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

**R671-205. Credit for Time Served.**

**R671-205-1. General Provisions.**

(1) Credit for time served is applied to reducing the statutory expiration date of a sentence and shall be granted by the Board against an offender's prison sentence for time an offender served in custody if, before being sentenced to prison, the offender was held in custody in connection with the specific sentence:

(a) while awaiting trial, conviction, or imposition of the sentence, including any time spent in confinement, detention, or hospitalization in the custody of Health and Human Services or the Utah State Hospital awaiting competency evaluation or restoration;

(b) while on probation or parole and awaiting a hearing or decision regarding the probation or parole violation allegations;

(c) as a condition of probation following the imposition of a suspended prison sentence, if the offender is later committed to prison on or after October 1, 2015;

(d) as a sanction for a violation of probation, following the revocation and re-start or re-imposition of probation, if the offender is later committed to prison on or after October 1, 2015;

(e) as a response to a violation of probation, pursuant to the Response and Incentive Matrix, if the offender is later committed to prison on or after October 1, 2015;

(f) that is reversed, vacated, or otherwise set aside, if a subsequent prison sentence is imposed for the same criminal conduct;

(g) at the Utah State Hospital following a "guilty and mentally ill" conviction; or

(h) outside the state based solely on a Utah warrant issued in connection with the sentence under Board jurisdiction.

(2) The Board may, in its discretion, grant credit for time served in other, extraordinary circumstances.

**R671-205-2. Exclusions.**

Credit for time served may not be granted for any period of custody served:

(1) for an arrest, pre-trial detention, probation, commitment, case, conviction, or sentence over which the Board has no jurisdiction;

(2) at the Utah State Hospital or comparable non-prison, psychiatric facility while an offender, before commitment to prison is under a civil commitment order or other similar order to remain in the facility;

(3) in a medical or other treatment facility while under court jurisdiction;

(4) under home-confinement, house arrest, in a community correctional center, or in any other treatment facility while under court jurisdiction;

(5) for an arrest, pre-trial detention, probation, commitment, or sentence while in the custody of any other jurisdiction, including other states and the federal government; or

(6) for time served pre-sentence for a subsequent conviction, over which the Board has jurisdiction, that occurred during a period of incarceration while under the Board's jurisdiction.

**R671-205-3. Concurrent and Consecutive Sentencing.**

(1) If an offender is committed to prison for more than one sentence, credit for time served shall be calculated for each sentence separately.

(2) If an offender is committed to prison to serve consecutive sentences, only the credit for time served attributable to the consecutive sentence shall be granted against that sentence, and the consecutive sentence shall begin only following the expiration of any prior sentences.

(3) If an offender is serving one or more prison sentences, and a subsequent prison sentence is imposed concurrently, credit for time served shall begin on the date the subsequent prison sentence is imposed.

(4) If an offender is serving one or more prison sentences, and a subsequent prison sentence is imposed consecutively, credit for time served may not be granted toward the consecutive sentence, and the consecutive sentence shall begin only following the expiration of any prior sentences.

**R671-205-4. Verification of Time Served Required.**

(1) The Board shall only grant credit for time served if the time in custody is documented in official records of the court or facility of custody.

(2) If an offender desires credit in addition to that granted by the Board, the offender bears the burden to petition for, and provide copies of records supporting, the additional credit.

**KEY: credit for time served, prison release, parole**

**Date of Last Change: December 24, 2025**

**Notice of Continuation: November 10, 2021**

**Authorizing, and Implemented or Interpreted Law: Art. VII Sec. 12; 77-18-105; 77-27-5; 77-27-7; 77-27-9**