

Proposed Rule
LSA Document #19-383

DIGEST

Adds [210 IAC 2-2](#) 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. Effective 30 days after filing with the Publisher.

[IC 4-22-2.1-5 Statement Concerning Rules Affecting Small Businesses](#)

[210 IAC 2-2](#)

SECTION 1. [210 IAC 2-2](#) IS ADDED TO READ AS FOLLOWS:

Rule 2. Credit Time

[210 IAC 2-2-1](#) Credit time; authorization to deprive a person of earned good time credit

Authority: [IC 35-38-2.6-6](#)

Affected: [IC 35-50-6-4](#)

Sec. 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 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.

(Department of Correction; [210 IAC 2-2-1](#))

[Notice of Public Hearing](#)

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