

FORM 10 – GRADUATED SANCTIONS

These are guidelines only. They do not create any right or expectation on behalf of the offender. This is a non-exhaustive list of options which may or may not be available dependent upon resources. Any non-incarcerative response is always available to the Court or Board of Pardons and Parole. The inclusion of the graduated incarceration caps is intended as a maximum but should not be the default response.

		Probation	Parole
Graduated Incarceration Caps with Hearing Before Court/BOPP		0-90 (45)	0-180 (90)
		0-60 (30)	0-120 (60)
		0-30 (15)	0-60 (30)
P.O. with Superv. & Expedited Court/BOPP Approval		(Maximum of 5 Days/30 Days) 1-3 Days Jail Per Sanction	
P.O. with Superv. & Court/BOPP Approval		Hearing Before Court/BOPP Community Correctional Center GPS Electronic Monitoring	
P.O. with Supervisor Approval		Request Court/BOPP Sanction Up to 90 day Curfew Up to 72 Hours Home Restriction Treatment Resource Center Up to 16 Hours Community Service	
Probation/Parole Officer Sanctions & Responses		Up to 60 Day Curfew Travel Restriction Structured Living Increased Supervision Require Change in Residence Revision of Case Action Plan Increased Reporting/Testing Community Accountability Board Workshops Assignments Family Meeting Problem Solving Report Mentoring Program Develop Risk Avoidance Plan Letter of Apology Thinking Report Payment Schedule Adjustment Verbal Warning	

Exception(s) exercised by Court or BOPP (circle appropriate responding entity if both Court/BOPP are listed):

- Court/BOPP increased or decreased magnitude using Form 8.

- Court finds that execution of sentence previously imposed is warranted pursuant to 77-18-1(12)(e)(iii)(B).

- Court /BOPP jurisdiction over new criminal conviction.

- Court/BOPP finding that conduct presents a substantial and immediate threat to public safety which cannot be addressed through behavior modification sanctions.

- BOPP revocation for lying or engaging in criminal conduct prior to parole pursuant to 77-27-10(1)(b).

- BOPP GMI compliance pursuant to 77-16a-205.

- BOPP Parole Violation Hearing continued pursuant to Administrative Rule.

- BOPP Rescission pursuant to Administrative Rule.
