

May 14, 2007

Jesse Gallegos, Board member, referenced a recent memo from Andy Taylor, Hearing Officer, asking the Board for clarification regarding restitution that has been ordered by the court at the time of probation which is not listed in the Judgment and Commitment sentencing the offender to prison. The Board determined if the court has ordered restitution, and it has not been paid, it should also be ordered by the Board.

June 18, 2007

Board members agreed to contact an employee's supervisor before they make assignments to staff.

The Board determined single Board members have the authority to:

- a. deny probable cause challenges
- b. schedule rescission hearings when an immediate rescission is not necessary
- c. close files after an offender's death
- d. find probable cause and continue a parole violation hearing based upon new charges
- e. rescind a parole date where there is a new criminal conviction so long as the date is less than 60 days away

The Board determined a single Board could not close out a file for a legislative termination or expiration of sentence.

July 16, 2007

The Board determined burglaries should be scored as person crimes only if the burglary occurred in a dwelling. Non-dwelling burglaries are to be scored in the 'other' category of the Sentencing Guidelines. If the burglary occurred out of state, it will be presumed to be of a dwelling.

The Board determined when it orders substance abuse therapy that aftercare be included. The special condition of parole will read:

'Successfully complete Substance Abuse Therapy with Aftercare.'

July 30, 2007

The Board determined all documents contained in an offender's file, except section 2 (the Board's internal work product), will be disclosed or summarized and provided to an offender 7 days prior to a hearing when a parole date is fixed or extended. Any person offering information to the Board will be told the information will either be disclosed or summarized and provided to the offender.

August 13, 2007

The Board decided it would determine on a case by case basis whether an illegal alien offender will receive sex offender and/or substance abuse therapy prior to release. Board member Gallegos indicated an offender's illegal immigration status should be shown in the Institutional Progress Report.

The Board asked that hearing officers route to the OD Board member alternative events where the offender has been convicted of a homicide or is a high profile offender.

The Board has asked when the media is present at a hearing the hearing official place a sticker on the cover of the file so the case can be identified as media involved. These stickers will be available on the bench at the hearing.

The Board decided the Board member assigned to an evidentiary hearing will determine if the evidentiary hearing is to be continued.

August 20, 2007

The Board determined if an offender has been granted termination of sentence, and a warrant is issued, the termination date is rescinded.

August 20, 2007

The Board decided points should not be given in the Sentencing Guidelines under Supervision History for pre-trial release when an offender is arrested and released on their own recognizance or when an offender is released without charges being filed.

The Board determined single Board members have the authority to:

Cancel an evidentiary hearing and schedule a disposition hearing based on a stipulation between the parties.

August 27, 2007

The Board agreed with Keith Hamilton's, Board member, recommendation that offenders do not receive credit for time served on one case while serving punishment for a sentence on another case.

September 10, 2007

The Board determined blue packets that are returned by offenders are to be placed in their file. The signed inmate refusal document is to be placed in section 2 of the file.

September 17, 2007

Jesse Gallegos, Board member, asked that media stickers to be attached to offender files whenever Board members and hearing officers notice that the media has previously reported on the case.

September 24, 2007

Cheryl Hansen, Board member, explained when the agency receives an order from the sentencing court stating that restitution is to be determined by the Board it will be given to Duane Kaneko, Hearing Officer. Mr. Kaneko will review the order and forward it to Brent Butcher, Director of Field Operations, who will assign it to an agent who will forward the restitution amount to the Board.

October 1, 2007

The Board reiterated its policy that offenders will not receive credit for time served as a condition of probation.

The Board determined it would not consider terminating a foreign offender's sentence if the offender will parole within 12 months of the request. The Chairman will send Annie Hobbs, International Transfer Coordinator for the Department of Corrections, a memo stating the same.

October 15, 2007

The Senior Hearing Officer asked if the Board will remit interest on judgments. The Board indicated it will look at each case on a case by case basis prior to making a decision.

November 5, 2007

The Board determined only one Board member need vote on cases where the sentence has expired. The voting Board member will verify toll time and restitution.

December 10, 2007

The Board requested that Adult Probation and Parole continue to submit termination of sentence requests on illegal alien cases. The Board decided it would not enter anticipatory warrants on possible illegal alien offenses.

Where two or more new offenses are concurrent to each other, but consecutive to the underlying offense(s), all of the new offenses are currently scored at 40%. The Board will now ask Case Analysts to calculate guidelines two ways: (1) with all the new offenses scored at 40% and, (2) with only one of the new offenses scored at 40%. After reviewing the Judgments and Commitment, the Board will determine which score they will adopt. The Chairman will speak with Scott Carver, Director of the Sentencing Commission, regarding the issue.

December 17, 2007

The Board proposed that dual guideline calculations appear on the first sheet of the worksheet. Case Analysts will have input as to where the dual calculations will appear and will make a recommendation to the Board regarding the same.