

Emergency Rule

LSA Document #19-374(E)

DIGEST

Temporarily adds a noncode provision to authorize a community corrections program director or designee to deprive earned good time credit from a person placed in a community corrections program for any violation of one or more rules or conditions of the program. Statutory authority: [IC 35-38-2.6-6](#). Effective July 15, 2019.

SECTION 1. (a) This SECTION governs the deprivation of a person's earned good time credit under [IC 35-38-2.6-6\(d\)](#).

(b) A person who is placed in a community corrections program may be deprived of earned good time credit by the director of a community corrections program, or designee, under [IC 35-38-2.6-6\(d\)](#) for any violation of one (1) or more rules or conditions of the community corrections program.

(c) Before a person placed in a community corrections program under this SECTION may be deprived of earned good time credit, the person must be granted a hearing to determine the person's guilt or innocence and, if found guilty, whether deprivation of earned good time credit is an appropriate disciplinary action for the violation. In connection with the hearing, the person is entitled to the procedural safeguards listed in [IC 35-50-6-4\(f\)](#). The person may waive the right to the hearing in writing.

(d) A deprivation of earned good time credit under this rule *[document]* may be applied only to the good time credit earned in connection with the person's placement in a community corrections program.

(e) Any part of the educational credit or good time credit of which a person is deprived under this SECTION may be restored.

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