinement%20Programs%20and%20Re-Entry%20Court%20-%20Final%20%2005.25.23.pdf (start at source page https://doc.nv.gov/About/Administrative_Regulations/Administrative_Regulations/ and click link "500 Series: Classification & Management of Offenders" then scroll to link "AR 523 Residential Confinement Programs and Re-Entry Court").

²⁸ See Nevada Department of Corrections, Administrative Regulation §§ 540, 540.01(6), *Inmate Release Procedures: Preparation for the Release of Inmates* (May 20, 2010), https://doc.nv.gov/uploadedFiles/docnvgov/content/About/Administrative_Regulations/AR%20540%20-%20No%20Changes.pdf (start at source link https://doc.nv.gov/About/Administrative_Regulations/Administrative_Regulations/ then click "500 Series: Classification & Management of Offenders" then click link for "AR 540 Inmate Release Procedures"). The policy states "All Inmate Release Manuals are considered confidential."

²⁹ Nev. Rev. Stat. § 213.380(2) (2026).

³⁰ *Id.* § 213.390(1)-(2) (2026).

³¹ *Id.* § 213.380(2)(b).

³² *Id.* § 213.380(2)(c).

³³ *Id.* § 213.380(3) (2026); *General Provisions*, *supra* note 27, § 523.05(4).

Although electronic monitoring is required for most individuals released on Residential Confinement, the Division may choose not to require it for those who are eligible due to a serious or terminal medical condition (*General Provisions*, *supra* note 27, § 523.05(4)). Electronic devices must be minimally intrusive, cannot be capable of recording or transmitting sound, and can only transmit images related to an individual's presence at crime scenes, prohibited areas, or departures from specific locations (Nev. Rev. Stat. § 213.380(3)).

³⁴ Nev. Rev. Stat. § 209.3925(1).

³⁵ *Id.* § 213.1076(1) (2026).

³⁶ *Id.* § 213.1076(3).

³⁷ *Id.* § 213.1076(2).

³⁸ *Id.* § 209.3925(9).

³⁹ *Id.* § 209.3925(5)(a); *General Provisions*, *supra* note 27, § 523.05(1), (5).

Individuals who violate Residential Confinement terms or escape may also forfeit previously earned credits for good behavior (Nev. Rev. Stat. § 209.3925(5)(b)).

⁴⁰ Nev. Rev. Stat. § 213.400(1) (2026), referencing the penalties for escape in Nev. Rev. Stat. § 212.090 (2026).

The Division notifies the Department and refers cases to the Attorney General for the prosecution of escaped individuals (*General Provisions*, *supra* note 27, § 523.05(3)).

⁴¹ Nev. Rev. Stat. § 213.410(1)-(2) (2026).

⁴² *Id.* § 213.410(4)(a).

The inquiring officer must not be directly involved in the case, did not make the report of escape or violation, and has not recommended the individual's return to custody (*Id.* § 213.410(3)).

⁴³ *Id.* § 213.410(4)(b), (5).

Before the final decision is made, the Division must provide the individual with a copy of the inquiring officer's findings (*Id.* § 213.410(6)).

⁴⁴ Nevada Department of Corrections, *Monthly Factsheet* 16 (Dec. 31, 2023), https://doc.nv.gov/uploadedFiles/docnvgov/content/About/Statistics/Monthly_Reports_by_Year/20231231_Monthly_Statistical_Factsheet.pdf (start at source link <https://doc.nv.gov/About/Statistics/Home/> and then click link for "Monthly Reports by Year" and then link for "2023 Statistical Abstracts" and then link "December 2023" to see total for 2023).

Note the individuals who apply for Residential Confinement each year are not necessarily the same individuals accepted or denied in that year; those details are unclear from the given numbers.

⁴⁵ Nevada Department of Corrections, *Monthly Factsheet* 16 (Dec. 31, 2024), https://doc.nv.gov/uploadedFiles/docnvgov/content/About/Statistics/Monthly_Reports_by_Year/20241231%20Monthly%20Factsheet.pdf (start at source link <https://doc.nv.gov/About/Statistics/Home/> and then click link for "Monthly Reports by Year" and then link for "2024 Statistical Abstracts" and then link "December 2024" to see total for 2024).

⁴⁶ Nev. Rev. Stat. § 213.12155(1)(e).

⁴⁷ *Id.*

⁴⁸ *Id.* § 213.12155(1)(d).

⁴⁹ *Id.* § 213.12155(1)(b), referencing Nev. Rev. Stat. § 207.010 (2026), which states individuals who have been convicted of five or more felonies are considered "habitual criminals."

⁵⁰ *Id.* § 213.12155(1)(c).

⁵¹ *Id.* § 213.12155(1)(a)(1).

⁵² *Id.* § 213.12155(1)(a)(2), referencing Nev. Rev. Stat. § 179D.0357 (2026).

Crimes against a child include kidnapping, false imprisonment, involuntary servitude, sex trafficking, prostitution, and any attempt to commit these offenses; it also includes offenses committed in other jurisdictions (*Id.* § 179D.0357).

⁵³ *Id.* § 213.12155(1)(a)(3).

Sexual offenses include sexual assault, statutory sexual seduction, battery with intent to commit sexual assault, sexual abuse of a child, fertility fraud, incest, open lewdness, indecent exposure, sex trafficking, any offenses determined to be sexually motivated or involving a sexual act, and any attempt to commit these offenses; it also includes offenses committed in other jurisdictions (*Id.* §§ 179D.097 (2026) (sexual offense defined), 213.107 (2026) (definitions for parole statutes)).

⁵⁴ *Id.* § 213.12155(1)(a)(4)-(5), referencing Nev. Rev. Stat. §§ 484C.430 (2026), 484C.430 (2026). These offenses are vehicular homicide and causing death or substantial bodily harm while driving under the influence, respectively.

⁵⁵ Nev. Rev. Stat. § 213.12155(2); Nev. Admin. Code § 213.533(1) (2026); Nevada Board of Parole Commissioners, *Application for Consideration of Geriatric Parole* (Mar. 27, 2023) [hereinafter *Application*], <https://parole.nv.gov/uploadedFiles/parolenvgov/content/Information/Geriatric%20Parole%20Applications%20final%203.27.23.pdf> (start at source link <https://parole.nv.gov/Information/Forms/> then click link "Application for Geriatric Parole" under "Notification & Application Related Forms").

The Board provides the form on the Internet via its website (see link above) and upon written request will provide a paper copy. See Nev. Admin. Code § 213.533(3).

⁵⁶ Nev. Rev. Stat. § 213.12155(2)(a)-(e).

⁵⁷ Nev. Admin. Code § 213.533(2); *Application*, *supra* note 55.

⁵⁸ Nev. Rev. Stat. § 213.12155(2); Nev. Admin. Code § 213.533(1)(b); *Application*, *supra* note 55.

⁵⁹ Nev. Rev. Stat. § 213.12155(3), referencing Nev. Rev. Stat. § 209.254 (2026); Nev. Admin. Code § 213.5335(1) (2026).

⁶⁰ Nevada Board of Parole Commissioners, *Operation of the Board* 19 (Apr. 29, 2025) [hereinafter *Board Operations*], <https://parole.nv.gov/uploadedFiles/parolenvgov/content/Information/OpsBoardOctober2012.pdf> (start at source link <https://parole.nv.gov/Information/Forms/> then click "Operation of the Board" under "Policy and Procedure").

⁶¹ *Id.* § 213.12155(4)(b).

⁶² Nev. Rev. Stat. § 213.12155(4)(a), referencing Nev. Rev. Stat. § 213.131(1)(c) (2026).

⁶³ *Id.* § 209.254(1)-(8).

Note that Department policy states the list is provided to the Board 45 to 60 days in advance of the hearing and the progress report no later than 30 days before a hearing. See Nevada Department of Corrections, Administrative Regulation §§ 537, 537.02(1)(A), (2)(B)(2), *Parole and Pardons: Report Requirements-Parole Procedures* (May 20, 2010) [hereinafter *Parole Reports*], https://doc.nv.gov/uploadedFiles/docnv.gov/content/About/Administrative_Regulations/AR%20537%20-%20052010.pdf (start at source link https://doc.nv.gov/About/Administrative_Regulations/Administrative_Regulations/ and click "500 Series: Classification & Management of Offenders" and then click link for "AR 537 Parole and Pardons: Report Requirements").

⁶⁴ Nev. Admin. Code § 213.5335(2); *Board Operations*, *supra* note 60, at 19.

⁶⁵ Nev. Rev. Stat. § 209.351(2)-(3) (2026).

⁶⁶ See *Parole Report*, *supra* note 63, § 537.02(2)(A)-(B).

⁶⁷ *Id.* § 537.02(3)(A).

⁶⁸ *Id.* § 537.02(3)(D)(1).

Note the vital data, sentence structure, holds and detainers, and credit earnings sections, and the location, custody, and assignment history, are all completed automatically by the Department's information system. See *id.* § 537.02(3)(D)(1)-(2), (4)-(5).

⁶⁹ *Id.* § 537.02(3)(D)(2)(a)-(b).

⁷⁰ *Id.* § 537.02(3)(D)(3)(b).

Note this applies only to individuals who entered the Department's custody before automated intake processing was implemented.

⁷¹ *Id.* § 537.02(3)(D)(4).

⁷² *Id.* § 537.02(3)(D)(5).

⁷³ *Id.* § 537.02(3)(D)(6).

⁷⁴ *Id.* § 537.02(3)(D)(7).

⁷⁵ *Id.* § 537.02(3)(D)(8).

⁷⁶ Nev. Rev. Stat. § 213.140(2) (2026).

Note the timing for reentry planning for individuals applying for Geriatric Parole before their normal parole eligibility date is unclear.

⁷⁷ *Id.*

⁷⁸ *Id.*; *Parole Reports*, *supra* note 63, § 537.02(3)(D)(8)(b).

⁷⁹ *Parole Reports*, *supra* note 63, § 537.02(3)(D)(8)(c).

⁸⁰ See *id.* § 537.02(3)(D)(9)(a).

⁸¹ See *id.* § 537.02(3)(D)(9)(d)(i).

⁸² See *id.* § 537.02(3)(D)(9)(d)(ii).

⁸³ See *id.* § 537.02(3)(B)(1), (D)(9)(ii)(1)-(2).

⁸⁴ See *id.* § 537.02(3)(D)(9)(iii)(1).

⁸⁵ See *id.* § 537.02(3)(D)(9)(iii)(2).

⁸⁶ *Id.* § 537.02(4).

⁸⁷ *Id.* § 537.02(4)(A).

⁸⁸ *Id.* § 537.02(2)(D).

⁸⁹ *Id.* § 537.02(2)(E).

⁹⁰ *Id.* § 537.02(3)(D)(10).

⁹¹ Nev. Rev. Stat. §§ 213.12155(1), 213.1099 (2026).

⁹² *Id.* § 213.12155(5), referencing Nev. Rev. Stat. § 213.1085(5) (2026); *Board Operations*, *supra* note 60, at 20.

Note law enforcement agencies receiving the list of parole eligible individuals must make it publicly accessible during business hours (Nev. Rev. Stat. § 213.1085(5)).

⁹³ Nev. Rev. Stat. § 213.131(4). See also Nev. Const. art. 1, § 8A(g), (n) on victims' right to notice.

Individuals may be notified in person or via certified mail no later than 21 working days before the meeting (Nev. Admin. Code § 213.534(1) (2026)). Notice is adequate for in-person delivery if the Board receives a copy of the notice signed by the individual and a witnessing Department employee or two Department employees who witness the individual refusing to accept notice; for certified mail, notice is adequate if the Board receives a receipt of delivery by the United States Postal Service (*Id.* § 213.534(3)-(4)). An individual may waive their right to notice in writing (*Id.* § 213.534(5)).

⁹⁴ Nev. Rev. Stat. § 213.12155(6).

⁹⁵ *Id.* § 213.131(4).

⁹⁶ *Id.* § 213.131(7).

⁹⁷ Nev. Const. art. 1, § 8A(k)-(l), (n).

⁹⁸ Nev. Rev. Stat. § 213.12155(6).

Parole hearings are sometimes conducted by a panel consisting of two or more members of the Board or a member of the Board and a case hearing representative. Recommendations for granting or denying parole are not approved without a majority vote of the full Board. See *id.* §§ 213.133 (2026), 213.135 (2026); Nev. Admin. Code § 213.565 (2026), and *Board Operations*, *supra* note 60, at 7-8, for more information.

⁹⁹ *Board Operations*, *supra* note 60, at 6.

¹⁰⁰ *Id.*

¹⁰¹ *Id.* at 6-7.

¹⁰² *Id.* at 7; Nev. Rev. Stat. § 213.131(10).

Note that private representation must be paid for at the individual's expense (Nev. Rev. Stat. § 213.131(10)). Individuals may waive their right to have a representative or speak at the hearing (Nev. Admin. Code § 213.534(5)).

¹⁰³ *Board Operations*, *supra* note 60, at 7.

¹⁰⁴ *Id.*; Nev. Rev. Stat. § 213.131(9); Nev. Admin. Code § 213.534(6).

¹⁰⁵ *Board Operations*, *supra* note 59, at 7.

¹⁰⁶ Nev. Rev. Stat. § 213.12155(7)(a)-(c).

¹⁰⁷ *Id.* § 213.12155(12).

See Nev. Admin. Code §§ 213.512 (2026), 514 (2026), 516 (2026) for more detail on the Board's consideration of risk and offense severity and its initial assessment for parole. See also Nevada Board of Parole Commissioners, *Nevada Parole Guidelines: Aggravating and Mitigating Factors Definitions* (Apr. 30, 2024), https://parole.nv.gov/uploadedFiles/parolenvgov/content/Information/Aggravating_and_Mitigating_Factors_Definitions-1-2018.pdf (start at source link <https://parole.nv.gov/Information/Forms/> then click "Nevada Parole Guidelines-Aggravating and Mitigating Factors Definitions" under "Parole Guideline Related Forms"); Nevada Board of Parole Commissioners, *Nevada Parole Recidivism Risk & Crime Severity Guidelines* (June 1, 2023),

<https://parole.nv.gov/uploadedFiles/parolenvgov/content/Information/ParoleRiskAssessmentValues.pdf> (start at source link https://parole.nv.gov/Information/Forms_Pages/Guideline_Related_Forms/Nevada_Parole_Risk_Assessment/ then click link "Nevada Parole Recidivism Risk..."); and Nevada Board of Parole Commissioners, *Nevada Parole Risk Assessment* (June 1, 2023), https://parole.nv.gov/uploadedFiles/parolenvgov/content/Information/NV_ParoleRiskAssessmentForm.pdf (start at source link https://parole.nv.gov/Information/Forms_Pages/Guideline_Related_Forms/Nevada_Parole_Risk_Assessment/ and click link for "Parole Risk Assessment Form"), for more detailed information on factors the Board considers for parole.

¹⁰⁸ Nev. Rev. Stat. §§ 213.1099(2)(a)-(e), 213.10885(2)(a)-(f) (2026).

¹⁰⁹ Nev. Admin. Code § 213.518(1)(b) (2026).

¹¹⁰ *See id.* § 213.518(2).

¹¹¹ *See id.* § 213.518(3).

¹¹² Nev. Rev. Stat. § 10885(3).

¹¹³ *Board Operations*, *supra* note 60, at 9.

¹¹⁴ Nev. Rev. Stat. § 213.108(7) (2026).

¹¹⁵ *Id.* §§ 213.12155(8), 213.131(11); *Board Operations*, *supra* note 60, at 19.

¹¹⁶ *Parole Reports*, *supra* note 63, § 537.02(6)(A).

¹¹⁷ Nev. Admin. Code § 213.545(1) (2026); *Board Operations*, *supra* note 60, at 9. *See* Nev. Admin. Code § 213.545(2)-(5) for specifics.

¹¹⁸ Nev. Rev. Stat. § 213.140(3)(a).

¹¹⁹ *Id.* § 213.140(3)(b); *Board Operations*, *supra* note 60, at 11.

¹²⁰ *Parole Reports*, *supra* note 63, § 537.02(2)(C).

¹²¹ *Board Operations*, *supra* note 60, at 11.

¹²² Nev. Rev. Stat. § 213.140(4).

¹²³ *Id.* § 213.12155(11); *Board Operations*, *supra* note 60, at 20.

¹²⁴ Nev. Rev. Stat. § 213.131(11); *Board Operations*, *supra* note 60, at 13.

Recommendations the Board may provide include avoiding misconduct that could lead to disciplinary action; participation in programs for behavior, education, or vocation; participation in programs on empathy for victims; and avoiding gang association (Nev. Admin. Code § 213.536(1)(a) (2026)).

If the hearing is held by a smaller a panel, as discussed in note 97, a split decision is considered a denial and a new hearing will be scheduled in six months (*Board Operations*, *supra* note 60, at 8).

¹²⁵ Nevada Department of Corrections, Administrative Regulation §§ 540, 540.01, *Inmate Release Procedures: Preparation for the Release of Inmates* (May 20, 2010), https://doc.nv.gov/uploadedFiles/docnvgov/content/About/Administrative_Regulations/AR%20540%20-%20No%20Changes.pdf (start at source link [https://doc.nv.gov/About/Administrative_Regulations/](https://doc.nv.gov/About/Administrative_Regulations/Administrative_Regulations/) then click "500 Series: Classification & Management of Offenders" then click link for "AR 540 Inmate Release Procedures").

¹²⁶ Nevada Department of Corrections, Administrative Regulation §§ 816, 816.01, *Pre-Release Preparation of Applications for Supplemental Security Income: Institutional Pre-Release Preparation of Applications for Supplementary Security Income Claims* (Sept. 18, 2018), https://doc.nv.gov/uploadedFiles/docnvgov/content/About/Administrative_Regulations/AR%20816%20-%20Pre-Release%20Preparation%20of%20SSI%20-%2009172018.pdf (start at source link https://doc.nv.gov/About/Administrative_Regulations/Administrative_Regulations/ then click "800 Series: Offender Programs" then click the link for "AR 816 Pre-Release Preparation...").

¹²⁷ Nev. Rev. Stat. §§ 209.3517 (allowing Department Director to apply for Medicaid eligibility on behalf of incarcerated individual), 209.511(2) (required actions by the Department Director upon release), 422.272428 (allowing pre-release Medicaid coverage for incarcerated individuals with medical conditions), 422.27487 (allowing individuals to apply for Medicaid enrollment upon release).

Conditions that meet eligibility for pre-release coverage are mental illness, substance use disorder, chronic disease or other significant disease, intellectual disability, developmental disability, traumatic brain injury, and HIV (*Id.* § 422.272428(2)(b)(1)-

(7)). Coverage must include case management, consultations for physical and behavioral health care, laboratory and radiology services, prescription drugs, and community health worker services (*Id.* § 422.272428(1)(a)-(e)).

¹²⁸ *Id.* § 209.511(4)(j) (2026).

¹²⁹ *Id.* § 209.511(4)(i).

¹³⁰ Note that while the statute assigns responsibility to the Director, the Department likely carries out the duties listed through delegation.

¹³¹ Nev. Rev. Stat. § 209.511(1).

¹³² *Id.* § 209.511(4)(a).

¹³³ *Id.* § 209.511(4)(b).

¹³⁴ *Id.* § 209.511(4)(e).

¹³⁵ *Id.* § 209.511(4)(e)(1)-(2).

¹³⁶ *Id.* § 209.511(4)(f).

¹³⁷ *Id.* § 209.511(4)(g).

¹³⁸ *Id.* § 209.511(4)(k).

¹³⁹ *Id.* § 213.12155(10); *Board Operations*, *supra* note 60, at 20.

¹⁴⁰ Nev. Rev. Stat. § 213.1078(1) (2026).

¹⁴¹ *Id.* § 213.1078(4).

¹⁴² *Id.* § 213.1078(2).

¹⁴³ *Id.* § 213.1218(2) (2026).

¹⁴⁴ *Id.* §§ 213.12155(9), 213.12175 (2026); *Board Operations*, *supra* note 60, at 19.

¹⁴⁵ *Board Operations*, *supra* note 60, at 13.

¹⁴⁶ *Id.*

¹⁴⁷ Nev. Rev. Stat. § 213.12175(1)-(4).

¹⁴⁸ *Id.* § 213.1218(1)(a); *Board Operations*, *supra* note 60, at 11.

¹⁴⁹ Nev. Rev. Stat. § 213.126(1) (2026).

¹⁵⁰ *Id.*

¹⁵¹ *Id.* § 213.126(7).

¹⁵² *Id.* § 213.154(3) (2026).

¹⁵³ *Id.* § 213.1076(1); Nev. Admin. Code § 213.230 (2026).

¹⁵⁴ Nev. Rev. Stat. § 213.1076(2)-(3).

¹⁵⁵ *Id.* § 213.1099(3); *Board Operations*, *supra* note 60, at 11.

¹⁵⁶ Nev. Rev. Stat. §§ 213.1511(1) (2026), 213.15105 (2026).

Note that a written order from the Board, certified by the Chief Parole and Probation Officer (Chief), constitutes a warrant for any parole, probation, or peace officer to arrest an individual on parole and any parole, probation, or peace officer may arrest an individual on parole without a warrant if there is probable cause the individual has violated parole (*Id.* § 213.151(1), (3) (2026)). The order is executed the same as a normal criminal process (*Id.* § 213.151(2)). An individual may be released from custody by a parole, probation, or peace officer immediately upon a determination probable cause does not exist that the individual violated parole (*Id.* § 213.151(5)). The arresting officer provides a statement of charges to the authority detaining the

individual and notifies the Board of the arrest and detention of the individual and provides a written report on the violation (*Id.* § 213.151(4)).

The Chief may weigh several factors when considering certifying a Board order for arrest or the placement of an individual after an inquiry pending a Board hearing (*Id.* §§ 213.620(1) (2026), 630(1)-(2) (2026)). Examples of these factors include failure to find employment, failure to submit to a search, curfew violations, offense characteristics, and criminal history as well as any mitigating factors (*Id.*).

¹⁵⁷ *Id.* § 213.1511(3).

¹⁵⁸ *Id.* § 213.1511(4). Note this excludes minor traffic offenses.

¹⁵⁹ *Id.* § 213.1513(1) (2026).

¹⁶⁰ *Id.* § 213.1513(2).

Note the confrontation of an opposing witness may be prohibited if the inquiring officer determines the witness would be at risk of harm if their identity is disclosed.

¹⁶¹ *Board Operations, supra* note 60, at 22.

¹⁶² Nev. Rev. Stat. §§ 213.1515(2) (2026), 213.1517(1), (2)(a) (2026).

¹⁶³ *Id.* § 213.1517(3); *Board Operations, supra* note 60, at 22.

Note if probable cause is based on a violation of law, the Board may wait to hold the hearing until no later than 60 days after the final judgment of the violation of law (Nev. Rev. Stat. § 213.1517(4)).

¹⁶⁴ *Board Operations, supra* note 60, at 21.

¹⁶⁵ *Id.* at 22-23.

Note an individual may retain private counsel at their own expense and waive counsel if the waiver is knowing, intelligent, and voluntary (*Id.* at 22).

¹⁶⁶ Nev. Admin. Code § 213.550(1)-(5) (2026).

¹⁶⁷ Nev. Rev. Stat. § 213.1518(1)-(2) (2026); *Board Operations, supra* note 60, at 21.

¹⁶⁸ Nev. Rev. Stat. § 213.10887 (2026).