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OPINION NO. 2017-02

PUBLIC SAFETY; SEX OFFENDERS; PAROLE AND PROBATION; LIFETIME SUPERVISION: The Division of Parole and Probation (Division) may lawfully determine what constitutes an approved residence. The Parole Board (Board) may not impose a requirement that a sex offender sign a waiver of extradition as part of the offender's participation in a lifetime supervision program. The Division has legal authority to charge and collect fees incorporated into the statute creating the program for lifetime supervision. Warrants remain valid as long as they contain a valid, statutorily enumerated violation of a condition of lifetime supervision. Alcohol testing for electronically monitored sex offenders under lifetime supervision is not permitted as part of NRS 213.1243(5)(b). An express travel restriction condition is no longer a valid condition of participation in a lifetime supervision program. The Division is not required to complete bi-annual reassessments on sex offenders subject to a lifetime supervision program.

Mr. James M. Wright, Director
Nevada Department of Public Safety
555 Wright Way
Carson City, NV 89711

Dear Director Wright:

You have requested a formal opinion from the Office of the Attorney General pursuant to Nevada Revised Statute (NRS) 228.150 related to the conditions of lifetime

supervision of sex offenders following the Nevada Supreme Court's decision in *McNeill v. State*, 132 Nev. ___, 375 P.3d 1022 (Adv. Op. 54, July 28, 2016).

QUESTION ONE

What meets the criteria of an "approved residence" for a sex offender under lifetime supervision? Does the Division of Parole and Probation (Division) have the authority to approve a lifetime supervised sex offender's residence under NRS 213.1243? If the Division may approve a residence, may parole and probation officers enter a residence to assess it for approval, or must the Division approve or disapprove the offender's requested residence based solely on its location? Additionally, if the Division may approve a residence, must the Division's residency verification standards correspond with registration requirements based on tier level assessment or may the Division establish an internal verification frequency?

SUMMARY CONCLUSION TO QUESTION ONE

The Division may lawfully determine what constitutes an approved residence based on the criteria provided in NRS 213.1243, subsections 4, 5, and 10. The Division may also lawfully determine how frequently it verifies a lifetime supervision sex offender's residence. However, when approving a residence, the Division officers may not enter the premises without consent, a warrant, or an exception to the Fourth Amendment warrant requirement.

ANALYSIS

In *McNeill*, the Defendant appealed his conviction for violating conditions of lifetime supervision. There, the Nevada Supreme Court analyzed NRS 213.1243 and found the plain language of the statute does not delegate authority to the Nevada Board of Parole Commissioners (Board) to impose conditions of supervision of sex offenders not enumerated in statute. The Court found that the non-enumerated conditions imposed by the Board were unlawful, and that McNeill did not violate the law when he failed to comply with those conditions. The Court specifically noted that unenforceable grounds for asserting noncompliance with conditions of supervision included McNeill's refusal to submit to urinalysis, his failure to report to and cooperate with his supervising officer, his failure to maintain full time employment and abide by a curfew, and his termination from sex offender counseling. The only enforceable condition of parole concerned McNeill's failure to have his residence approved. The Court remanded the case to the district court for a new trial on the violation of failure to have a residence approved.

Conditions of Lifetime Supervision Enumerated in NRS 213.1243.

NRS 213.1243 provides that lifetime supervision shall be deemed a form of parole for the limited purpose of the applicability of NRS 213.1076 (supervision fees), subsection 9 of NRS 213.1095 (written notice of conditions of parole), NRS 213.1096 (duties of probation officers), subsection 2 of NRS 213.110 (military service), and the Interstate Compact for Adult Offender Supervision ratified, enacted and entered into pursuant to NRS 213.215. *See* NRS 213.1243(2)(a) and (b). Additionally, the statute provides that the Board shall require, as a condition of lifetime supervision, that a sex offender reside at a location only if the residence has been approved by the parole and probation officer assigned to the person and the person keeps the parole and probation officer informed of his or her current address. Additionally, if the residence is a facility that houses more than three persons who have been released from prison, the residence must be licensed pursuant to NRS Chapter 449 as a facility for transitional living for released sex offenders. *See* NRS 213.1243(3). Unless approved by the parole and probation officer assigned to the sex offender and by a psychiatrist, psychologist, or counselor treating the sex offender, a tier 3 sex offender, as a condition of lifetime supervision, must not knowingly be within 500 feet of any place, or if the place is a structure, within 500 feet of the actual structure that is designed primarily for use by or for children, including, without limitation, a public or private school, a school bus stop, a center or facility that provides day care services, a video arcade, an amusement park, a playground, a park, an athletic field or a facility for youth sports, or a motion picture theater.[1] *See* NRS 213.1243(4). As a condition of lifetime supervision, a tier 3 sex offender, if convicted of a sexual offense listed in subsection 6 of NRS 213.1255 against a child under the age of 14, may reside at a residence only if the residence is not located within 1,000 feet of any place or structure that exists or is designed primarily for use by or for children, including, without limitation, a public or private school, a school bus stop, a center or facility that provides day care services, a video arcade, an amusement park, a playground, a park, an athletic field or facility for youth sports, or a motion picture theater. NRS 213.1243(5). As deemed appropriate by the Chief, a tier 3 sex offender may be placed under a system of active electronic monitoring that is capable of identifying his or her location and producing, upon request, reports or records of his or her presence near or within a crime scene or prohibited area, or his or her departure from a specified geographic area, and the sex offender may be required to pay any costs associated with his or her participation under the system of active electronic monitoring to the extent of his or her ability to pay. *Id.* Finally, unless approved by the Chief of the Parole and Probation Division or his or her designee and a written agreement is entered into and signed, the sex offender, as a condition of lifetime supervision, must not have

[1] Any of the conditions of lifetime supervision contained in subsections 3, 4 and 5 of NRS 213.1243 can be waived by the Board if it finds that extraordinary circumstances are present and the Board states those extraordinary circumstances in writing.

contact or communicate with a victim of the sexual offense or a witness who testified against the sex offender, or solicit another person to engage in such contact or communication on behalf of the sex offender. *See* NRS 213.1243(10). Generally, a person who commits a violation of a condition of lifetime supervision imposed pursuant to a program of lifetime supervision is guilty of a category B felony. *See* NRS 213.1243(8).

As to the type or location of residence that may qualify for approval under NRS 213.1243, the Legislature did not provide a comprehensive list of criteria. Subsection 3 of NRS 213.1243, which sets forth the essential standards for the approval of a residence by the Division, states:

> Except as otherwise provided in subsection 9, the Board shall require as a condition of lifetime supervision that the sex offender reside at a location only if:
> (a) The residence has been approved by the parole and probation officer assigned to the person.
> (b) If the residence is a facility that houses more than three persons who have been released from prison, the facility is a facility for transitional living for released offenders that is licensed pursuant to chapter 449 of NRS.
> (c) The person keeps the parole and probation officer informed of his or her current address.

NRS 213.1243(3).

The statute further provides several restrictions as to where certain offenders may be physically present. Specifically, the statute states that Tier 3 offenders may not knowingly be within 500 feet of certain structures. NRS 213.1243(4). As it relates to a Tier 3 offender's residence, the logical consequence of this restriction on physical presence is that the offender's residence may not be within 500 feet of any of the enumerated structures. The statute further provides that Tier 3 sex offenders who have been convicted of a sexual offense listed in NRS 213.1255(6) against a child under the age of 14 years may "[r]eside at a location only if the residence is not located within 1,000 feet of any place, or if the place is a structure, within 1,000 feet of the actual structure, that is designed primarily for use by or for children ...." NRS 213.1243(5);[2] *see also McNeill v. State*, 132 Nev. ___, ___, 375 P.3d 1022, 1025 (Adv. Op. 54, July 28,

[2] The movement and residency restrictions in subsections 4 and 5 of NRS 213.1243, as enacted in 2007 by SB 471, cannot be applied retroactively, and thus they apply to a limited class of offenders. *See Am. Civil Liberties Union of Nev. v. Masto*, 670 F.3d 1046, 1064–66 (9th Cir. 2012).

2016) ("There are additional residence, stay-away, and monitoring conditions for a Tier 3 sex offender convicted of certain sexual offenses involving a child under the age of 14 years. NRS 213.1243(5)"). NRS 213.1243 also includes a no-contact condition, meaning that the offender may "not have contact or communicate with a victim of the sexual offense or a witness who testified against the sex offender ...." NRS 213.1243(10). Since the sex offender may not contact or communicate with the victim(s) or witness(es), the offender cannot reside at a location where a victim or witness resides.

These three delineations in the statute are not comprehensive as to what constitutes an "approved residence." Subject to the restrictions contained in NRS 213.1243, the Legislature has afforded the Division discretion to determine what constitutes an approved residence. *See e.g., McNeill*, 132 Nev. at ___ n.1, 375 P.3d at 1024 n.1 (explaining that "McNeill was homeless. Thus, the intersection of two streets was established as his 'residence'").

While providing the Division with authority to approve a sex offender's residence, the Legislature has not delineated standards governing the requisite frequency of residency verification. *See* NRS 213.1243. Accordingly, the Legislature has delegated this authority to the Division. The Division may determine how to supervise each offender, provided that its methods comport with the federal and State Constitutions and law and is not unreasonable, arbitrary or capricious.

Moreover, NRS 213.1243 grants the Division no authority to impose a warrantless search provision on lifetime supervision offenders. A search is proper if conducted in a manner consistent with the federal and State Constitutions and Nevada law. The Fourth Amendment to the United States Constitution and Article 1, section 18, of the Nevada Constitution forbid all unreasonable searches and seizures. "Under these cognate provisions of our federal and state constitutions, warrantless searches 'are per se unreasonable ... subject only to a few specifically established and well-delineated exceptions.'" *State v. Lloyd*, 129 Nev. ___, ___, 312 P.3d 467, 469 (Adv. Op. 79, Oct. 31, 2013) (quoting *Katz v. United States*, 389 U.S. 347, 357 (1967)). Accordingly, an officer is required to either obtain a warrant or meet the requirements of one of the exceptions.

Two pertinent exceptions exist to the warrant requirement—exigent circumstances and consent. First, warrantless searches are permissible if based on both probable cause and exigent circumstances. *Howe v. State*, 112 Nev. 458, 463, 916 P.2d 153, 157 (1996). "The exigent circumstances exception to the warrant requirement applies where 'the exigencies of the situation make the needs of law enforcement so compelling that a warrantless search is objectively reasonable under the Fourth Amendment.'" *Byars v. State*, 130 Nev. ___, ___, 336 P.3d 939, 943 (Adv. Op. 85, Oct. 16, 2014) (quoting *Missouri v. McNeely*, 133 S. Ct. 1552, 1558 (2013) (quoting *Ky. v.*

King, 563 U.S. 452, 460 (2011)). Examples include emergency situations, when the officer "reasonably believe[s] that a person within is in need of immediate aid" or circumstances indicate that "there are other victims or if a killer is still on the premises." *Alward v. State*, 112 Nev. 141, 151, 912 P.2d 243, 249–50 (1996) (quoting *Mincey v. Ariz.*, 437 U.S. 385, 392 (1978)), *overruled on other grounds by Rosky v. State*, 121 Nev. 184, 111 P.3d 690 (2005). Moreover,

> Law enforcement officers may enter private premises without either an arrest or a search warrant to preserve life or property, ... provided they have reasonable grounds to believe that there is an urgent need for such assistance and protective action, or to promptly launch a criminal investigation involving a substantial threat of imminent danger to either [sic] life, health, or property, and provided, further, that they do not enter with an accompanying intent to either arrest or search.

Koza v. State, 100 Nev. 245, 252, 681 P.2d 44, 48 (1984) (internal quotation omitted). Second, voluntary consent given by a person who has actual or apparent authority over the property to be searched is an exception to the warrant requirement. *Ill. v. Rodriguez*, 497 U.S. 177, 181 (1990). However, the search must be within the scope of consent that is "freely and intelligently given." *State v. Ruscetta*, 123 Nev. 299, 302-03, 163 P.3d 451, 453–54 (2007); *State v. Taylor*, 114 Nev. 1071, 1080, 968 P.2d 315, 322 (1998). "The Fourth Amendment is satisfied when, under the circumstances, it is objectively reasonable for the officer to believe that the scope of the suspect's consent permitted him [to perform the action in question]." *Ruscetta*, 123 Nev. at 303, 163 P.3d at 454 (internal quotation omitted).

QUESTION TWO

May offenders be extradited pursuant to a lifetime supervision agreement containing an agreement to be extradited from any state in the United States?

SUMMARY CONCLUSION TO QUESTION TWO

Pursuant to the holding in *McNeill*, the Board may not impose a requirement that a sex offender sign a waiver of extradition as part of the offender's participation in a program of lifetime supervision.

ANALYSIS

NRS 213.1243 does not contain a provision requiring a person to waive extradition as part of participation in a program of lifetime supervision. In contrast to NRS 213.1243, its sister statute contains specific language requiring a person to waive extradition in writing as a condition of release on standard parole. NRS 213.1218(1) provides that before a person may be released on parole, the person must submit to the Division a signed document stating the person will comply with the conditions of parole and waives all rights related to extradition in the event the person is taken into custody outside the state and fails to comply with the conditions of parole. This section is not incorporated into the lifetime supervision program statute, pursuant to subsection 2 of NRS 213.1243, and it is not specifically enumerated in the statute as a condition of lifetime supervision.

Pursuant to the holding in *McNeill*, the Board may not impose a requirement that sex offenders sign a waiver of extradition as part of their participation in a program of lifetime supervision. This does not mean the Division cannot require a person on lifetime supervision to sign a waiver of extradition as part of an agreement to be supervised outside the State of Nevada. The Interstate Compact on Adult Offender Supervision is specifically incorporated into the program for lifetime supervision. NRS 213.1243(2)(b). Rule 3.109 of the Interstate Compact provides that an offender applying for interstate supervision shall execute, at the time of application for transfer, a waiver of extradition from any state to which the offender may abscond while under the supervision in the receiving state.

QUESTION THREE

May the Division of Parole and Probation charge supervision fees pursuant to NRS 213.1243? If so, is there a prescribed manner to enforce the collection of fees?

SUMMARY CONCLUSION TO QUESTION THREE

Pursuant to the holding in *McNeill*, since supervision fees have been specifically incorporated into the statute creating the program for lifetime supervision, the Division has legal authority to charge and collect those fees.

ANALYSIS

NRS 213.1243(2) specifically incorporates NRS 213.1076 into the program for lifetime supervision. NRS 213.1076 provides in relevant part as follows:

1. The Division shall:

> (a) Except as otherwise provided in this section, charge each parolee, probationer or person supervised by the Division through residential confinement, a fee to defray the cost of his or her supervision.
>
> (b) Adopt by regulation a schedule for the fees to defray the costs of supervision of a parolee, probationer or person supervised by the Division through residential confinement. The regulation must provide of a monthly fee of at least $30.
>
> 2. The Chief may waive the fee to defray the costs of supervision, in whole or in part, if the Chief determines that payment of the fee would create an economic hardship on the parolee, probationer or person supervised by the division through residential confinement.
>
> 3. Unless waived pursuant to subsection 2, the payment by a parolee, probationer or person supervised by the Division through residential confinement of a fee charged pursuant to subsection 1 is a condition of his or her parole, probation or residential confinement.

Pursuant to *McNeill*, since supervision fees have been specifically incorporated into the statute creating the program for lifetime supervision, the Division has legal authority to charge those fees. With regard to delinquent supervision fees, the payment of supervision fees is a condition of lifetime supervision. Therefore, a person who fails to pay supervision fees could conceivably be charged with a category B felony for violating a condition of lifetime supervision. As described in an Office of the Attorney General Opinion addressing the collection of supervision fees imposed pursuant to parole or probation, there have been cases in which non-payment of supervision fees was cited as a violation of probation/parole and served as part of the basis of a violation report. Op. Nev. Att'y Gen. No. 01-22 (July 23, 2001). Since a violation of a condition of lifetime supervision constitutes a serious offense, namely a category B felony, it is unlikely that an offender's failure to pay supervision fees would be the sole or primary basis of a criminal prosecution for noncompliance with conditions of lifetime supervision. Beyond the authority to charge a person on lifetime supervision with a felony violation of the person's conditions of supervision, the statute does not prescribe the manner of collecting unpaid supervision fees. As discussed in the 2001 Attorney General Opinion, the Division has authority to use administrative/civil processes to collect unpaid supervision fees. *Id.* The Division may use those processes to collect unpaid supervision fees from a person subject to lifetime supervision just as it may use them to collect unpaid fees imposed pursuant to a finite term of parole or probation.

QUESTION FOUR

The Division supervises sex offenders who are named in absconder warrants that may contain charges ruled invalid by *McNeill*. Should the Division now amend those absconder warrants to withdraw the invalid charges, and coordinate with the responsible District Attorney, or wait until the offenders are arrested and drop specific violations at that time?

SUMMARY CONCLUSION TO QUESTION FOUR

Warrants remain valid as long as they contain a valid, statutorily enumerated violation of a condition of lifetime supervision, including, but not limited to, a residence-based violation; therefore, the amendment of a warrant is not required if the warrant contains one or more valid violation(s) statutorily enumerated in NRS 213.1243.

ANALYSIS

Generally, a warrant is valid as long as there is probable cause to support a charge that the defendant committed a triable offense. *See* NRS 171.106. Provided the warrants described in the question as "absconder warrants"[3] all contain a charge of violation of one of the enumerated bases in NRS 213.1243, they would likely remain valid. Since a residence condition is expressly enumerated in NRS 213.1243, such a condition is still valid after *McNeill*. Assuming the individual warrant is based upon a valid probable cause determination concerning the violation of a residence condition, the warrant should be valid despite *McNeill's* holding as to other types of violations. This reasoning is supported by the similar facts and outcome of the *McNeill* decision itself. In *McNeill*, the charging document included charges for multiple violations, but the Court found that only the residence condition violation could be valid. *McNeill,* 132 Nev. at ___, 375 P.3d at 1027. The Court did not rule the entire charging document to be invalid, but rather remanded the case for a new trial on the single charge of a residence condition violation. *Id.*

QUESTION FIVE

During a period of electronic monitoring, may the Division monitor a lifetime supervision sex offender for alcohol use?

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[3] The Division has indicated that, for purposes of this question, the term "absconder warrant" is consistent with the Division's Violation Manual explanation for "absconding," meaning it is a warrant issued for an offender who is no longer in the Division's jurisdiction, and/or is intentionally avoiding supervision, and/or is absent from the approved place of residence or employment.

SUMMARY CONCLUSION TO QUESTION FIVE

Alcohol testing for sex offenders who are electronically monitored under lifetime supervision is not permitted as part of the electronic monitoring authorized by NRS 213.1243(5)(b).

ANALYSIS

This question implies that electronic alcohol monitoring would be a component of a "system of active electronic monitoring" as a lifetime supervision condition under NRS 213.1243(5)(b), for certain Tier 3 sex offenders. Pursuant to *McNeill*, the conditions of lifetime supervision are those enumerated in the statute. *McNeill* at 1025. The scope of electronic monitoring of a sex offender, as provided in NRS 213.1243(5)(b), is limited to "identifying his or her location and producing, upon request, reports or records of his or her presence near or within a crime scene or prohibited area or his or her departure from a specified geographic location." As alcohol monitoring does not fall within the scope of the statute's location-based monitoring scheme, it would not be a valid condition under *McNeill*.

QUESTION SIX

Is the Department of Public Safety legally required to issue travel passes to sex offenders subject to lifetime supervision, and are there any legal restrictions on their travel between states or internationally?

SUMMARY CONCLUSION TO QUESTION SIX

Because an express travel restriction condition is no longer a valid condition of participation in a program of lifetime supervision, the Division may not require the use of travel passes in this context. The Division may still use them for other valid purposes. The Division should account for travel restrictive consequences of the Interstate Compact.

ANALYSIS

Pursuant to *McNeill*, travel restrictions are not valid conditions of lifetime supervision for sex offenders. Therefore, NRS 213.1243 does not allow the Division to require lifetime supervision sex offenders to obtain a special travel pass before traveling outside the state. However, there may be circumstances where lifetime supervision sex offenders request a travel pass for their own benefit – to establish, for example, that they are not precluded from being outside of Nevada. *McNeill* does not prohibit the Division from issuing travel passes for such purposes.

While NRS 213.1243 imposes no condition-based travel restrictions for lifetime supervision offenders, some requirements of the Interstate Compact for Adult Offender Supervision (ICAOS), the provisions of which have the status of federal law, may effectively act to restrict travel. Likewise, under the compact, the state may be required to apply the ICAOS rules in ways that restrict travel. For example, under ICAOS Rule 2.110(a), "[n]o state shall permit an offender who is eligible for transfer under this compact to relocate to another state except as provided by the Compact and these rules." Such "relocation" is defined under the ICAOS rules as remaining in another state for more than 45 consecutive days in any 12-month period. Therefore, while there are no condition-based travel restrictions under NRS 213.1243 and *McNeill*, the time restraints of the compact may act to limit travel.

QUESTION SEVEN

Is the Division required to complete bi-annual reassessments on lifetime sex offenders? If so, are Vermont Assessment of Sex Offender Risk (VASOR) and Sex Offender Treatment Intervention and Progress Scale (SOTIPS) reassessment tools required to be administered for lifetime supervision sex offenders?

SUMMARY CONCLUSION TO QUESTION SEVEN

The Division is not required to complete bi-annual reassessments on sex offenders subject to a program of lifetime supervision.

ANALYSIS

The Division is not required to complete bi-annual reassessments on lifetime sex offenders. While NRS 213.1078 requires biannual assessments for parolees and probationers under certain circumstances, lifetime supervision is not deemed a form of parole for this purpose. *See* NRS 213.1243(2)(a) ("Lifetime supervision shall be deemed a form of parole for: . . . The limited purposes of the applicability of the provisions of NRS 213.1076,[4] subsection 9 of NRS 213.1095,[5] NRS 213.1096[6] and subsection 2

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[4] NRS 213.1076 provides:

> 1. The Division shall:
> (a) Except as otherwise provided in this section, charge each parolee, probationer or person supervised by the Division through residential confinement a fee to defray the cost of his or her supervision.

(b) Adopt by regulation a schedule of fees to defray the costs of supervision of a parolee, probationer or person supervised by the Division through residential confinement. The regulation must provide for a monthly fee of at least $30.

2. The Chief may waive the fee to defray the cost of supervision, in whole or in part, if the Chief determines that payment of the fee would create an economic hardship on the parolee, probationer or person supervised by the Division through residential confinement.

3. Unless waived pursuant to subsection 2, the payment by a parolee, probationer or person supervised by the Division through residential confinement of a fee charged pursuant to subsection 1 is a condition of his or her parole, probation or residential confinement.

[5] NRS 213.1095(9) provides:

> The Chief Parole and Probation Officer ... [s]hall furnish to each person released under his or her supervision a written statement of the conditions of parole or probation, instruct any parolee or probationer regarding those conditions, and advise the Board or the court of any violation of the conditions of parole and probation.

[6] NRS 213.1096 provides that 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 the person 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.

of NRS 213.110[7]"). Additionally, even if NRS 213.1078 applied in this context, the statutory requirements for bi-annual assessments do not apply if the level of supervision "is set by the Board [of Parole Commissioners] or the law." NRS 213.1078(4). By setting the conditions of lifetime supervision, the Board, not the Division, sets the level of supervision for the program of lifetime supervision. *See* NRS 213.1243; *McNeill*, 132 Nev. at___, 375 P.3d at 1026. The *McNeill* decision does not alter this process. *See McNeill*, 132 Nev. at___, 375 P.3d at 1026.

QUESTION EIGHT

How often is the Division required to contact an offender who is subject to lifetime supervision?

SUMMARY CONCLUSION TO QUESTION EIGHT

NRS 213.1243 does not address the required frequency of contacts the Division must have with a sex offender subject to lifetime supervision. Of course, the type and frequency of contacts must be consistent with the terms and conditions of supervision, as confined by NRS 213.1243, and the limitations imposed by the Nevada Constitution, the Constitution of the United States, and federal and state law.

ANALYSIS

NRS 213.1243 incorporated the duties of a probation officer, set out in NRS 213.1096, into the program of lifetime supervision. Those include the duties to

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> 6. Collect and disburse all money in accordance with the orders of the Chief Parole and Probation Officer or 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.

[7] NRS 213.110(2) provides: "The Board, for good cause and in order to permit induction into the military service of the United States, may suspend paroles during the period of the parolee's active service after induction into the military service."

"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," and "keep informed concerning the conduct and conditions 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." NRS 213.1096(2) and (4). Aside from that general direction regarding supervision, NRS 213.1243 does not set out the required frequency of contacts the Division is required to have with a sex offender subject to lifetime supervision. The type and frequency of contacts must comport with the terms and conditions of supervision, set out in NRS 213.1243, and the limitations imposed by the Nevada Constitution and the Constitution of the United States.

Sincerely,

ADAM PAUL LAXALT
Attorney General

By: _____
MICHAEL JENSEN
Senior Deputy Attorney General
Department of Public Safety

MDJ/BDC