**R671. Pardons (Board of), Administration.**

**R671-303. Information Received, Maintained or Used by the Board.**

**R671-303-1. Information Received, Maintained or Used by the Board.**

(1) Offender Access to Information

(a) Absent a security or safety concern, as determined by the Board, an offender will be provided access to the information the Board will consider [~~being considered by the Board~~ ]and given an opportunity to respond to such information, whenever the Board sets or extends the offender's parole or release date. If the Board determines offender access to information presents a security or safety concern, the offender will be provided a written summary of the material information being considered.

(b) The Board, upon request or upon its own motion, may:

(i) continue a hearing; or

(ii) [~~to~~ ]allow the offender to submit[~~submission of~~] additional documentation or information[~~. The Board will consider~~]for consideration pursuant to the Board’s order[ ~~any relevant facts obtained at the hearing or later submitted by the offender, provided such later submitted information is received within fourteen (14) days following the hearing~~].

(c) The Board will provide an offender with a copy of the records not provided for previous hearings and contained in the offender's [~~file~~]record at least three days prior to any personal appearance hearing in which a parole or release date may be fixed or extended by the Board. Any additional information obtained by the Board after this initial disclosure will be provided to the offender at the beginning of the hearing. In such event, the offender will be given an opportunity to review the supplemental information before proceeding. If no additional time is requested by the offender, the hearing will proceed as scheduled.

[~~(d) For administrative routings to fix an original hearing date, the Board will only consider information available to the court at the time of sentencing. This information will be disclosed to the offender at the time of an original hearing.~~]

(2) Submission of Information

(a) Other than [~~concise and brief letters, or~~ ]statements by the offender or information the Department of Corrections (Department) submits, [~~all~~] other materials, briefs or written memoranda or argument submitted by or on behalf of any person, in preparation for a hearing (excluding commutation hearings governed by Rule R671-312), shall be limited to no more than five (5) pages in length.

(b) In extraordinary circumstances, [~~P~~]photographs may be submitted but should be relevant to the offense. The Department [~~of Corrections~~ ]limits the number of photographs that an inmate may possess and photographs of victims are contraband. [~~Therefore t~~]The Board will disclose accepted photographs at the beginning of a hearing. The offender may view the photographs but not retain them. [~~As noted in section (1)~~]Pursuant to Section R671-303-1(1)(b), the offender may request additional time to respond or submit supplemental information.

(c) Submissions by legal counsel for or on behalf of an offender must be received by the Board no later than seven (7) days prior to any scheduled hearing.

(d) The Board reserves the right to strike from the offender's [~~file~~]record, and to refuse to accept or consider any material or submissions which are irrelevant, defamatory, inflammatory, or which do not otherwise conform to this rule.

**KEY: inmates' rights, inmates, parole, records**

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**Notice of Continuation: January 30, 2017**

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