



Department of Criminal Justice Sentencing Commission

The Sentencing Commission is a legislatively created body (established in 1993) of 17 members representing all facets of the adult and juvenile criminal justice system including prosecutors, defense attorneys, law enforcement, judges, victim representatives, treatment professionals, corrections officials, and the Board of Pardons and Parole.

How are the guidelines created & approved?

The Sentencing Commission is directed by statute to create guidelines laying out recommendations for sentencing and supervision for all criminal offenses to:

- Accept public comment;
- Relate sentencing practices and correctional resources;
- Increase consistency in sentencing;
- Better define responsibility in sentencing; and
- Enhance the discretion of the sentencing court while preserving the role of the Board of Pardons and Parole.

The Sentencing Commission and its subcommittees meet regularly to review current guidelines, respond to stakeholder input on needed changes, respond to legislative directives, study recent research, and make updates to its guidelines as needed. Any recommended changes are discussed and voted on by the entire commission.

The Commission on Criminal and Juvenile Justice also reviews the updated guidelines prior to presenting them to the legislature.

Since January 1, 2025, the legislature “shall authorize, by passing a concurrent resolution” the guidelines. The existing guidelines remain in effect until the legislature authorizes the new guidelines.

What are the Adult Sentencing, Release, & Supervision Guidelines?

Policy Document	Organized Around the Three Phases of:	Includes Guidance
Laying out recommended sentence for all criminal offenses based on: • Offense Type; • Criminal History; and • Aggravating and Mitigating Factors.	• Risk Assessment - understanding the criminogenic risks and needs of the individual being sentenced; • Behavior Management - creating a plan to manage the risks and respond to the needs of the individual being sentenced; and • Termination - laying out the length of supervision and requirements the individual must meet in order to complete the behavior management plan.	On how to consider sentencing and supervision, directing the sentencing authority to prioritize: • Risk management, • Risk Reduction; and • Restitution.

Guideline recommendations are not mandatory. Sentencing authority retains discretion to deviate from guidelines in appropriate circumstances.

What's new for the 2027 Adult Guidelines?

Substantive Changes:

- Changed shading for 2nd Degree Sex Offenses from presumptive jail to presumptive prison (HB 274).
- Created a new category of "Special 2nd Degree Felony Person Offenses" for offenses that result in serious bodily injury, shaded for presumptive prison (HB 274).
- Updated Form 4, Financial Offenses with Serious Loss Offenses, to apply its presumptive prison recommendations based on loss amount regardless of whether the victim is a human or a corporation.
- Updated Misdemeanor Offense Matrix to reflect presumptive jail floors above zero days for offenses where jail is recommended.

Cost and Capacity Impact:

The Utah Department of Corrections estimates the impact of the proposed changes to the sentencing guidelines as follows:

- Between 195 - 390 additional prison admissions over 5-10 years.
- Annual costs beginning at \$2.4 Million and increasing to \$21.4 Million at full implementation (7-10 years).
- The estimated time when the prison reaches full capacity would likely move forward as well (see DOCJ capacity study for more details).

The Utah Board of Pardons and Parole also estimates increased costs between \$172,023 and \$339,268 annually to process the new admissions.

County Sheriffs indicate willingness to house more state prisoners to assist with these impacts.

Technical changes:

- Categorized new and altered offenses created during 2026 session
- Moved Attempted Murder to Form 2, Death Offenses
- Clarified scoring processes for plea agreements that result in a reduced offense severity, including on Form 2, Death Offenses, and Form 3, Sex Offenses
- Several other updates to instructions, forms, and addenda to increase clarity and transparency in sentencing practices

What's new for the 2027 Juvenile Guidelines?

- Updated internal citations, etc.
- Updated one form to reflect current practices
- Other clarifications and updates for readability

