

CRITERIA FOR CONSIDERATION FOR SECURITY LEVEL PLACEMENT

SECURITY LEVEL 1

MINIMUM SECURITY CRITERIA

1. Within sixty (60) months to the offender's Earliest Possible Release Date (EPRD).
2. In Credit Class 1 or Credit Class A-B.
3. Free from an active felony detainer, which extends beyond the Offender's Earliest Possible Release Date (EPRD). Parole violators may not be considered until after completing parole revocation procedures. Offenders from other states not intending to extradite (Local Service Only) may be considered for Level One (1) placement unless the pending charge is for an offense against person (Murder, Kidnapping, Criminal Confinement, Battery, Assault, Sex Offenses, Robbery etc.) The state issuing the detainer must either notify the Department of Correction in writing that it will not extradite or must have failed to respond to a written request to file a warrant within sixty (60) days. The Department shall request this information by certified mail, return receipt requested. Offenders with a misdemeanor or a community correction detainer are eligible to be considered for minimum security placement.
4. Free from:
 - A A criminal conviction or ADP conviction for Escape or Attempted Escape or Failure to Return to Lawful Detention as an adult or juvenile from a correctional or court ordered mental health facility (including jails) for forty-eight (48) months from the time of apprehension to the time of consideration and transfer.
 - B A current commitment period sentence for escape or attempted escape.
5. Free from ever having been convicted for:
 - Murder,
 - Kidnapping (Level 3 or higher),
 - Battery by Bodily Waste (Class A Felony),
 - Criminal Confinement (Class B or Level 3 and above) IC 35-42-3-3,
 - Criminal Confinement (Class C and D), if the victim is under 18 years of age,
 - All Sex Offenses under IC 35-42-4 and IC 35-44-1-5,
 - Class A or B offense or Level 1 or 2 offense involving Serious Bodily Injury as defined by IC 35-41-1-25,
 - Any offense involving the death of a victim, except for Driving While Intoxicated Causing a Death and Traffic Offenses Causing a Death.
 - Dissemination of material or conducting performance harmful to minors IC 35-49-3-3,
 - Stalking IC 35-45-10-5,
 - A conviction for an attempt or conspiracy to commit any of the above listed offenses,

- A crime under the laws of another jurisdiction that is substantially equivalent to any of the above listed offenses.
6. Free from a conviction during the current commitment or within ten (10) years for the following offenses:
 - Battery by Bodily Waste (Class B or C Felony),
 - Battery (Class C Felony or Level 4 Felony),
 - A conviction for an attempt or conspiracy to commit any of the above listed offenses,
 - A crime under the laws of another jurisdiction that is substantially equivalent to any of the above listed offenses.
 7. Free from a disciplinary transfer from a Level One (1) facility due to a conviction for a Class A or B Disciplinary Code conviction for one (1) year proceeding the time of consideration and transfer.
 8. Free of a Class A Disciplinary Code conduct violation for one (1) year and a Class B Disciplinary Code conduct violation for six (6) months prior to the time of consideration for transfer and throughout program participation.
 9. Security Level 1 offenders who meet Minimum Security Criteria may be assigned to out custody/off ground crews under non-DOC supervision.
 10. For Medical, Mental Health and Disability Codes criteria refer to Appendices XV-C, XV-D1, and XV-D, respectively.

RESTRICTED MINIMUM SECURITY CRITERIA

1. Within forty-eight (48) months to the Offender's Earliest Possible Release Date (EPRD).
2. In Credit Class 1, or Credit Class A or B (if the offense was committed on or after July 1, 2014).
3. Free from an active felony detainer, which extends beyond the Offender's Earliest Possible Release Date (EPRD). Parole violators may not be considered until after completing parole revocation procedures. Offenders from other states not intending to extradite (Local Service Only) may be considered for Level One (1) placement unless the pending charge is for an offense against person (Murder, Kidnapping, Criminal Confinement, Battery, Assault, Sex Offenses, Robbery etc.) The state issuing the detainer must either notify the Department of Correction in writing that it will not extradite or must have failed to respond to a written request to file a warrant within sixty (60) days. The Department shall request this information by certified mail, return receipt requested. Offenders with a misdemeanor or a community correction detainer are eligible to be considered for minimum security placement.
4. Free from:
 - A A criminal conviction or Disciplinary Code conviction for Escape or Attempted Escape or Failure to Return to Lawful Detention as an adult or juvenile from a correctional or court ordered mental health facility (including jails) for forty-eight (48) months from the time of apprehension to the time of consideration and transfer.
 - B. A current commitment period sentence for escape or attempted escape.
5. Free from ever having been convicted for:
 - Kidnapping (Level 3 or higher) if the victim is under 18 years of age,

- Criminal Confinement (Level 3 or higher) if the victim is under 18 years of age,
 - All Sex Offenses under IC 35-42-4, IC 35-44-15 and/or IC 11-8-8-4.5,
 - Stalking IC 35-45-10-5,
 - Dissemination of material or conducting performance harmful to minors IC 35-49-3-3,
 - A conviction for an attempt or conspiracy to commit any of the above listed offenses,
 - A crime under the laws of another jurisdiction that is substantially equivalent to any of the above listed offenses.
6. Offenders with convictions for the following offenses will be considered for placement in a Restricted Minimum Security Facility when they are within forty- eight (48) months of their Earliest Possible Release Date (EPRD):
- Murder
 - Kidnapping (IC 35-42-4-8), if the victim is over 18 years of age.
 - Criminal Confinement IC 35-42-3.3, if the victim is over 18 years of age,
 - Battery by Bodily Waste (Class A),
 - Battery (Class A or B Felony, or Level 1 or 2),
 - Class A or B, or Level 1 or 2, offense involving Serious Bodily Injury as defined by IC 35-41-1-25,
 - Any offense involving the death of a victim, except for Driving While Intoxicated Causing a Death and Traffic Offenses Causing a Death who meet criteria for Minimum Security placement,
 - A conviction for an attempt or conspiracy to commit any of the above listed offenses,
 - A crime under the laws of another jurisdiction that is substantially equivalent to any of the above listed offenses.
7. Free from a disciplinary transfer from a Level One (1) facility due to a conviction for a Class A or B Disciplinary Code conviction for one (1) year proceeding the time of consideration and transfer. 8. Free of a Class A Disciplinary Code conduct violation for one (1) year and a Class B Disciplinary Code conduct violation for six (6) months prior to the time of consideration for transfer and throughout program participation.
8. Security Level 1 offenders who meet Restricted Minimum Security Criteria may not be assigned to out custody/off ground crews outside the secured perimeter of the Level 1 facility. Offenders shall remain eligible for future Re-Entry / Work Release consideration.
9. For Medical, Mental Health and Disability Codes criteria refer to Appendices XV-C, XV-D1, and XV-D, respectively.

COMMUNITY RE-ENTRY/WORK RELEASE CRITERIA

1. Must be classified as Security Level One (1) and meet the criteria for placement in Minimum or Restricted Minimum Security, with the following exceptions:
 - A. Must be conditionally approved for Work Release/Study Release Category F-3, P-1 or C-1 on the date of transfer to a Community Re-Entry/Work Release Center.

- B. Offenders found guilty of Class B-250 may be deprived of time previously earned, in accordance with the Disciplinary Code for Adult Offenders and may also remain at the work release center. Offenders found guilty of a second Class B-250 offense, demoted in credit class or found guilty of any other Class B offense will require removal from the center.
- C. Offenders who receive a positive test result on a random urinalysis, and found guilty of a Class B-202 (Possession or Use of Controlled Substance), shall be subject to a disciplinary action based upon the positive test result. However, an offender found guilty of receiving a positive test result shall not be transferred from the Work Release Program. Instead, the facility shall keep these offenders in the Work Release program and subject them to a loss of all pass privileges, except for those to go to work. These offenders shall be referred to the Addictions Recovery Counselor immediately and placed in the appropriate Substance Abuse/Addiction Recovery treatment program, if not already in treatment. Additionally, the Community Re-Entry/Work Release Center staff may impose any other appropriate sanctions in accordance with Policy 02-04-101, "The Disciplinary Code for Adult Offenders." Offenders shall not be subject to removal from the Work Release program, deprived of earned credit time, or demotion in Credit Class for the first positive test result. Offenders in the Work Release program who receive a positive test result, and are found guilty of a Class B-202 offense, on any urinalysis other than the initial test, including follow-up urinalysis based upon an initial positive test result, shall be subject to a disciplinary action, including removal from the Work Release program. These offenders shall be transferred from the Work Release Program/Community Re-Entry/Work Release Center to a higher security level and subject to demotion in Credit Class and the loss of earned Credit Time.
- D. Must be in compliance with IC 11-10-8-3, by meeting the minimum literacy standards of a sixth (6) grade equivalency in reading and writing. This standard does not apply to an offender who:
 - (1) Is unable to meet the minimum literacy standard as a result of a handicap: (Handicap is defined as, an offender who, in the judgment of Psychological, Psychiatric or Education staff is potentially learning disabled, mentally or developmentally impaired to the extent that he/she is incapable of achieving minimum literacy competency.)
 - (2) Length of sentence prevents the offender from achieving minimum literacy standards before expiration of sentence.
 - (3) Holds a High School Diploma, General Equivalency Diploma, or Post-Secondary Education.
 - (4) Has an IQ below 80.
- E. If committed for Driving While Intoxicated, or any alcohol/drug vehicle-related offense, the offender must meet one of the following conditions in order to be eligible for transfer to a Community Re-Entry/Work Release Center:
 - (1) Have voluntarily participated in addictions recovery counseling while incarcerated and have received positive program evaluations while in that program. The offender must continue successful participation in an Addictions Recovery Program while at the Community Re-Entry/Work Release Center.

- (2) Offenders who have not met the above criteria of positive participation in an Addictions Recovery program prior to placement in a Community Re-Entry/Work Release Center, must successfully participate in an Addictions Recovery Program at the Community Re-Entry/Work Release Center. They must also be a minimum of ninety (90) days from their Earliest Possible Release Date (EPRD).
- F. Must be an American citizen or an alien authorized to work in the United States of America as verified by: a U.S. Passport, a Certificate of United States Citizenship, a Certificate of Naturalization, an unexpired foreign passport if the passport has an appropriate and unexpired endorsement of the U.S. Attorney General authorizing employment in the U.S, a resident alien card authorizing employment in the U.S. or other alien registration card if it contains a photo of the individual and other personal identifying information.
 - G. Employability in the U.S. as confirmed by possession of a Social Security Number or Certificate of Birth in the U.S. or nationality established at birth as indicated by the Intake Facility.
 - H. Free from a disciplinary transfer from any DOC facility or Community Transition Program, unless beyond the offender's control, within forty-eight (48) months preceding consideration and transfer.
 - I. Work Release Categories:
 - (1) Work /Study Release Category F-3 Criteria:
 - a. Satisfies the Work/Study Release Criteria.
 - b. Shall serve a minimum of fifteen calendar days in a Department of Correction facility prior to transfer to a Community Re-Entry/Work Release Center.
 - c. Shall be between the minimum of 3 months and the maximum of 12 months from a confirmed Earliest Possible Release Date (EPRD) on the date of transfer to a Community Re-Entry/Work Release Center (Contractual/Non-IDOC facilities) with the exception of the Crane House Re-Entry Work Release Center (refer to I, 1, d below).
 - d. Male facilities located at South Bend Re-Entry/Work Release Center (SBW), Chain O' Lakes Re-Entry/Work Release Center (COLWR). Female facilities located at Crane House and the Jefferson County Re-Entry/Work Release Center (MCU-JCWR) are approved to accept offenders with a minimum of three (3) months and a maximum of twenty-four (24) months from a confirmed EPRD. The traditional Projected Activation Date (PAD) and Effective Date (ED) are no longer applicable for these four (4) facilities. South Bend Re-Entry / Work Release Center and the Jefferson County Re-Entry/Work Release Center (MCU-JCWR) are approved to accept offenders with Classification Designations as 1-R or 1-O. All other locations are only approved to accept Classification Designations of 1-O.
 - e. For Medical, Mental Health and Disability Codes criteria refer to Appendices XV-C, XV-D1, and XV-D, respectively.
 - (2) Ineligible for Work/Study Release Category F-5 Criteria:

- Does not satisfy all of the requirements for Community Re-Entry.
- (3) Discretionary Clemency Category C-1 Criteria:
 - a. Conditional clemency has been granted by the Governor of the State of Indiana.
 - b. Successful participation in a Community Re-Entry Program is a condition of granting of clemency.
 - c. The length of stay in a Community Re-Entry/Work Release Center will depend upon:
 - [1] Statement of condition of granting clemency.
 - [2] Offender's behavior in the Community Re-Entry/Work Release Center.
 - (4) Discretionary Parole Category P-1 Criteria:
 - a. Conditional parole has been granted by the Parole Board upon successful participation in the Community Re-Entry program.
 - b. Upon successful participation in community re-entry, the offender shall be released to parole supervision.
 - c. Satisfies the Work/Study Release Criteria.
 - d. The length of stay in a Community Re-Entry/Work Release Center will depend upon:
 - [1] Statement of condition of granting parole.
 - [2] Offender's behavior in the Community Re-Entry/Work Release Center.
 - [3] Shall be assigned to a Community Re-Entry/Work Release Center for no longer than 12 months.
2. Projected Activation Date:
 - A. An offender conditionally eligible for participation in a Work/Study Release Program shall be assigned a Projected Activation Date (PAD). This date will be the date the offender is eligible to submit a Transfer Request.
 - B. The Projected Activation Date (PAD) is determined by subtracting 14 months from the Earliest Possible Release Date (EPRD). Example: If the EPRD is 12-10-2008, the PAD would be 10-10-07. If the offender has less than 14 months remaining to be served, the Projected Activation Date would be immediate.
 3. Effective Date:
 - A. The Effective Date (ED) is the date the offender is eligible to transfer to and participate in the Work/Study Release Program.
 - B. This date is determined by subtracting 12 months from the offender's Earliest Possible Release Date (EPRD). Example: If the EPRD is 12-10-2008, the ED would be 12-10-2007. If the offender has less than 12 months remaining to be served, the Effective Date would be immediate.

STUDY RELEASE CRITERIA

1. Must satisfy all of the Community Re-Entry Criteria.
2. Possess a high school diploma or has successfully completed the high school equivalency (GED/TASC) examination.

3. Demonstrated participatory interest in the Department of Correction Educational Program.
4. Submits documents that demonstrate acceptance for a post-secondary academic or vocational program accredited or licensed by a State of Indiana Agency having authority to accredit or license the educational program.
5. Submits proof of having the necessary financial support to participate in the academic or vocational program.
6. Is approved for Work/Study Release Category F-3 on the date of transfer to a Community Re-Entry/Work Release Center.
7. Must submit a Study Release Application along with the Transfer Report Request.

SECURITY LEVEL 2

1. Within a maximum of ten (10) years to the Earliest Possible Release Date (EPRD) at the time of consideration for transfer to a Security Level 2 facility as listed in Appendix XV-B3.
2. Within a maximum of 60 months (1825 days) to the EPRD for consideration for the Heritage Trail Correctional Facility (HCTF) Program.
3. Sex offenders may be considered for transfer to the New Castle Correctional Facility who are within a maximum of fifteen (15) years to their EPRD.
4. Classified for Security Level 2 or lower.
5. Free from a criminal conviction or Disciplinary Code conviction for Escape or Attempted Escape from a Level 2 or higher level correctional facility or closed facility (county jail) within the last forty-eight months. This time shall be measured from the date of apprehension to the time of transfer consideration.
6. The New Castle Correctional Facility has been designated as the treatment facility for offenders convicted of a sex offense.
7. In addition to the above criteria, offenders must meet the following criteria in order to be eligible for placement at the Westville Correctional Out-Side Facility (WCA):
 - a. Must be free from an active felony detainer which extends beyond the Offender's Earliest Possible Release Date. Parole violators may not be considered until after completing parole revocation procedures. Offenders with detainers from other states not intending to extradite (Local Service Only) may be considered for placement at WCA. The state issuing the detainer must either notify the Department of Correction in writing that it will not extradite or must have failed to respond to a written request to file a warrant within sixty (60) days. The Department shall request this information by certified mail, return receipt requested. Offenders with misdemeanor or a community corrections' detainer are eligible for placement at WCA.
 - b. Free from a criminal conviction or ADP conviction for Escape or Attempted Escape as an adult or juvenile from a correctional facility or court ordered mental health facility (including jails) for 48 months from the time of apprehension to the time of consideration and transfer.
 - c. Free from ever having been convicted of a sex offense.

- d. Must be within a maximum of six (6) years to the Earliest Possible Release Date at the time of consideration and transfer.
8. For Medical, Mental Health and Disability Code criteria refer to Appendix XV-C, D and D1 Adult Male and Female Medical, Mental Health and Disability Codes and Definitions.

SECURITY LEVEL 3

1. In Security Level 3 or lower by classification designation instrument.
2. Within a maximum of fifteen (15) years to the Earliest Possible Release Date (EPRD) at the time of consideration for transfer
3. Offenders with indeterminate or single Life or single Life Without Parole sentences and no consecutive sentences, may be considered after serving twenty (20) years in the Department.
4. Free from a criminal conviction or Disciplinary Code conviction for Escape or Attempted Escape from a Level 2 or higher level correctional facility or closed facility (county jail) within the last forty-eight months. This time shall be measured from the date of apprehension to the time of transfer consideration.
5. For Medical, Mental Health and Disability Code criteria refer to Appendix XV-C, D and D1 Adult Male and Female Medical, Mental Health and Disability Codes and Definitions.

SECURITY LEVEL 4

1. In Security Level 4 or lower by classification designation instrument.
2. For Medical, Mental Health and Disability Code criteria refer to Appendix XV-C, D and D1 Adult Male and Female Medical, Mental Health and Disability Codes and Definitions.