

	DeKalb County Government DeKalb County Community Corrections	Effective Date 1/31/2023	Page 1 of 5	Number 7-003-001
POLICY AND ADMINISTRATIVE PROCEDURES Manual of policies and procedures				

Title SCREENING & ELIGIBILITY POLICY
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I. POLICY:

DeKalb County Community Corrections (DCCC) shall follow program eligibility as approved by the DeKalb County Community Corrections Advisory Board when considering post-conviction program applicants. Participants may enter the program as direct commitments from a court, through the Sheriff's Work Program, as a transfer from another county, through the Community Transition Program, as a term of probation, or as a sanction for a problem-solving court program. DCCC also supervises pretrial and juvenile EMHD participants as ordered by a court. CHANGE Academy participants are referred by DeKalb County Juvenile Probation.

II. PROCEDURE:

The DeKalb County Community Corrections Program (DCCC) offers a number of services. Non-residential services are available to all adult offenders who cooperate and pay the fees. DCCC does not discriminate against participants on the basis of race, religion, ethnicity, gender, sexual orientation, disability, political views, or national origin.

III. ADULT SCREENING PROCESS

- A. All Level 6 Felony and above criminal cases in DeKalb County will be screened by DCCC to determine eligibility for programming. Pre-sentence investigation reports have court-ordered due dates and DCCC must adhere to meeting these deadlines. Lower level offenses will be screened upon attorney request or sentencing with DCCC as an option. Inmates at the DeKalb County Jail may request a modification to Community Corrections by submitting a request to the Sheriff. If approved, an application will be submitted to the Community Corrections Screening Board.
- B. Individuals with cases described above shall have a file reviewed by the Screening Board to determine for which DCCC program the individual may qualify. Once referral paperwork is received for an offender a file will need to be created.
 - 1) A manila folder is labeled on the edge with the offender's name and what type of screening applies. Examples:
 - a. Doe, John – PSI
 - b. Doe, John – CM
 - c. Doe, John – Lawyer Prescreen
 - 2) A prescreen label should be placed on the outside of the folder.
 - 3) Fill in all applicable information per the label as it applies to the case.
 - 4) All folders should be stamped Confidential.
 - 5) Complete IDACS/NCIC /Request Form
 - a. Fill in your name as the Requestor
 - b. Under Type of Request, CHRI/III and Driver's License Inquiry should be checked

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- c. Provide the case Number
- d. The reason for request; the charges the offender is facing.
- e. Offender's Name
- f. Offender's DOB
- g. Offender's SSN
- h. A pretrial facilitator shall use the IDACS terminal to process the records.
- 6) The offender will need to be located in OMS to create a SRS file (if not already in SRS). See Case Management Database (SRS) Requirements Policy (1-019) for adding offenders to the Supervised Release System.
- 7) Once the file is created in SRS, the pretrial facilitator will review the plea agreement and determine if the offender meets the criteria for Home Detention/Work Release placement.
 - a. If an offender does not meet the criteria, then the facilitator will create an Eligibility Screening Report. This report should be placed in the holding location for the Screening Board.
 - b. If the offender is eligible to be placed on DCCC, the facilitator will continue to collect relevant documentation.
 - c. Examples of documentation:
 - i. Terms of Probation
 - ii. Judgment of Conviction and Sentencing Order
 - iii. Lawyers letter requesting screening
 - iv. Offenders application
 - v. Plea Agreement
 - vi. Pre-Sentence-Investigation Pre-Screen Consultation Form
- C. Pretrial facilitators shall complete an interview with potential participants in order to gather information and explain program requirements. The pretrial facilitator will create an Eligibility Screening Report to present to the Screening Board at the next weekly meeting.

IV. POST-CONVICTION ELIGIBILITY

Residential services consist of either home detention (HD) or a residential work facility (RWF). Adult offenders may be placed in those programs in the following ways: 1. direct commitment (executed); 2. term of probation; 3. sanction for probation violation or problem-solving court sanction; 4. Community Transition Program; or 5. permitted by the DeKalb County Sheriff through the Sheriff's Work Program, (reference the following Indiana Codes: 35-38-2.5, 35-38-2.6, 35-38-2.7, and/or 11-12-5-2).

Preliminary eligibility will be determined by a vote of the Screening Committee. A recommendation for final approval or veto will be given to the DeKalb County Sheriff for cases which may be sentenced through the Sheriff's Work Program.

The Screening Committee will consist of three (3) members: Community Corrections Executive

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Director (or designee), a member of the DeKalb County Probation Staff, and a member of the DeKalb County Sheriff's Department Staff.

Community Corrections program participants will be supervised at a level determined by Community Corrections staff in accordance with approved policy and procedure. In some cases, the Court may directly order a participant to either the Residential Work Facility or Electronically Monitored Home Detention at its discretion.

Residential Work Facility Participants and Home Detention Program Participants will be monitored electronically by a Global Positioning System (GPS) monitor.

1. An offender may be placed in Community Corrections UNLESS:
 - A. The offender is precluded from placement under Indiana law.
 - B. The offender intends to reside with the victim of the current case. (Home Detention).
 - C. The offender is sentenced to an executed term of imprisonment less than 10 actual days to serve on the program.
 - D. The offender has more than 4 actual years to serve on the program.
 - E. The offender does not agree to abide by all the terms as set forth in the Community Corrections Order for program placement.
 - F. The offender fails to submit to urinalysis at the time of intake.
 - G. The offender escaped from community-based supervision in the five (5) years prior to the current sentencing date (Work Release or Home Detention)
 - H. The offender has no electricity at their place of residence (Home Detention)
 - I. The offender does not reside inside DeKalb County, or within the city limits of Ashley/Hamilton, or has failed to qualify for supervision transfer to the county where the offender intends to reside. (Home Detention).
 - J. The offender's employment has not been approved by the Director of Residential Services, Executive Director, or Screening Board.
 - K. The offender is currently required by law to register as a sex offender (Work Release).
 - L. The offender does not have the minimum means to participate in program requirements.
2. If the offender is eligible according to the above criteria, the Screening Board will consider the offender's prior program and jail history, IRAS, criminal history, history of violence, mental and physical health, substance or alcohol abuse, residential options, other pending criminal matters, and failure to pay past fees. The Screening Board's approval will be gained by a majority vote. The Screening Board will then prepare a report that:
 - A. Recommends placing or denying placement in DCCC, and gives reasons if they recommend denial.
 - B. Recommends their preferred initial programming on home detention or Residential Work Facility. DCCC reserves the right to move the offender, after initial placement, as the

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Executive Director deems appropriate under IC 35-38-2.6-5, or as the offender meets program goals.

C. Lists all eligibility criteria that have not yet been met, but which the Screening Board believes the offender can fulfill within 30 days of the sentencing hearing.

D. The eligibility report will be sent to the DeKalb County Sheriff's Department for final approval or veto of program participation if order may be made through the Sheriff's Work Program.

GUIDELINES:

If an offender is referred to Community Corrections the following shall serve as guidelines for their consideration for placement and possible levels of supervision and services:

1. Work Release:

- A. Indiana Risk Assessment System: Community Supervision Tool (IRAS-CST) of 15 or higher.
- B. Offender has a current or past history of violence (as defined by IC Code 25-38-2.5-4.7).
- C. Offender is a Habitual Offender and/or Habitual Substance Offender as defined by statute.
- D. Offender is being sentenced for a felony.
- E. Offender's mental and physical health must allow for the participant to function within the Work Release Program and maintain full time employment.
- F. Offender has substantial, extended or continuing history of substance and/or alcohol abuse.
- G. Offender resides outside of DeKalb County or has an unstable residence.
- H. Offender has a history of violating community based supervision.

2. Electronically Monitored Home Detention:

- A. Indiana Risk Assessment System: Community Supervision Tool (IRAS-CST) of 21 or below.
- B. Offender is being sentenced for a misdemeanor or a non-violent Level 6 or Level 5 felony.
- C. Offender has a stable residence with electricity.
- D. Offender has reliable transportation.
- E. Offender is unable to work.
- F. Offender needs specialized/continuous medical care.

V. JUVENILE PROCEDURE:

- 1. All juvenile offenders referred by the Court may be placed on Community Corrections EMHD Supervision UNLESS:
 - A. The offender does not agree to abide by all the terms as set forth in the Community

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Corrections Order for program placement.

B. The offender has unpaid DeKalb County Community Corrections fees.

2. CHANGE Academy

The juvenile offender is referred by the Juvenile Probation Department and will be accepted UNLESS: The participant does not agree to abide by all the rules and guidelines of the CHANGE Academy placement.

VI. OUT OF COUNTY TRANSFER

- A. Those participants that are found eligible to transfer out of county by the Screening Board will pay a transfer fee to DeKalb County Community Corrections to coordinate with the accepting county.
- B. The participant will contact the county to which they want to transfer and complete the eligibility process. The participant shall be responsible to set an intake date.
- C. If the transfer is approved by the receiving county, the Court will issue a Court Order allowing the offender's transfer to another jurisdiction in addition to issuing a Home Detention Order. The Home Detention participant must agree to the receiving jurisdiction's program conditions and must agree to be held accountable with a varied range of graduated sanctions, including a detention agreement if applicable.
- D. In the event of a revocation request from the receiving county, DCCC shall request a warrant from the Court and coordinate the participant's removal from the receiving county.

VII. COURTESY SUPERVISION TRANSFER

- A. Courtesy supervision transfers from other counties will be accepted for placement onto DCCC programs by the Screening Board if the participant resides in DeKalb County.
- B. Offenders must agree to abide by all DeKalb County program conditions, including keeping fee payments current.
- C. Courtesy supervision participants are subject to sanction and Disciplinary Hearing Board actions, including removal from the program.
- D. Detention agreements shall be signed for transfer cases.
- E. In the event of a revocation, the transferring county will request a warrant and coordinate the participant's removal according to that county's policies and procedures.