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

**R671-310. Rescission Hearings.**

**R671-310-1. Rescission Hearings.**

(1) Any [~~prior~~ ]Board decision may be reviewed and rescinded by the Board at any time [~~until an~~]prior to an offender's actual release from custody.

(2) If the rescission of a release or rehearing date is being requested by an outside party,

(a) information shall be provided to the Board establishing the basis for the request.

(b) Upon receipt of such information, the offender may be scheduled for a rescission hearing.

(3) The Board may also review and rescind an offender's release or rehearing date on its own initiative.

(a) Except under extraordinary circumstances, the offender should be notified of [~~all allegations~~]the basis for consideration of rescission and the date of the scheduled hearing at least seven calendar days in advance of the hearing.

(b) The offender may waive this period.

(4) In the event of an escape, the Board will rescind the inmate's date upon [~~official~~ ]notification of escape from custody and continue the hearing until the inmate is available for appearance.[~~,~~] The hearing may also be continued pending criminal or administrative proceedings [~~charges have been~~ ]being resolved, [~~and~~ ] or until the Board receives appropriate information regarding the escape[ ~~has been provided~~].

(5) The Board may make an interim rescission decision upon receipt of a rescission request and prior to a rescission hearing.[ ~~The hearing officer will conduct the hearing and make an interim decision to be reviewed, along with a summary report of the hearing, by the Board members.~~]

**KEY: parole, inmate**

**Date of Enactment or Last Substantive Amendment: February 18, 1998**

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

**Authorizing, and Implemented or Interpreted Law: 77-27-5; 77-27-6; 77-27-11**