

Superseded 10/1/2015

64-13-21 Supervision of sentenced offenders placed in community -- Rulemaking -- POST certified parole or probation officers and peace officers -- Duties -- Supervision fee.

- (1)
 - (a) The department, except as otherwise provided by law, shall supervise sentenced offenders placed in the community on probation by the courts, on parole by the Board of Pardons and Parole, or upon acceptance for supervision under the terms of the Interstate Compact for the Supervision of Parolees and Probationers.
 - (b) Standards for the supervision of offenders shall be established by the department in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, giving priority, based on available resources, to felony offenders.
- (2) Employees of the department who are POST certified as law enforcement officers or correctional officers and who are designated as parole and probation officers by the executive director have the following duties:
 - (a) monitoring, investigating, and supervising a parolee's or probationer's compliance with the conditions of the parole or probation agreement;
 - (b) investigating or apprehending any offender who has escaped from the custody of the department or absconded from supervision;
 - (c) providing investigative services for the courts, the department, or the Board of Pardons and Parole;
 - (d) supervising any offender during transportation; or
 - (e) collecting DNA specimens when the specimens are required under Section 53-10-404.
- (3)
 - (a) A monthly supervision fee of \$30 shall be collected from each offender on probation or parole. The fee may be suspended or waived by the department upon a showing by the offender that imposition would create a substantial hardship or if the offender owes restitution to a victim.
 - (b)
 - (i) The department shall make rules in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, specifying the criteria for suspension or waiver of the supervision fee and the circumstances under which an offender may request a hearing.
 - (ii) In determining whether the imposition of the supervision fee would constitute a substantial hardship, the department shall consider the financial resources of the offender and the burden that the fee would impose, with regard to the offender's other obligations.