

**Effective 5/12/2015**

**77-27-1 Definitions.**

As used in this chapter:

- (1) "Appearance" means any opportunity to address the board, a board member, a panel, or hearing officer, including an interview.
- (2) "Board" means the Board of Pardons and Parole.
- (3) "Case action plan" means a document developed by the Department of Corrections that identifies the program priorities for the treatment of the offender, including the criminal risk factors as determined by a risk and needs assessment conducted by the department.
- (4) "Commission" means the Commission on Criminal and Juvenile Justice.
- (5) "Commutation" is the change from a greater to a lesser punishment after conviction.
- (6) "Criminal risk factors" means a person's characteristics and behaviors that:
  - (a) affect that person's risk of engaging in criminal behavior; and
  - (b) are diminished when addressed by effective treatment, supervision, and other support resources resulting in reduced risk of criminal behavior.
- (7) "Department" means the Department of Corrections.
- (8) "Expiration" occurs when the maximum sentence has run.
- (9) "Family" means persons related to the victim as a spouse, child, sibling, parent, or grandparent, or the victim's legal guardian.
- (10) "Hearing" means an appearance before the board, a panel, a board member or hearing examiner, at which an offender or inmate is afforded an opportunity to be present and address the board, and encompasses the term "full hearing."
- (11) "Location," in reference to a hearing, means the physical location at which the board, a panel, a board member, or a hearing examiner is conducting the hearing, regardless of the location of any person participating by electronic means.
- (12) "Open session" means any hearing before the board, a panel, a board member, or a hearing examiner which is open to the public, regardless of the location of any person participating by electronic means.
- (13) "Panel" means members of the board assigned by the chairperson to a particular case.
- (14) "Pardon" is an act of grace that forgives a criminal conviction and restores the rights and privileges forfeited by or because of the criminal conviction. A pardon releases an offender from the entire punishment prescribed for a criminal offense and from disabilities that are a consequence of the criminal conviction. A pardon reinstates any civil rights lost as a consequence of conviction or punishment for a criminal offense.
- (15) "Parole" is a release from imprisonment on prescribed conditions which, if satisfactorily performed by the parolee, enables the parolee to obtain a termination of his sentence.
- (16) "Probation" is an act of grace by the court suspending the imposition or execution of a convicted offender's sentence upon prescribed conditions.
- (17) "Reprieve or respite" is the temporary suspension of the execution of the sentence.
- (18) "Termination" is the act of discharging from parole or concluding the sentence of imprisonment prior to the expiration of the sentence.
- (19) "Victim" means:
  - (a) a person against whom the defendant committed a felony or class A misdemeanor offense, and regarding which offense a hearing is held under this chapter; or
  - (b) the victim's family, if the victim is deceased as a result of the offense for which a hearing is held under this chapter.

Amended by Chapter 412, 2015 General Session

