

Effective 10/1/2015

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64-13-6 Department duties.

- (1) The department shall:
 - (a) protect the public through institutional care and confinement, and supervision in the community of offenders where appropriate;
 - (b) implement court-ordered punishment of offenders;
 - (c) provide program opportunities for offenders;
 - (d) provide treatment for sex offenders who are found to be treatable based upon criteria developed by the department;
 - (e) provide the results of ongoing assessment of sex offenders and objective diagnostic testing to sentencing and release authorities;
 - (f) manage programs that take into account the needs and interests of victims, where reasonable;
 - (g) supervise probationers and parolees as directed by statute and implemented by the courts and the Board of Pardons and Parole;
 - (h) subject to Subsection (2), investigate criminal conduct involving offenders incarcerated in a state correctional facility;
 - (i) cooperate and exchange information with other state, local, and federal law enforcement agencies to achieve greater success in prevention and detection of crime and apprehension of criminals;
 - (j) implement the provisions of Title 77, Chapter 28c, Interstate Compact for Adult Offender Supervision; and
 - (k) establish a case action plan for each offender as follows:
 - (i) if an offender is to be supervised in the community, the case action plan shall be established for the offender not more than 90 days after supervision by the department begins; and
 - (ii) if the offender is committed to the custody of the department, the case action plan shall be established for the offender not more than 120 days after the commitment.
- (2) The department may in the course of supervising probationers and parolees:
 - (a) impose graduated sanctions, as established by the Utah Sentencing Commission under Subsection 63M-7-404(6), for an individual's violation of one or more terms of the probation or parole; and
 - (b) upon approval by the court or the Board of Pardons and Parole, impose as a sanction for an individual's violation of the terms of probation or parole a period of incarceration of not more than three consecutive days and not more than a total of five days within a period of 30 days.
- (3)
 - (a) By following the procedures in Subsection (3)(b), the department may investigate the following occurrences at state correctional facilities:
 - (i) criminal conduct of departmental employees;
 - (ii) felony crimes resulting in serious bodily injury;
 - (iii) death of any person; or
 - (iv) aggravated kidnaping.
 - (b) Prior to investigating any occurrence specified in Subsection (3)(a), the department shall:
 - (i) notify the sheriff or other appropriate law enforcement agency promptly after ascertaining facts sufficient to believe an occurrence specified in Subsection (3)(a) has occurred; and
 - (ii) obtain consent of the sheriff or other appropriate law enforcement agency to conduct an investigation involving an occurrence specified in Subsection (3)(a).
- (4) Upon request, the department shall provide copies of investigative reports of criminal conduct to the sheriff or other appropriate law enforcement agencies.

- (5) The department shall provide data to the Commission on Criminal and Juvenile Justice to show the criteria for determining sex offender treatability, the implementation and effectiveness of sex offender treatment, and the results of ongoing assessment and objective diagnostic testing. The Commission on Criminal and Juvenile Justice shall then report these data in writing to the Judiciary Interim Committee, if requested by the committee, and to the appropriate appropriations subcommittee annually.
- (6) The Department of Corrections shall collect accounts receivable ordered by the district court as a result of prosecution for a criminal offense according to the requirements and during the time periods established in Subsection 77-18-1(9).