



Information Packet: The Utah Board of Pardons and Parole and Victim Communication

Why is the Utah Board of Pardons and Parole (Board) Contacting Me?

If the sentence imposed by a judge allows an offender the possibility of parole, the Utah Board of Pardons and Parole (Board) is required by law to schedule an Original Hearing (also called a parole hearing) during the offender's sentence. Please note, every sentence, unless it is life without the possibility of parole or a death sentence, allows an offender the possibility of parole. As a victim in the case, the Board will notify you of tentative and actual dates of the hearing. Please note, the hearing date is set based on Board policy and does not guarantee the offender will be granted parole.

The Board carefully considers the impact on victims and the nature of the offense when making decisions. As a victim, you have the right to participate in the hearing if you choose. The three ways you can participate in a hearing are explained later in this document. We want to ensure you are aware of your rights and have the opportunity to be involved in a way that feels appropriate for you.

What Is the Board's Role in Sentencing?

At sentencing, Utah judges incarcerate offenders for a range of time instead of a fixed length (e.g., "0 to 5 years" instead of "2.5 years"); this is called indeterminate sentencing. After the offender begins their prison sentence, the Board determines how long they will actually stay in prison and whether they may be released on parole.

The Board uses a form called a matrix, provided by the Utah Sentencing Commission, to calculate a recommended timeframe for how long the offender may stay in prison. This is called a sentencing guideline. The guideline is only a suggestion, not a requirement. By law, the Board can release an offender under the guideline or hold the offender past the guideline, up to the maximum allowed sentence.

When making decisions, the Board considers many factors, including:

- **The harm caused to the victim(s)**
- The nature of the offense
- The offender's behavior in prison
- Progress in treatment or education programs
- Criminal history

This process means that offenders convicted of similar crimes may receive different decisions from the Board.

What Is the Utah Board of Pardons and Parole?



The Utah Board of Pardons and Parole (Board) was created by the Utah Constitution. The Board makes decisions about parole, prison release, commutation, executive clemency, and pardons for all offenders in the custody of the Utah Department of Corrections.

There are five full-time Board members and up to five part-time (pro tempore) members. The Governor appoints them, and the Senate approves them for five-year terms.

The Board has hearing officers who conduct some hearings and make recommendations. Hearing officers DO NOT make any decisions.

The mission of the Board is to protect public safety through informed and just decisions that consider victim input, the accountability of those under its jurisdiction, risk reduction, and rehabilitation. These decisions must be made in accordance with procedures outlined in federal and state constitutions, statutes, and the Board's administrative rules.

As a Victim, What Do I Need to Know about the Board's Process After Sentencing?

1. Board Takes Jurisdiction and Calculates Sentence

Once the offender is sentenced to prison, the Board reviews the case(s) to determine release guidelines and set a hearing date. This includes:

1. Reviewing the court's judgment
2. Calculating the maximum prison sentence and credit for time served
3. Setting the date for an original hearing

If the offender's sentence allows for the possibility of parole, the Board will schedule an Original Hearing.

2. Hearing is Scheduled

The Board schedules an Original Hearing to decide whether and when the offender can be released on parole. Victims are notified first of the scheduled tentative date (month and year) of the hearing and have the right to participate in ways that feel comfortable to them. When the precise date (month, date, year) is set, the Board will provide a second notice.



3. Participating in the Hearing

During the hearing, the hearing official will ask the offender questions about the offense, their behavior in prison, and their release plan. As a victim, you can choose to make a statement. The offender will also be given the opportunity to respond.

There are three ways to participate in a hearing:

1. In Person, when possible

1. To attend the hearing in person, contact our Victim Services Coordinator at least three days before the hearing at 801-261-6464 or bopvictim@utah.gov.
2. If you choose to attend, you can request to give your testimony without the offender present.

2. Online

1. You can attend the hearing via video conference. Contact the Victim Services Coordinator at least three days before the hearing to receive an access link. Without this link, you won't be able to speak during the hearing.
2. If you choose online participation, you may also choose to leave your camera off.
3. If you prefer not to participate but would still like to view the hearing, you can watch it live at bop.utah.gov/hearings-decisions/join-a-live-hearing/. (This link does not allow you to participate in the hearing.)

3. Written Impact Statement

1. You can submit a written impact statement by email or mail. Written statements will be carefully reviewed and considered by the Board.
2. Individuals, like family, friends, or others affected by the crime, can also submit written statements to the Board.

Whether or not you participate, the Board still considers the impact on victims using the information available.

No decision will be made at the hearing itself.

4. Board Issues Decision

After the hearing, the Board will consider the information collected at the hearing in addition to other materials like reports and assessment to decide whether the offender:

1. Should complete additional programming before being considered for parole,
2. Should have another hearing scheduled in the future to reassess parole, or
3. May be paroled.

The Board does NOT make a decision on the day of the hearing. Decisions usually take 2-6 weeks and will be posted at bop.utah.gov/hearings-decisions/search-hearings-decisions/.



5. If the Board Denies Parole

If the Board denies parole, you have the right to participate in future hearings if you choose. To receive notifications about future hearings, please keep your contact information with the Board up to date. Your participation in the Original Hearing or any future hearings is not required. The Board maintains a record of your previous statements and will consider those in making future decisions too. The Board carefully considers the impact on victims and the nature of the offense when making decisions, whether or not you participate in the hearing or provide a written statement.

More About Submitting Written Victim Impact Statements

You can submit a written victim impact statement to the Board at any time before the hearing. This can be the same statement you submitted to the judge before sentencing, or you can choose to submit a new or updated statement. Please note that the Board may not always receive victim impact statements submitted to the court.

Any written statement sent to the Board will be included in the offender's file and reviewed by Board members when making their decision. By law, all statements must be shared with the offender before the hearing. The Board will remove your contact information.

Individuals, like family, friends, or others affected by the crime, can also submit written statements to the Board.

Maintaining Your Contact Information:

To keep receiving notices about scheduled hearings, please update your contact information as needed by contacting the Board at 801-261-6464 or via email at bopvictim@utah.gov.

Opting Out of Notifications:

If you no longer wish to receive hearing notifications related to this offender, please contact the Board at 801-261-6464 or bopvictim@utah.gov.