



## SUMMARY OF 2016 UTAH SENTENCING & RELEASE GUIDELINE REVISIONS

(effective October 1, 2016)

Section(s) Impacted:	Located on Page(s):	Functional Revisions:	Substantive Revisions:
<b>Criminal History Scoring</b>	13,14,15, 23,24,25, 27	<ul style="list-style-type: none"> <li>Clarified that equivalent military or out of state records can be counted.</li> <li>Previously "Criminal History Assessment" – now "Criminal History Scoring."</li> </ul>	
<b>Form 1,3</b>	20,23,25	<ul style="list-style-type: none"> <li>"Intermediate Sanctions" relabeled as "Jail as Initial Condition of Felony Probation."</li> </ul>	<ul style="list-style-type: none"> <li>The use of resources previously considered "intermediate sanctions" should be determined using validated risk and needs screening and assessment tools.</li> <li>The shaded area is now indicative that Form 4 should be considered if prison is not imposed.</li> </ul>
<b>Forms 1-3</b>	23,24,25	<ul style="list-style-type: none"> <li>Length of stay (prison time) recalculated in months only.</li> </ul>	
<b>Forms 4,5</b>	26,27	<ul style="list-style-type: none"> <li>Length of stay (jail time) recalculated in days only.</li> </ul>	
<b>Forms 1-3</b>	23,24,25	<ul style="list-style-type: none"> <li>Previously Forms 1, 1a and 3.</li> </ul>	
<b>Form 4</b>	26	<ul style="list-style-type: none"> <li>Previously Form 5.</li> </ul>	<ul style="list-style-type: none"> <li>Shading reduced from 3 areas to 2: "Jail Days as an Initial Condition of Felony Probation" or "Presumptive Probation."</li> <li>"Intermediate Sanctions" are now shaded as Jail Days.</li> </ul>
<b>Form 5</b>	21,27	<ul style="list-style-type: none"> <li>Previously Form 5a.</li> <li>Criminal History Scoring included in complete form.</li> <li>Instructional language moved from the form itself to the introductory section.</li> </ul>	
<b>Forms 4,5</b>	26,27	<ul style="list-style-type: none"> <li>Mid-range number listed at the top with range below.</li> </ul>	
<b>Form 6</b>	28	<ul style="list-style-type: none"> <li>Previously Forms 2 &amp; 4.</li> </ul>	<ul style="list-style-type: none"> <li>Updated aggravating and mitigating factors, incorporating research and data into one comprehensive form.</li> </ul>
<b>Tools 1-6</b>	29,30,31,32, 33,34,35,36, 37,38,39	<ul style="list-style-type: none"> <li>Previously Forms 6-10.</li> </ul>	<ul style="list-style-type: none"> <li>Relabeling is intended to delineate that "Forms" are to be submitted at time of sentencing; whereas "Tools" are part of a Structured Decision-Making process while on supervision.</li> </ul>
<b>Tool 1</b>	32	<ul style="list-style-type: none"> <li>Previously Form 6.</li> </ul>	<ul style="list-style-type: none"> <li>Updated with notation to statutory definitions of "court" and "supervised" probation from HB3004.</li> </ul>

<b>Tool 2</b>	33	<ul style="list-style-type: none"> <li>Previously Form 7.</li> </ul>	<ul style="list-style-type: none"> <li>Added that “supervisor approval is not necessary in order to impose a lower level sanction, response or incentive if indicated by Tool 3.”</li> </ul>
<b>Tools 2A &amp; 2B</b>	34,35	<ul style="list-style-type: none"> <li>Previously Addendum G &amp; H.</li> <li>Simplified recognition of risk reduction on Tool 2A and removed previous reference to “plates.”</li> </ul>	<ul style="list-style-type: none"> <li>Removed the word “immediate” from “substantial and immediate threat” under public safety conduct on Tool 2B.</li> <li>Added 3+ violations of same accountability conditions and 3+ violations of any accountability conditions to medium severity on Tool 2B.</li> <li>Reduced all “fail to comply” conditions violations to low severity on Tool 2B.</li> </ul>
<b>Tool 3</b>	36	<ul style="list-style-type: none"> <li>Previously Form 8.</li> <li>Added further explanation of proximal and distal goals.</li> </ul>	
<b>Tool 4</b>	37	<ul style="list-style-type: none"> <li>Previously Form 9.</li> <li>Added further explanation that available incentives below the solid black line are cumulative maximums.</li> </ul>	
<b>Tool 5</b>	38	<ul style="list-style-type: none"> <li>Previously Form 10.</li> <li>Mid-point number listed at top of box with range in parenthesis below.</li> </ul>	<ul style="list-style-type: none"> <li>Clarified that incarceration caps are maximum on 1<sup>st</sup>, 2<sup>nd</sup>, 3<sup>rd</sup> and subsequent revocations.</li> <li>Clarified that the number of revocations will be counted continuously.</li> <li>Probation revocation to prison or discharge resets count.</li> <li>Added “Any Lower Level Response” under the P.O. with Supervisor Approval section.</li> </ul>
<b>Tool 6</b>	39	<ul style="list-style-type: none"> <li>Previously bullet points on Form 10 bullet.</li> <li>Reformatted to clarify which exceptions apply to both probation and parole and which exceptions are to probation or parole only.</li> <li>Added further definition under exceptions 4, 5 &amp; 6 for parole violations.</li> </ul>	<ul style="list-style-type: none"> <li>Added statutory reference to HB3004 which struck the language “that the entire probation term commence anew.</li> <li>Removed “immediate” from “substantial and immediate threat to public safety” exception.</li> <li>Added “per se” violations and “crime of commitment dependent” violations examples.</li> </ul>
<b>Add. B</b>	42,43,44,45 46,47,48,49, 50		<ul style="list-style-type: none"> <li>“Person” crimes categorization is meant to be an inclusive of all felony and misdemeanor offenses for criminal history scoring purposes. “Other” category updated, only includes felonies.</li> </ul>
<b>Add. G</b>	61,62		<ul style="list-style-type: none"> <li>Now includes JRI ITF agreement on a “Sentencing Memorandum” for PSI process for certain low risk offenders.</li> </ul>
<b>Add. H</b>	63,64,65,66		<ul style="list-style-type: none"> <li>Updated references to research:</li> <li><a href="http://www.crj.org/page/-/publications/rejoinder7.11.pdf">http://www.crj.org/page/-/publications/rejoinder7.11.pdf</a></li> <li><a href="http://robinainstitute.umn.edu/publications/criminal-history-enhancements-sourcebook">http://robinainstitute.umn.edu/publications/criminal-history-enhancements-sourcebook</a></li> <li><a href="http://tcp.sagepub.com/content/34/3/341">http://tcp.sagepub.com/content/34/3/341</a></li> </ul>