

**Effective 5/3/2023**

**64-13-1 Definitions.**

As used in this chapter:

- (1) "Behavioral health transition facility" means a nonsecure correctional facility operated by the department for the purpose of providing a therapeutic environment for offenders receiving mental health services.
- (2) "Case action plan" means a document developed by the Department of Corrections that identifies:
  - (a) the program priorities for the treatment of the offender, including the criminal risk factors as determined by risk, needs, and responsivity assessments conducted by the department; and
  - (b) clearly defined completion requirements.
- (3) "Community correctional center" means a nonsecure correctional facility operated by the department, but does not include a behavioral health transition facility for the purposes of Section 64-13f-103.
- (4) "Correctional facility" means any facility operated to house offenders in a secure or nonsecure setting:
  - (a) by the department; or
  - (b) under a contract with the department.
- (5) "Criminal risk factors" means an individual's characteristics and behaviors that:
  - (a) affect the individual's risk of engaging in criminal behavior; and
  - (b) are diminished when addressed by effective treatment, supervision, and other support resources, resulting in a reduced risk of criminal behavior.
- (6) "Department" means the Department of Corrections.
- (7) "Direct supervision" means a housing and supervision system that is designed to meet the goals described in Subsection 64-13-14(5) and has the elements described in Subsection 64-13-14(6).
- (8) "Emergency" means any riot, disturbance, homicide, inmate violence occurring in any correctional facility, or any situation that presents immediate danger to the safety, security, and control of the department.
- (9) "Evidence-based" means a program or practice that has had multiple randomized control studies or a meta-analysis demonstrating that the program or practice is effective for a specific population or has been rated as effective by a standardized program evaluation tool.
- (10) "Evidence-informed" means a program or practice that is based on research and the experience and expertise of the department.
- (11) "Executive director" means the executive director of the Department of Corrections.
- (12) "Inmate" means an individual who is:
  - (a) committed to the custody of the department; and
  - (b) housed at a correctional facility or at a county jail at the request of the department.
- (13) "Offender" means an individual who has been convicted of a crime for which the individual may be committed to the custody of the department and is at least one of the following:
  - (a) committed to the custody of the department;
  - (b) on probation; or
  - (c) on parole.
- (14) "Recidivism" means a return to criminal activity after a previous criminal conviction.
- (15) "Restitution" means the same as that term is defined in Section 77-38b-102.
- (16) "Risk and needs assessment" means an actuarial tool validated on criminal offenders that determines:
  - (a) an individual's risk of reoffending; and

- (b) the criminal risk factors that, when addressed, reduce the individual's risk of reoffending.
- (17) "Secure correctional facility" means any prison, penitentiary, or other institution operated by the department or under contract for the confinement of offenders, where force may be used to restrain an offender if the offender attempts to leave the institution without authorization.
- (18) "Serious illness" means, as determined by the inmate's physician, an illness that substantially impairs the inmate's quality of life.
- (19) "Serious injury" means, as determined by the inmate's physician, bodily injury that involves a substantial risk of death, prolonged unconsciousness, prolonged and obvious disfigurement, or prolonged loss or impairment of the function of a bodily member, organ, or mental faculty.
- (20) "State-issued driver license" means a driver license issued in accordance with Title 53, Chapter 3, Part 2, Driver Licensing Act, or an equivalent issued by another state.
- (21) "State-issued identification card" means an identification card issued in accordance with Title 53, Chapter 3, Part 8, Identification Card Act, or an equivalent issued by another state.

Amended by Chapter 177, 2023 General Session

Amended by Chapter 322, 2023 General Session

Amended by Chapter 414, 2023 General Session