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**NOTICE OF PROPOSED RULEMAKING**  
INCLUDING STATEMENT OF NEED & FISCAL IMPACT

CHAPTER 291  
DEPARTMENT OF CORRECTIONS

**FILED**

09/04/2024 10:23 AM  
ARCHIVES DIVISION  
SECRETARY OF STATE

FILING CAPTION: Structured Intermediate Sanctions

LAST DAY AND TIME TO OFFER COMMENT TO AGENCY: 10/23/2024 12:00 PM

*The Agency requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing negative economic impact of the rule on business.*

*A public rulemaking hearing may be requested in writing by 10 or more people, or by a group with 10 or more members, within 21 days following the publication of the Notice of Proposed Rulemaking in the Oregon Bulletin or 28 days from the date the Notice was sent to people on the agency mailing list, whichever is later. If sufficient hearing requests are received, the notice of the date and time of the rulemaking hearing must be published in the Oregon Bulletin at least 14 days before the hearing.*

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**NEED FOR THE RULE(S)**

The Department of Corrections' Division 058 rules establish department policy and procedures regarding imposition of structured, intermediate sanctions for violation of supervision conditions for adults on supervision. These proposed amendments to the department's Division 058 rules are needed to: (1) incorporate legislatively mandated policies regarding the application of structured, intermediate sanctions to adults on supervision for designated drug-related misdemeanors and for designated person misdemeanors; (2) provide a consistent statewide framework and structure for imposing structured, intermediate sanctions on adults on supervision for violation of supervision conditions; (3) incorporate changes in terminology used by the Department and community corrections agencies to refer to adults on supervision; and (4) update definitions, supervision and reporting form titles, and the Administrative Sanctions Sanctioning Grid and Sanction Equivalency Table.

**DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE**

SB 497 (2021): <https://olis.oregonlegislature.gov/liz/2021R1/Measures/Overview/SB0497>

HB 4002 (2024): <https://olis.oregonlegislature.gov/liz/2024R1/Downloads/MeasureDocument/HB4002/Enrolled>

HB 3145 (2019): <https://olis.oregonlegislature.gov/liz/2019R1/Downloads/MeasureDocument/HB3145/B-Engrossed>

**STATEMENT IDENTIFYING HOW ADOPTION OF RULE(S) WILL AFFECT RACIAL EQUITY IN THIS STATE**

The Department of Corrections anticipates the proposed amendments to the department's division 058 rules will have an overall positive impact on racial equity in the state of Oregon.

The Department of Corrections' Division 058 rules establish department policy and procedures regarding imposition of structured, intermediate sanctions for violation of supervision conditions for adults on supervision. The proposed amendments to the department's Division 058: (1) incorporate legislatively mandated policies regarding the application of structured, intermediate sanctions to adults on supervision designated drug-related misdemeanors and for designated person misdemeanors; (2) provide a consistent statewide framework and structure for imposing structured,

intermediate sanctions on adults on supervision for violation of supervision conditions; (3) incorporate changes in terminology used by the Department and community corrections agencies to refer to adults on supervision; and (4) update definitions, supervision and reporting form titles, and the Administrative Sanctions Sanctioning Grid and Sanction Equivalency Table.

The proposed amendments that conform the department's division 058 rules to the requirements of 2021 and 2024 legislative changes are the result of the legislation. Accordingly, any impact on racial equity in this state regarding these proposed amendments are the result of the policy choices reflected in the legislation.

The proposed amendments that update definitions, statutory citations, and terminology are not substantive. For this reason, the department anticipates that these proposed rule amendments will have no impact on racial equity in this state.

In addition to the above-described amendments the Department of Corrections has proposed amendments to its division 058 rules to replace the term "offender" with the term "adult on supervision" when referring to individuals on probation, parole, post-prison supervision, or any other form of temporary or transitional leave from custody or any form of conditional release. This change in terminology aligns with department's mission and guiding principles by seeking to normalize and humanize the custodial and supervision experience for persons who are committed to its custody and supervision by the courts. The department understands that all adults on supervision, including individuals who are members of minority racial groups, are positively impacted when a culture of inclusivity, normalization, and humanization is created, and that these proposed rule amendments represent another step toward creating this culture. For this reason, the department anticipates that these proposed rule amendments will have a positive impact on racial equity in this state.

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#### FISCAL AND ECONOMIC IMPACT:

OAR 291-058 is revised to incorporate SB 497(2021) which establishes a uniform system of administrative sanctions to address violation behavior of adults on supervision or AICs under supervision while on probation, parole, post-prison supervision, or leave or any other form of supervision that may be imposed by the Department of Corrections or a county community corrections agency, taking into consideration the severity of the violation behavior, the prior violation history, the severity of the underlying criminal conviction, the criminal history of the offender, protection of the community, deterrence, the effective capacity of the state prisons and local correctional facilities, and the availability of appropriate local sanctions.

The proposed rule is implementing procedures mandated in legislation: SB 497 (2021). As a result, the proposed rule will not result in additional fiscal impact in excess what the department is currently experiencing as the result of the legislation. The proposed rule will not have an impact on AICs, other state agencies, local governments (the counties), or the general public.

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#### COST OF COMPLIANCE:

*(1) Identify any state agencies, units of local government, and members of the public likely to be economically affected by the rule(s). (2) Effect on Small Businesses: (a) Estimate the number and type of small businesses subject to the rule(s); (b) Describe the expected reporting, recordkeeping and administrative activities and cost required to comply with the rule(s); (c) Estimate the cost of professional services, equipment supplies, labor and increased administration required to comply with the rule(s).*

None.

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#### DESCRIBE HOW SMALL BUSINESSES WERE INVOLVED IN THE DEVELOPMENT OF THESE RULE(S):

Small businesses were not involved in the development of these rules as they will not be impacted by these rules.

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#### WAS AN ADMINISTRATIVE RULE ADVISORY COMMITTEE CONSULTED? NO IF NOT, WHY NOT?

The department has determined that use of an advisory committee would not have provided any substantive assistance

in drafting these rule revisions because of the technical nature of the revisions.

AMEND: 291-058-0045

RULE SUMMARY: Amends rule to attach Administrative Sanctions Sanctioning Grid (Attachment A) and the Sanction Equivalency Table (Attachment B).

CHANGES TO RULE:

291-058-0045

Imposition of Administrative Sanctions/~~or Interventions on Offenders~~Adults on Supervision.¶

(1) The officer shall determine whether the alleged violation behavior is appropriately responded to with interventions or with ~~structured, intermediate~~ administrative sanctions, or both. ¶

(2) If the officer determines that the alleged violation behavior is appropriately responded to with an intervention, the officer may direct the ~~offender~~adult on supervision into appropriate interventions ~~outside of the~~in lieu of administrative sanctioning process as authorized by the agency. ¶

(3) If the officer determines that the alleged violation behavior is appropriately responded to with administrative sanctions, the officer shall determine and impose appropriate administrative sanctions using the Administrative Sanctions Sanctioning Grid (Attachment A) and the Sanction Equivalency Table (Attachment B), and the following procedures:¶

(a) Identify the ~~offender~~adult on supervision's current supervision level. ¶

(b) Identify the behavior severity level using the Behavior Severity Level Chart on the Administrative Sanctions Sanctioning Grid. For a series of violations, select the violation that fits into the highest behavior severity level. ¶

(c) Determine the appropriate matrix based on the type of case being sanctioned. Using the supervision and behavior severity levels, identify the appropriate behavior level response block (custody/non-custody responses) for sanction response options level. ¶

(d) For probation cases, determine the number of jail and non-jail ~~custody~~/sanction units remaining for use as ~~structured, intermediate~~ administrative sanctions applicable to the ~~offender~~adult on supervision's probationary sentence or order. ~~There is no limit to the amount of total sanction time that can be imposed during a period of parole or post-prison supervision or on compact cases.~~ ¶

~~(e) Determine~~ ¶

(e) Determine the appropriate sanction response to impose within the appropriate sanction identified behavior response to impose level. Sanctions may not exceed the maximum number of ~~custody~~/sanction units as indicated on the Administrative Sanctions Sanctioning Grid, using the Sanction Equivalency Table. ¶

(f) An administrative sanction or intervention at the agency level cannot be imposed on more than one case at a time, ~~and, A~~ cases cannot be sanctioned separately for individual violations arising from ~~at the same criminal episode~~ or series of violations. ¶

~~(g) If the indicated level of officer determines that the sanction response is considered insufficient to address the seriousness of the violation behavior, a higher level of sanction, up to and including returning an offender to court or the Board of Parole and Post-Prison options within the identified behavior response level are inappropriate, an override may be considered to move to a higher behavior response level within the grid for the following circumstances.~~ ¶

(A) The adult on supervision threatens or is violent. ¶

(B) The adult on supervision may be imposed only evades or escapes, or after consultation and agreement of the unit supervisor or approval process established by the agency or local supervisory authority. For revocation attempts to evade or escape. ¶

(C) The adult on supervision puts the supervising officer or law enforcement in a dangerous or unsafe situation; or ¶

(D) The adult on supervision is already in custody. ¶

(h) If the officer determines that any behavior recommendations submitted under response level within the grid is insufficient to address this section of rule, an offender may be returned to court or the Board of Parole and Post-Prison Supervision. If the officer determines that the sanction response is considered insufficient to address the seriousness of the violation behavior, a higher sanction response, up to and including a revocation recommendation to the court, Board of Parole and Post-Prison Supervision, Department of Corrections, or local supervisory authority, may be imposed only after consultation with and agreement of the unit supervisor and the agreement of the per approval process established by the agency or local supervisory authority or designee. ¶

~~(h4)~~ Level of Authority for Probation Cases: Determine the level of authority that may impose the sanction (agency or court). Jail confinement imposed as an administrative sanction may not exceed 60 days per violation report. The total number of days of jail confinement for all violation reports per conviction may not exceed the

maximum number of available jail custody/sanction units as provided by rules of the Criminal Justice Commission. The officer shall follow agency policy for supervisory review when imposing jail confinement sanctions. ¶

(Aa) If the appropriate sanction falls within the agency level of authority designation, the officer shall impose the sanction following agency procedures for consultation with supervisory personnel. ¶

(Bb) If the appropriate sanction falls within the court level of authority designation, the officer may impose a sanction from the agency level designation or report the violation behavior to the court with a recommendation that the appropriate sanction from the court level of authority designation be imposed. ¶

(Cc) If the offender adult on supervision has previously served all of the available custody/sanction units applicable to his/her probationary sentence or order, the officer may order appropriate interventions or report the violation to the court for disposition. ¶

(id) Credit for sanction units shall only be granted for time actually served. Good time credits, work time credits, or early release shall not count towards satisfaction of sanction units. ¶

(5) Level of Authority for Parole and Post-Prison Supervision and Compact Cases: Determine the level of authority that may impose the sanction (i.e. that is, officer, hearings officer or other agency designee, Board of Parole and Post-Prison Supervision, local supervisory authority, or releasing authority for compact cases). ¶

(Aa) An officer may order local sanctions including a local confinement sanction not exceeding 30 days. ¶

(Bb) A hearings officer or agency designee may order local sanctions including a local confinement sanction not exceeding 60 days. ¶

(Cc) The Board of Parole and Post-Prison Supervision, local supervisory authority, or releasing authority in the state of conviction for compact cases may order administrative sanctions not exceeding 90 days. ¶

(Dd) Revocation Sanctions: If structured administrative sanctions are not felt determined to be insufficient to manage the offender adult on supervision, the local supervisory authority or the Board of Parole and Post-Prison Supervision shall hold a hearing to determine whether incarceration is appropriate and may impose an appropriate revocation term of incarceration in compliance with the Oregon Criminal Justice Commission rules (OAR 213-005-0004) and the Board of Parole and Post-Prison Supervision rules (OAR 255-075). ¶

(Ee) Revocation Sanctions for Compact Cases: If the officer determines that structured sanctions are not felt sufficient to manage the offender adult on supervision in a compact case, the officer shall prepare a compact violation report detailing the alleged violation and recommending the offender adult on supervision's return to the sending state to address the violation behavior. A revocation sanction shall never be imposed on a compact offender. ¶

(F) An offender ordered to serve a term of incarceration following revocation for a post-prison supervision violation is not eligible for earned credit time or transitional leave. ¶

(G) An offender ordered to serve a term of incarceration shall not impose a revocation term of prison incarceration as a sanction for a post-prison supervision violation shall receive credit for time served in a state or local correctional facility on the supervisory violation prior to the Board of Parole and Post-Prison Supervision's imposition of a prison term sanction or other action on an adult on supervision in a compact case. ¶

(46) Level of Authority for Short-Term Transitional Leave Cases: Determine the level of authority that may impose the sanction (i.e. that is, officer, hearings officer or other agency designee, or releasing authority). ¶

(a) An officer may order local sanctions including a local confinement sanction not exceeding 30 days. ¶

(b) A hearings officer or agency designee may order local sanctions including a local confinement sanction not exceeding 60 days. ¶

(c) The releasing authority may order sanctions up to and including revocation of leave and return to a Department of Corrections facility. ¶

(d) Any local confinement sanctions shall be reported to the releasing authority in accordance with OAR 291-058-0066. ¶

(57) Level of Authority for Nonprison Leave Cases: Determine the level of authority that may impose the sanction (i.e. that is, officer, hearings officer or other agency designee, or releasing authority). ¶

(a) An officer may order local sanctions including a local confinement sanction not exceeding three days. ¶

(b) A hearings officer or agency designee may order local sanctions including a local confinement sanction not exceeding three days. ¶

(c) The releasing authority may order sanctions up to and including revocation of leave and return to a Department of Corrections facility. ¶

(d) All sanctions shall be reported to the releasing authority in accordance with OAR 291-058-0067. ¶

(68) Nothing in these rules shall limit the authority of the officer and agency to direct the offender adult on supervision into appropriate interventions outside of the administrative sanctioning process. ¶

(79) Sanctioning of Offenders Adults on Supervision Held in Jail on Officer's Detainer for Violation of Probation Conditions: ¶

(a) When an offender adult on supervision is arrested and detained in a county jail on authority of an officer's

detainer for a violation of the conditions of probation, the officer shall complete the imposition of administrative sanctions within the first 36 hours of the ~~offender~~adult on supervision's detention, excluding Saturdays, Sundays, and holidays, unless later disposition is authorized by supervisory personnel. Agency supervisory personnel, in consultation with the jail supervisory personnel, may authorize an extension of the 36-hour period for up to five judicial days if the officer is unable to collect the necessary information or meet with the ~~offender~~adult on supervision within the 36-hour period.¶¶

(b) If the imposition of administrative sanctions is not completed within the authorized period, the officer shall notify the jail supervisor and remove ~~his~~their detainer lodged with the county jail authority. Nothing in these rules shall prohibit an officer from issuing a new detainer for the ~~offender~~adult on supervision's arrest and detention for a violation of the conditions of probation upon receipt of the information necessary for the officer to assess the full nature and extent of the violation, and impose appropriate administrative sanctions. ¶¶

(c) If the ~~offender~~adult on supervision does not consent to administrative sanctions imposed by the officer, the officer, ~~as soon as practicable but within one judicial day~~, shall report the arrest or detention to the court that imposed the probation as soon as practicable but within one judicial day. The officer shall promptly submit to the court a report showing in what manner the ~~offender~~adult on supervision has violated the conditions of probation.¶¶

(~~810~~) Sanctioning of ~~offenders~~Adults on Supervision Held in ~~j~~ail on ~~e~~Officer's detainer for ~~v~~Violations of  
~~p~~Parole or p, ~~p~~Post-prison supervision, ~~s~~Short-term transitional ~~l~~Leave, or ~~n~~Nonprison lease ~~e~~Conditions:  
Within 15 days of the ~~offender~~adult on supervision's arrest, either a ~~structured~~n administrative sanction must be imposed or violation hearing proceedings initiated.

Statutory/Other Authority: ORS 137.592, 137.593, 137.595, 144.104, 144.106, 144.108, 144.600, 144.615, 179.040, 421.168, 421.510, 423.020, 423.030, 423.075

Statutes/Other Implemented: ORS 137.592, 137.593, 137.595, 144.104, 144.106, 144.108, 144.600, 144.615, 179.040, 421.168, 421.510, 423.020, 423.030, 423.075

RULE ATTACHMENTS MAY NOT SHOW CHANGES. PLEASE CONTACT AGENCY REGARDING CHANGES.

Attachment A  
**ADMINISTRATIVE SANCTIONS SANCTIONING GRID**

Determine Supervision and Behavior Severity Levels

BEHAVIOR SEVERITY LEVEL CHART		
Low Behavior Severity Level	Medium Behavior Severity Level	High Behavior Severity Level
<ul style="list-style-type: none"> <li>Willfully changes residence without permission</li> <li>Does not report</li> <li>Does not answer truthfully</li> <li>Does not abide by a case plan, a directive, or any supervision condition not otherwise listed</li> <li>Does not pay fines or fees</li> <li>Does not attend a treatment session or attends, but is not engaged in treatment</li> </ul>	<ul style="list-style-type: none"> <li>Commits a non-person misdemeanor</li> <li>Does not take medication as prescribed</li> <li>Willfully refuses to pay restitution or compensatory fines as directed</li> <li>Willfully fails to enter or is non-compliant with treatment or does not obtain an evaluation</li> <li>Leaves the state without authorization</li> <li>Exhibits pattern of non-compliance with case plan or supervision</li> <li>Does not comply with or obtain a polygraph</li> </ul>	<ul style="list-style-type: none"> <li>Absconds (a warrant was requested)</li> <li>Commits a person crime</li> <li>Commits a new felony</li> <li>Possesses a weapon (for Board cases refer to OAR 255-070-0001, Exhibit J Definitions)</li> <li>Violates a no contact order or condition</li> <li>Refuses to comply with a 'no relationships' condition</li> <li>Refuses to allow a home visit</li> <li>Refuses or does not submit to a search</li> <li>Refuses to comply with imposed sanctions</li> <li>Refuses to comply with case plan</li> <li>Terminated from treatment</li> <li>Violates curfew or geographic restrictions</li> <li>Possesses sexually deviant material (SC 6 &amp; SC10)</li> </ul>

Determine the appropriate matrix based on the type of case being sanctioned. Determine the appropriate Behavior Response Level within the identified matrix. The level identified represents the maximum allowable response without citing an override or 58-45 exception. Any violation can be addressed with a lower-level response.

ALL PCS MISDEMEANORS				
Supervision Level	Behavior Severity Level			
		L	M	H
	L	INV	L	L
	M	L	L	M
	H	M	L	M

FELONIES AND ALL OTHER MISDEMEANORS				
Supervision Level	Behavior Severity Level			
		L	M	H
	L	INV	L	M
	M	L	M	H
	H	M	M	H

\* Maximum of 30 sanction days available for HB4002 cases

BEHAVIOR RESPONSES	
INTERVENTIONS	
Assign a Thinking Report	Develop, revise, or practice relapse prevention plan
Participate in a support group or self-help program	Refer back to treatment to address need
Increase or require programming	
LOW-LEVEL NON-CUSTODY SANCTIONS (NO UNITS)	
Issue a verbal reprimand	Increase contact
Issue a written reprimand	Require day detention
Require random UA call-in	Require a staffing with a PPO, supervisor or judge
MEDIUM-LEVEL NON-CUSTODY SANCTIONS (NO UNITS)	
Impose curfew	
Report to Day Reporting Center	
Place on GPS or EM	
LOW-LEVEL CUSTODY AND NON-CUSTODY SANCTIONS	
Up to 3 units of Jail	Community Service
Up to 5 units of:	Day reporting center
House arrest	Work crew
MEDIUM-LEVEL CUSTODY AND NON-CUSTODY SANCTIONS	
Up to 7 units of:	House arrest
Community service	Day Reporting Center
Work crew	Jail
HIGH-LEVEL CUSTODY AND NON-CUSTODY SANCTIONS	
Up to 8 units of:	1-45 Units of:
Community service	House Arrest
Work crew	Jail
OAR 291-058-0045 may be used if the grid is altogether insufficient to address a violation	

A lower-level sanction or intervention may always be used to respond to a violation.

An override can be applied to use a higher-level sanction *within* the grid

Attachment A  
**ADMINISTRATIVE SANCTIONS SANCTIONING GRID**

- **Override Considerations:** An override is a response to a violation that exceeds the calculated Behavior Response Level but still lies within the Administrative Sanctions Sanctioning Grid as a whole. *If the calculated response level is inappropriate, overrides may be used to move to a higher severity level **within** the grid. Examples of override reasons may include:*

Override Considerations	
•	The adult on supervision threatens or is violent.
•	The adult on supervision evades or escapes or attempts to evade or escape.
•	The adult on supervision puts the Parole and Probation or Law Enforcement Officer in danger or in an unsafe situation.
•	The adult on supervision is already in custody.

- **OAR 291-058-0045 (Rule 58-45)** is used if the parameters of the Administrative Sanctions Sanctioning Grid are insufficient to address the severity of a violation. If a High-Level Behavior Response (for example, a jail sanction in excess of 45 days) is insufficient to address the seriousness of a violation, a higher level of sanction, up to and including returning an adult on supervision to court or to the Board of Parole and Post-Prison Supervision with a revocation recommendation, may be imposed only after consultation and agreement of the unit supervisor or approval process established by the county agency or local supervisory authority. Examples for sanctions **outside** of the grid may include, but are not limited to:
  - Threat of or actual violence toward a witness or victim
  - Repetition of behavior patterns which contribute to criminal conduct (such as, engaging in behaviors like those involved in instant offense)
  - Exhibiting extreme indifference to the safety of others

- **Levels of Authority**

Probation	
• Agency	0-60 Units
• Court	Over 60 Units
Parole/PPS	
• Parole Officer	0-30 Units
• Agency or Hearings Officer	31-60 Units
• Supervisory Authority or Board	61-90 Units
Short-Term Transitional Leave	
• Parole Officer	0-30 Units
• Agency or Hearings Officer	31-60 Units
• Department of Corrections	Over 60 Units
Non-Prison Leave	
• Parole Officer	0-3 Units
• Agency or Hearings Officer	0-3 Units
• Department of Corrections	Over 3 Units

- **Additional Considerations:**
  - The sanctioning units are caps only. The sanctioning authority may impose sanctions below the cap.
  - An adult on supervision can be required to complete the balance of a previously imposed sanction that was not complied with, in addition to receiving a new sanction for failing to comply with an imposed sanction.
  - Abscond: The adult on supervision's whereabouts are unknown; the supervising officer has exhausted all reasonable means to locate the adult on supervision, and a warrant has been requested.
- **Drug Enforcement Misdemeanors**
  - The total amount of sanction days a Drug Enforcement Misdemeanor may receive is 30 days.

**Attachment B**  
**SANCTION EQUIVALENCY TABLE**

<b>Sanction Type</b>	<b>Unit Equation</b>	<b>Stipulation</b>
Jail	1 day equals 1 unit	only for actual days in custody
Restitution or Work Center	1 day equals 1 unit	only for actual days in custody
House Arrest	1 day equals 1 unit	only for actual days in custody
Community Service	16 hours equals 1 unit	only if completed satisfactorily
Work Crew	16 hours equals 1 unit	only if completed satisfactorily
Inpatient Treatment (Residential or Custodial)	1 day equals 1 unit	only if completed satisfactorily, including one year aftercare
Interventions	Intervention responses are not counted as sanction units.	

**Criminal Justice Commission Administration Rules (OAR 213-005-0012)**

Credit for sanction units shall only be granted for time actually served. Good time credits, work time credits, or early release shall not count towards satisfaction of sanction units.

The adult on supervision shall receive credit for having served those sanction units as follows:

**JAIL:** Each day of jail incarceration equals one (1) sanction unit.

**RESIDENTIAL CUSTODIAL TREATMENT FACILITY:** Each day of actual confinement in a 24-hour residential custodial treatment facility equals one (1) sanction unit when the program is satisfactorily completed including up to one year of any required aftercare.

Aftercare may continue for more than one year, but custody unit credit shall be granted following satisfactory completion for one year. **NOTE:** OAR 213-05-012(5) states that when the sentencing judge finds that a custodial rehabilitation program addressing alcohol & drug or sexual behavior is essential in reducing an adult on supervision's risk of recidivism, the requirement that an adult on supervision enter and complete such a program shall not be limited by the sanction units.

**RELEASE PROGRAMS:** Each day of partial confinement in a release program, in which the adult on supervision is confined in a custodial facility when not on release, equals one (1) sanction unit for each day of partial incarceration.

**HOUSE ARREST:** Each day of satisfactory compliance with the requirements of house arrest equals one (1) sanction unit if the adult on supervision satisfactorily completes the house arrest.

**COMMUNITY SERVICE:** Sixteen hours of community service under the direct supervision of a supervisor designated by the supervisory authority equals one (1) sanction unit.

The supervisory authority shall keep a record of all sanction units served by the adult on supervision during the course of the probation terms. When sanction units are served only upon the satisfactory completion of a custodial program, the supervisory authority, when appropriate, shall certify that the adult on supervision has satisfactorily completed a custodial program and the number of sanction units served by the adult on supervision as part of the program.