



2021

Supervision Length Guidelines Correction Notice

The Sentencing Commission intended to remove Earned Compliance Credit from the Guidelines and instead implement early termination based on reduction of risk and completion of termination. The appropriate changes had been made to the e-version of the Guidelines found at justice.utah.gov/Sentencing. Printed copies should have been printed as follows:

Requests for Termination Before the Early Termination Date

Adult Probation and Parole or the relevant supervising authority may submit for termination of supervision at any time, even if it is before the early termination review date indicated in the guidelines. The Court or the Board of Pardons and Parole may set individual criteria for a termination that is earlier than the guidelines at the time of probation sentencing or granting of parole.

Early Termination Review

A person under supervision is eligible for early termination if the following three requirements are met:

1. TREATMENT

- Completion of ordered assessments and any recommended treatment or programming by a JRI-certified provider.
- For the purposes of this section, persons voluntarily engaged in ongoing care after having completing ordered treatment shall be considered as having completed treatment.
- If no treatment is ordered, then this requirement has been met.

2. RISK REDUCTION

a. General Criminogenic Risk

- i. Risk reduction as indicated by **ANY** of the following:
 1. Overall reduction of 5 percent or more on LS/RNR or other validated risk assessment.
 2. Reduction by one level on LS/RNR or other validated risk assessment (e.g., high to moderate).
 3. Maintaining an overall risk level of moderate or low on LS/RNR or other validated risk assessment.
 4. ~~Earned compliance credits—reduction credit of 30 days from the person's initial length of supervision for each month completed without any violation of supervision conditions.¹~~

b. Sex Offender Specific Risk²

- i. Risk reduction as indicated by an average or below overall score on a validated sex-offender risk assessment or a risk assessment designated by the Utah Department of Corrections Sex Offender Task Force; and
- ii. If ordered by the Court or the Board of Pardons and Parole, completion of an exit polygraph.

If the Treatment and Risk Reduction requirements are met, Adult Probation and Parole or the relevant supervising authority shall submit notice to the Court for probationers or the Board of Pardons for parolees with supporting rationale for early termination based on the Compliance and Stability requirement not fewer than 30 days prior to the early termination review date. If either of the first two requirements are not met, the supervising authority is not required to submit an early termination report. Upon the satisfaction of treatment and risk reduction following the early termination review date, the supervising authority shall submit notice to the Court or Board of Pardons with the supporting rational for termination within 30 days of meeting both requirements.

3. COMPLIANCE AND STABILITY

- a. The supervising authority shall submit a report with an articulation of whether the person under supervision is stable and compliant that shall include:
 - i. Risk assessment history;
 - ii. Case Action Plan (CAP) or risk reduction progress;

¹~~If no other avenues for risk reduction apply, it is possible that the earned compliance credit would result in an early termination review at a date later than the early termination review date listed in the guidelines. If no other risk reduction qualifies at the time of the early termination review date according to the guidelines, the supervising authority shall submit the early termination report when the earned compliance credits dictate.~~

²This requirement applies only to individuals convicted of a sexual offense as defined in Addendum C of the Adult & Sentencing & Release Guidelines or individuals ordered to comply with sex offender specific conditions. Sex offenders must also meet the Risk Reduction requirement outlined in 2A.