
TITLE 210 DEPARTMENT OF CORRECTION

Final Rule

LSA Document #19-383(F)

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.

[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 11-8-2-5](#); [IC 11-8-2-10](#); [IC 35-38-2.6-6](#)

Affected: [IC 35-38-2.6-6](#); [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) Authority to deprive and restore earned good time credit may be delegated to the judicial officer to be utilized during a violation hearing. This delegation must be approved by the local community corrections advisory board.

(e) 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 good time credit of which a person is deprived under this section may be restored.

(Department of Correction; [210 IAC 2-2-1](#); filed May 15, 2020, 11:01 a.m.: [20200610-IR-210190383FRA](#))

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