

# STANDARD OPERATING PROCEDURE

Home Detention Surveillance Program SOP

*Advisory Board  
Approved 1/1/12*

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<b>FLOYD CO. COMMUNITY CORRECTIONS POLICY AND PROCEDURES</b>	<b>Effective: 01/01/12</b> <b>Revised: 07/15/13</b> <b>Revised: / /21</b>
<b>SUBJECT: HOME DETENTION</b>	

**POLICY** Floyd County Community Corrections (FCCC) is committed to providing a Home Detention program that utilizes best evidence-based principles in its the supervision practices so to better achieve reductions in recidivism. FCCC follows the Eight Principles of Effective Interventions as published by the National Institute of Corrections throughout its practices in assessments, case management, programs, and participant monitoring.

**The Eight Principles**

1. Assessing the participant’s risk and needs
2. Enhancing intrinsic motivation
3. Targeting interventions
4. Skill train with direct practices
5. Increase positive reinforcement
6. Engage ongoing support in natural communities
7. Measuring relevant practices/processes
8. Providing measurable feedback

**Philosophy**

We adopt an operational philosophy regarding the principles of effective intervention as follows:

- The HD program should be intensive and behavioral in nature.
- The HD program should target known predictors of crime.
- Behavioral programs will use standardized assessments to identify the risk level, need level, and responsivity issues of participants.
- The HD program should match the characteristics of the participants and therapists.
- The HD program contingencies and behavioral strategies should be enforced in a firm but fair manner.
- The HD programs should have well-qualified and well-trained staff who can relate to the participants.
- The HD program should provide relapse prevention strategies.
- the HD program should adhere to a high degree of advocacy and brokerage with other agencies in the community.

**Core Values**

- Criminal logic and behavior can be disrupted and changed.
- Everyone deserves to be treated with dignity, respect, and the belief that they can change.
- Protection of the community is the most important priority.
- Our pursuit of professional integrity and excellence can help shape our community.
- We are agents of change who use every interaction to disrupt criminal logic and model and reinforce pro-social behavior.

## **HOME DETENTION (HD)**

### **General Overview**

**Target Population:** Adult male and female participants that are convicted of misdemeanors or felons. Felons may be placed on HD by statute IC 35-38-2.6-1 to serve a non-suspendable portion of a non-suspendable sentence if they qualify as a direct placement. The court may order a person placed on HD for a certain number of days as a condition of probation or for an execution of sentence.

HD guidelines are set by statute under 35-38-2.5-6 which states participants are confined to his/her home at all times except when the participant is: working at employment approved by the Court or traveling to or from employment; unemployed and seeking employment; undergoing medical, psychiatric, mental health treatment, counseling or other treatment programs approved by the court; attending an educational institution or a program approved for the participant by the court; attending a regularly scheduled religious service at a place of worship; or participating in community service. Participants are confined to the interior of his/her house. Participants on HD as a direct placement are given 2:1 credit as required by statute for those charged before July 1, 2014. For those charged after July 1, 2014 participants are given 2:1 credit for Level 6 felonies and 3:1 credit for Level 1-5 felonies.

To promote quality assurance, participants are requested to submit a survey regarding the home detention and the case planning services, a sample of participant files will be audited quarterly, and peer reviews will be implemented on the IRAS to ensure integrity and proper scoring.

**HD Screener:** Present convictions for the following crimes will EXCLUDE an offender from participation on the Floyd County Community Corrections HD Program UNLESS a specific request is made by the Sentencing Judge, Prosecuting Attorney and Defense Attorney requesting that an offender be enrolled. (CTP participants are placed on the program solely at the discretion of the sentencing judge and are NOT EXCLUDED for the offenses below):

### **I.C. 35-50-1-2**

Sec. 2 . (a) As used in this section, “crime of violence” means the following:

- (1) Murder ( [IC 35-42-1-1](#) ).
- (2) Attempted murder ( [IC 35-41-5-1](#) ).
- (3) Voluntary manslaughter ( [IC 35-42-1-3](#) ).
- (4) Involuntary manslaughter ( [IC 35-42-1-4](#) ).
- (5) Reckless homicide ( [IC 35-42-1-5](#) ).
- (6) Aggravated battery ( [IC 35-42-2-1.5](#) ).
- (7) Kidnapping ( [IC 35-42-3-2](#) ).
- (8) Rape ( [IC 35-42-4-1](#) ).
- (9) Criminal deviate conduct ( [IC 35-42-4-2](#) ) (before its repeal).
- (10) Child molesting ( [IC 35-42-4-3](#) ).

(11) Sexual misconduct with a minor as a Level 1 felony under [IC 35-42-4-9\(a\)\(2\)](#) or a Level 2 felony under [IC 35-42-4-9\(b\)\(2\)](#) .

(12) Robbery as a Level 2 felony or a Level 3 felony ( [IC 35-42-5-1](#) ).

(13) Burglary as a Level 1 felony, Level 2 felony, Level 3 felony, or Level 4 felony ( [IC 35-43-2-1](#) ).

(14) Operating a vehicle while intoxicated causing death ( [IC 9-30-5-5](#) ).

(15) Operating a vehicle while intoxicated causing serious bodily injury to another person ( [IC 9-30-5-4](#) ).

(16) Child exploitation as a Level 5 felony under [IC 35-42-4-4\(b\)](#) or a Level 4 felony under [IC 35-42-4-4\(c\)](#) .

(17) Resisting law enforcement as a felony ( [IC 35-44.1-3-1](#) ).

(18) Unlawful possession of a firearm by a serious violent felon ( [IC 35-47-4-5](#) ).

(b) As used in this section, “episode of criminal conduct” means offenses or a connected series of offenses that are closely related in time, place, and circumstance.

(c) Except as provided in subsection (e) or (f) the court shall determine whether terms of imprisonment shall be served concurrently or consecutively. The court may consider the:

(1) aggravating circumstances in [IC 35-38-1-7.1\(a\)](#) ; and

(2) mitigating circumstances in [IC 35-38-1-7.1\(b\)](#) ; in making a determination under this subsection. The court may order terms of imprisonment to be served consecutively even if the sentences are not imposed at the same time. However, except for crimes of violence, the total of the consecutive terms of imprisonment, exclusive of terms of imprisonment under [IC 35-50-2-8](#) and [IC 35-50-2-10](#) (before its repeal) to which the defendant is sentenced for felony convictions arising out of an episode of criminal conduct shall not exceed the period described in subsection (d).

(d) Except as provided in subsection (c), the total of the consecutive terms of imprisonment to which the defendant is sentenced for felony convictions arising out of an episode of criminal conduct may not exceed the following:

(1) If the most serious crime for which the defendant is sentenced is a Level 6 felony, the total of the consecutive terms of imprisonment may not exceed four (4) years.

(2) If the most serious crime for which the defendant is sentenced is a Level 5 felony, the total of the consecutive terms of imprisonment may not exceed seven (7) years.

(3) If the most serious crime for which the defendant is sentenced is a Level 4 felony, the total of the consecutive terms of imprisonment may not exceed fifteen (15) years.

(4) If the most serious crime for which the defendant is sentenced is a Level 3 felony, the total of the consecutive terms of imprisonment may not exceed twenty (20) years.

(5) If the most serious crime for which the defendant is sentenced is a Level 2 felony, the total of the consecutive terms of imprisonment may not exceed thirty-two (32) years.

(6) If the most serious crime for which the defendant is sentenced is a Level 1 felony, the total of the consecutive terms of imprisonment may not exceed forty-two (42) years.

(e) If, after being arrested for one (1) crime, a person commits another crime:

(1) before the date the person is discharged from probation, parole, or a term of imprisonment imposed for the first crime; or

(2) while the person is released:

(A) upon the person's own recognizance; or

(B) on bond;

the terms of imprisonment for the crimes shall be served consecutively, regardless of the order in which the crimes are tried and sentences are imposed.

(f) If the factfinder determines under [IC 35-50-2-11](#) that a person used a firearm in the commission of the offense for which the person was convicted, the term of imprisonment for the underlying offense and the additional term of imprisonment imposed under [IC 35-50-2-11](#) must be served consecutively.

(g) Strangulation and Level 3 Felonies and above.

**“Violent Offender” classification:** These offenders may be accepted EXCEPT 35-50-1-2 but MUST be monitored using GPS

[IC 35-31.5-2-352](#)

Sec. 352. “Violent offender” means a person who is:

(1) convicted of an offense or attempted offense under [IC 35-50-1-2\(a\)](#), [IC 35-42-2-1](#), [IC 35-42-2-1.3](#), [IC 35-43-1-1](#), [IC 35-44.1-3-4](#), [IC 35-45-10-5](#), [IC 35-47-5-1](#) (repealed), or [IC 35-47.5-5](#);

(2) charged with an offense or attempted offense listed in [IC 35-50-1-2\(a\)](#), [IC 35-42-2-1](#), [IC 35-42-2-1.3](#), [IC 35-42-4](#), [IC 35-43-1-1](#), [IC 35-44.1-3-4](#), [IC 35-45-10-5](#), [IC 35-46-1-3](#), [IC 35-47-5-1](#) (repealed), or [IC 35-47.5-5](#); or

(3) a security risk as defined by section 290 of this chapter.

Also, any offender that is currently required to register as a sex offender must also be classified as a “violent offender” regardless of instant offense.

**Electronic Monitoring Minimum Sentencing Guidelines:**

	Felony Level 1-4 (Class A & B)	Felony Level 5 (Class C)	Felony Level 6 (Class D)
Low Risk	6 months	3 months	No
Moderate Risk	8 months	6 months	3 months
High Risk	10 months	8 months	6 months

**PROCEDURES**

The HD program accepts referrals from the Courts, probation department, and parole department. All participants placed on home detention will be on GPS for a certain number of days ordered by the Court.

**Referrals:**

- Sentencing court notifies program manager using a referral form with participant’s name, address, telephone number, email address, court cause number, crime(s) convicted and sentence.
- Referrals may be faxed, emailed, picked up at the Court’s office, or called in by Court staff. The participant is required to report to FCCC immediately upon referral.

- If participant does not report immediately, the program manager or other designated agent will contact the participant by telephone, correspondence, or other notice to schedule an appointment for intake.
- Case manager/monitoring officer/FCCC staff may transport participant from the courtroom or jail, if available and if requested by the court.
- If participant makes no contact within 72 hours of release from active holds or incarceration, the program manager/case manager/monitoring officer shall notify the court.

### **Out of County Transfers:**

- Participant must live in Floyd County.
- The sentencing court order must state that the participant may serve his/her court ordered time on the Floyd County Community Corrections Program “at a level to be determined by the Director” if accepted to said program.
- Participant shall pay required fees not provided through grant funding.
- The sentencing court order must further state that should the participant violate any program rules and regulations, the participant herein shall be returned to the sentencing county’s jail by the Sheriff of the referring county.

### **Intake Process:**

#### **Assess the participant’s risk and needs**

A re-entry coordinator shall give all participants a risk/needs assessment (IRAS) before starting the program or within 5 business days after starting the program. In addition to the risk assessment, the case manager will give secondary assessments as needed (i.e.) mental health, alcohol or substance abuse, trauma and criminal thinking and domestic violence. These assessments are scored by case manager and used to determine the participant level of risk and targeting criminogenic needs to be addressed in the case plan. Utilizing the principles of risk, need responsivity, participant treatment resources and supervision is prioritized for higher risk participants, the number of contacts made with each participant is based on the Indiana Risk Assessment System (IRAS) score. The case manager will prepare a participant’s case plan which will outline obtainable goals and objectives, giving top priority to those domains noted as risks by the IRAS. The case plan may include, but is not limited to, drug and alcohol treatment, education, employment, mental health counseling, etc. The participant is required to follow the case plan in detail as outlined by the case manager. Any changes in the case plan will be revised and signed by the participant and the case manager. Each participant will be classified as low, moderate, or high by a certified conductor of the IRAS. The intake packet is used during the IRAS interview.

#### **Secondary Assessments**

Standard secondary assessments will be given on individuals where the need is identified in the IRAS. Once these assessments are scored, the completed scoring sheet is placed in the file under the IRAS and used for case planning purposes.

ODARA: (Domestic Violence Assessment): If the participant has a history of domestic violence, this assessment should be conducted. If this risk level is higher than the IRAS, override the risk level to this assessment result.

PHQ-9: Screening and measuring severity of depression. If the participant indicates any mental health problems, the case manager may refer the participant to a mental health agency for further mental health assessment.

SMAST (Short Michigan Alcohol Screening Test): This should be completed on all people who have indicated a history of substance use.

TCUDS (Texas Christian University Drug Screen): If the IRAS indicates a risk of substance abuse problems, the re-entry coordinator will administer the TCUDS assessment to determine the probability of having a substance abuse disorder. This will be scored and placed in the participant's file and will be given to any treatment provider if a referral is made.

BTQ (Brief Trauma Questionnaire) - Trauma: Designed to assess trauma exposure according to DSM-IV. The questionnaire may be used to determine whether the individual has experienced a single event of criterion A or different types of criterion A events experienced. If the participant indicates any mental health problems, the case manager may refer the participant to a mental health agency for further mental health assessment.

Criminal Cognitions Assessment (CCS): Measures criminal thinking/beliefs. This assessment should be completed at the beginning and end of supervision.

### **Intake Appointment**

#### Pre-appointment

- Participants completes the intake packet
- Program manager explains to participant the requirement to maintain or have access to a personal cell phone for the duration of the program.
- Program manager officer explains documents and finances for participant to bring to intake appointment
- Program manager conducts orientation
- Program manager schedules the intake appointment with case manager

#### During appointment:

- Program manager confirms/address phone/address in computer
- Program manager confirms sentence in computer
- Program manager reviews court file
- Case manager/Monitoring/FCCC staff gives UDS

- Program manager takes participant's picture
- Program manager prepares, explains, and gives to the participant a copy of the signed HD contract
- Re-entry Coordinator conducts assessments (IRAS and URICA) and schedules appointment to score and review
- Re-entry Coordinator explains secondary assessments
- Program manager explains HD supervision rules and Waiver of Rights, participant handbook
- Program manager explains Weekly Schedule form and assist completing current or upcoming weekly schedules and give review date and time. HD Program Manager gives copy of schedule to participant and enters it into monitoring vendor program and scan into SRS file.
- Program manager explains to participant how to operate electronic monitoring device
- Program manager fits participant with electronic monitoring device (placed around the participant's ankle)
- Program manager explains to participant how to operate alcohol monitoring equipment, if needed.
- Program manager explains the Participant Handbook and pass request for and give participant a copy of each.
- If no grant funds for electronic monitoring are approved, then program manager collects the participant's \$50.00 hook- up fee plus two-weeks payment and make a receipt. If participant is receiving disability benefits, participant must provide documentation of disability benefit approval.
- Program manager enters the participant's information into the monitoring company's system along with an approved schedule and the assigned equipment.
- Program manager enters participant information, approved schedule, and the assigned equipment in the alcohol monitoring company's system, if needed.
- Monitoring Officer installs home monitoring device in the participant's residence.

After appointment:

- Program manager enrolls participant in SRS including photo and sentence information
- Reentry Coordinator Enter IRAS in Incite and SRS
- Program manager/monitoring officer enters case notes appointment in SRS
- Program manager puts file folder in order ensure charging information, sentencing order, plea agreement and HD conditions are in file and include client info sheet from SRS
- Reentry Coordinator scores secondary assessments and complete scoring sheet
- Reentry Coordinator puts secondary assessment in SRS and place under IRAS
- The participant file is assigned to a case manager pending IRAS classification.



Should a defendant not report for the scheduled intake, an affidavit will be forwarded to the appropriate agency, (i.e. Court, probation, parole or prosecutor).

### **Enhance Intrinsic Motivation**

Program manager, case managers, monitoring officers and other staff are trained in effective communication and motivational strategy skills as required by the FCCC main Operational Guidelines. Throughout the HD program, the program manager, case managers, monitoring officers and other FCCC staff shall assess the participant's motivation to change. The priority is to meet the participant in his/her stage of change and assist in moving the participant through the stages of change to ultimately be successful through relationship building and other pro-social, supportive activities. Programming referrals are partly based on the participant's level of motivation.

If a participant has low motivation, the re-entry coordinator can complete the URICA (University of Rhode Island Change Assessment Scale). This assessment will help the case managers determine the stage of change of the participant in a particular area and assist in effectively motivating the participant to make positive changes in his/her life.

CAREY GUIDES: Carey Guides are incorporated into the case plan to assist the case managers in best supervising the participant. Developing a relationship and getting to know the participant are the first steps in enhancing intrinsic motivation. The following guides are used with each case plan during the initial introductory stage (the first couple of months of "getting to know" the participant): *Case Planning; Your Guide to Success; Dosage and Intensity; Responsivity; Rewards and Sanctions; and Maximizing Strengths.*

### **Roundtable**

Program manager/case managers/monitoring officers participate in roundtables to discuss all aspects of participant progress, (i.e.) targeted behaviors, new skills acquired, concerns and goal accomplishments. Preparation, attendance and participation in roundtables are a priority and other activities should be scheduled accordingly.

### **Case Management**

Case management consists of various tasks which include participant contacts, initial supervision activity requirements, developing and monitoring case plans, approving/monitoring participants' weekly schedules, program referral and monitoring progress, urine drug screens, administering incentives and sanctions, court reporting, and computer input, and helping participants engage with local community supports such as churches, social services, trustee office, AA/NA/ Celebrate Recovery, SMART recovery, basic living needs and pro-social community service and leisure activities.

The Contact Schedule is based on evidenced-based practices. Office and community contacts with participants are numbered based upon the IRAS risk and need. These contacts (which can be scheduled or random) include office, church, home, school, work, treatment program, or telephone visits. The higher risk participants will have a higher number of contacts each week.

Below is a best practice guideline on the recommended number of contacts a case manager should have with each participant; however, number of contacts should be at the case manager's discretion on a case-by-case basis:

<u>Function:</u>	<u>Very High</u>	<u>High Risk</u>	<u>Moderate Risk</u>	<u>Low Risk</u>
Face to Face	weekly	3 x / month	2 x / month	1 x / month
Home Visits	monthly	monthly	every other month	as needed
Non face to face	weekly	3 x / week	1 x / week	1 x / month

Face-to-face contacts occur when the case manager has with the participant in the office. During face-to-face contacts, staff will discuss the case plan/progress report, IRAS CST risk domain, fees, employment, family, short/long term goals, reward status and any barriers to programming. During these meetings, the case manager is expected to use effective communication and motivational strategies. Non-face-to-face contacts include telephone or video calls, treatment contacts, or collateral contacts with family or friends. Collateral contacts are defined as contact with someone regarding the participant. This would include but not be limited to contact with the participant's employer, family, probation/parole officer, service providers. Collateral information is used when verifying timecards and or pay stubs. The case managers and monitoring officers will encourage pro-social contacts for the participants by promoting resources within the community that demonstrate desired behavior. This can be accomplished through casual conversation or during review of the participant's weekly schedule. Pro-social supports mentor by exhibiting skills needed to change behavior.

**Case management appointments:** Case managers shall schedule appointments and maintain contact with the participant in accordance with the best evidence-based practices and based upon risk/need. During these meetings case managers are expected to use effective communication and motivational strategies. Case manager appointments shall include and record the following:

- Length of the appointment
- Case plan progress and review
- Computer info updated and verified (include photo)
- Equipment updated and verified
- Fees
- Employment
- Family
- Crisis issues
- Last assignment review
- New assignment given or skill practiced
- IRAS risk domains
- Short/long term goals
- Any follow up needed by case manager/participant
- Drug screen given
- Incentives/sanctions imposed
- Barriers to programming
- Next appointment
- All computer entry

**Case plan:** A case plan is developed by the participant and the case manager within the first 20 days of supervision and is continued throughout the program. The case manager should e-file the case plan with the sentencing court. The case plan should be reviewed during EVERY appointment. The IRAS assists in identifying criminogenic risk/need factors and determining the participant's needs and strengths. Secondary assessments are conducted when required and used in determining programming/goals. The participant identifies problem areas in his/her life and sets short and long-term goals.

The case manager uses the case plan template in INCITE/SRS. The first goal of the case plan is to establish a clear understanding of supervision and develop the best plan for the participant to be successful which will be standard for most participants. Objectives of this goal should be documented on the case plan.

- Objectives 1 and 2: Completing Risk/Needs Assessments and Secondary Assessments-establishes the IRAS risk; Needs risk; Dosage requirements; and secondary assessment identifiers
- Objective 3: Identifying Drivers of Past Behavior
- Objective 4: Identifying Responsivity Concerns; strategies to address; listing strengths and important rewards.

Goals and objectives thereafter should be developed in the IRAS risk/need subcomponents. If the participant scored high or moderate in the subcomponents of the IRAS, those should be addressed in the case plan and the participant will move through supervision of the case plan in phases.

Anti-Social Attitudes and Beliefs; Substance Abuse (if acute); Peer Associations and Family are to be addressed first in that order followed by neighborhood and employment/education.

- Refer participants to the appropriate programming and/or exercises as described in the case plan according to need (cognitive-based programming; substance abuse; education; mental health; family/individual counseling; parenting; job placement and support groups). Complete the strategies for each referral.
- Explain to the participant that these are goals throughout the program and will be done one or two at a time. Reward each time an objective is completed. Also use the Carey Guides and BITS (brief intervention tools) to address criminogenic needs throughout the supervision.
- Meet with the participant regularly to monitor the compliance of the case plan and court orders.
- Communicate on a regular basis with treatment providers and family to assess the participant's progress
- Reward and sanction participants according to his/her compliance or lack thereof
- Notify the court of noncompliance of rules
- Keep track of treatment hours during term of supervision – 100-200 hours for moderate risk and 300 hours for high risk

Participant Failure to Comply with the Case Plan

- The participant agrees to the case plan by signing it.
- Conditions of the signed case plan become extended conditions of supervision.

The participant's failure to comply with conditions of the case plan may be considered a violation of supervision and should be addressed immediately openly and honestly. This includes if they refuse to participate in forming the case plan. Staff should get to the "why" in determining the participant's failure to comply.

**In-house programs:** Case Managers shall refer participants to the appropriate cognitive-based program. These are listed and described in the FCCC main Operational Guideline

. Participants may be referred to more than one program:

- Complete the appropriate release of information if needed
- Place all referrals in the conditions tab in SRS
- Add case note as to what program(s) participant is referred and put in the case plan
- Email program facilitator when participant is ready to start the program
- Program facilitator will contact the participant and arrange a start date

**Program facilitator checklist:**

- Once the participant has started the program, complete the start date in the conditions tab and make a case note
- Participant completes pre-test
- Add a case note on attendance and participation for each session
- Notify the case manager of any class issues or unexcused absences
- Add case note on class completion, once finished, enter end date in SRS and give an incentive and certificate of completion
- Participant completes post-test and facilitator evaluation
- Notify case manager of termination and determine status of future participation and add a case note in SRS

**Substance use/mental health:** If substance use or mental health evaluation is needed, case manager assists participant with scheduling an evaluation at appropriate service provider.

- Participant signs a release of information with appropriate service provider to allow communication between the case manager and the provider.
- Case manager emails referral form to service provider (including a Recovery Works referral if eligible), a copy of the release of information, any positive drug screens, SUD assessment or other reports.
- Case manager gives participant a deadline to complete evaluation at earliest date possible
- Case manager documents referral in SRS
- Case manager includes referral in case plan
- Case manager follows up with treatment provider on the results of the evaluation. If treatment is recommended, case manager monitors progress and attendance of treatment.
- Case Manager obtains copy of treatment plan, progress reports, etc. and enters in SRS
- Case manager adds case note in SRS of completion or termination from treatment program, as recommended
- Case manager gives appropriate sanction or notifies court of treatment failure.

**Engage ongoing support in natural communities**

**Purpose:** Understanding the role that positive support plays in achieving risk reduction, the purpose of this process is to enhance the effectiveness of the participant's perceived social support.

Information gathered on the IRAS specific to the Family & Social Support and Peer Associations domains will help the case manager to create case plan objectives to reduce likelihood of future criminal activity. When a participant scores moderate or high in either of these domains, a case plan objective will be identified to create and encourage ongoing support within the community.

Objectives can include:

- Family counseling
- Behavioral couples' therapy
- Individual therapy
- Obtain a peer mentor
- Attend self-help groups
- Obtain a sponsor and establish a home group
- Bring prosocial supporter to case management appointment
- Create/maintain a prosocial phone list
- Referral to outside agency for case management
- Participate in prosocial activities

Additional supports that will be considered within the community also include:

- Veterans Court or HOPE Court alumni group
- Veterans Treatment Court Mentors
- Self-help Community
- Community Corrections Advisory Board

In addition to referring participants to support within the community, case managers can also utilize targeted interventions related to teaching and building skills regarding how to build these relationships. These interventions can include:

- Engaging prosocial others Carey Guide
- Prosocial Leisure Activities Carey Guide
- Interpersonal Skills Carey Guide
- Maximizing Strengths Carey Guide
- Problem Solving Carey Guide
- Antisocial Peers Carey Guide
- Who I Spend Time with Carey BIT
- Problem Solving Carey BIT

When these targeted interventions and case plan objectives are addressed during the Participant's supervision, a case note documenting this information must be made in the case note and within the case plan.

## **Cell phones, lap top computers**

HD program manager and case manager shall follow the policy regarding cell phones and lap top computers as outlined in the FCCC Operational Guidelines. Monitoring officer shall follow the policy regarding cell phones and lap top computers as outlined in the Floyd County Sheriff Department procedural guidelines.

### **Monitoring**

#### **Installation of Equipment:**

- A central location is ideal, preferably by a window.
- The beacon should be placed a minimum of three (3) feet off the ground, preferably six (6) feet.
- Nothing shall be overhanging the equipment.
- Take photo of beacon location and enter in SRS
- The position that the beacon is sitting on must have a sturdy base that is not metal.
- Take photo of residence and enter in SRS
- Monitoring officer conducts a walk-thru of the property and checks beacon placement.
- Monitoring officer address and/or report any cause for concern.
- Monitoring officer explains to the participant how the equipment will function.
- Monitoring officer obtains signature on Consent to Search Waiver at residence, if not completed during intake appointment
- Monitoring officer verifies equipment has downloaded and functioning properly prior to leaving the residence.

#### **Daily Process:**

- Enter building and disarm alarm system using your code.
- Check fax /copy machine for violations/verifications. (make sure fax is not jammed or out of paper, if it is it may appear to have no violations/verifications).
- Turn on computer and open SRS and monitoring programs and Outlook.
- Review monitoring websites for any violations.
- Check Outlook for any scheduled intakes, drug screens or client end dates.
- Check voicemails on all HD telephones. All phones should have the password labeled on the front of the phone.
- Retrieve messages from the answering machine and record them in the SRS to the date called and deleted messages accordingly.
- GPS mapping: a minimum of two (2) times per day and review participant's schedule for approved travel, time, and locations
- Review mapping: compare what approved movement against actual movement
- Contact participant regarding any mapping discrepancy
- If there are any violations on the fax or listed or on the monitoring website, check the participant's notes in SRS to see if there are any notations.
- Take appropriate action on violations. Try to collect verification during your shift.
- If there is no appropriate verification for the violation, an affidavit will need to be generated and forwarded to the case manager.
- Run a "Case Note Detail" report from SRS to review the happenings from your

previous shift.

- If there are any violations pending verifications left from previous shift, try to collect them.
- Prepare a tentative route to check on participants utilizing the appropriate reports.
- Gather your equipment: car keys and laptop.
- As you leave the building, set alarm and lock the doors. Once you pull the vehicle outside the gate, close and lock the gate.
- Update SRS in laptop as visits are conducted.
- Record the traveled mileage in the appropriate vehicle log and report any damages that may have occurred to the vehicle.
- Upon returning to the office repeat the first 7 steps.
- Prepare to leave by storing your equipment, closing all computer programs, checking the two back doors to ensure that they are locked and set the alarm.

**Scheduling and Changing Information:** All phone calls made to FCCC HD program by a participant will be logged into SRS and the contracted monitoring company. Participants needing to call in a weekend schedule must call before noon on Friday. If the office is closed on Friday due to a holiday, the schedule must be called in the prior business day before noon. Personal information of the participant that is changed (i.e.) phone number, address, workplace, etc., will be noted in SRS, in an email to program manager/case manager/monitoring officer and other assigned FCCC staff, and the monitoring company's computer program.

**Monitoring reviews:** Participant reviews will be conducted as determined by monitoring officer. All participants will be assigned a certain time and date to report during the initial intake process. Should participants' schedules change, the review time/date can be altered as needed. NOTE: Reviews are a good opportunity to offer any praises/rewards to the participants.

#### **Review Process:**

- Before bringing the participant back to the office, review the SRS Notes and consult the schedule from the previous week to assess what information/process (drug tests) needs to be collected or conducted during the review.
- Bring the participant into the office.
- Collect all documentation from the participant (i.e.) check stub, verification sheets, timecard etc.
- Address any outstanding issue as stated in the SRS Notes, monitoring company event log, or on the Review Schedule, (i.e.) drug tests, required verifications, etc.
- Discuss drug test results.
- Give participant any paperwork FCCC may need to give to them.
- Collect and review the participant's weekly schedule and pass request. Make sure all times, dates, and locations are completed correctly, and the pass requests follow the handbook. Give participant a copy of the approved weekly schedule.
- Collect the participant's payment, make a receipt, and give original receipt to the participant. Place all checks along with the copy of the receipt in the assigned safe.

- Conclude review with participant.

**Home Detention List:** The Home Detention List includes, participant names, home address, cause number(s), start and end program date, and current offense and level. List is updated weekly and distributed to local law enforcement agencies.

**Verification Slip:** Each time a participant leaves the residence to go to an appointment (i.e.) doctor, hospital, probation, etc., she/he must have a verification slip completed. The verification slip provides information regarding the date, time in/out, name, address, and telephone number of appointment location. The form must be completed and signed by a professional staff person of the agency or institution. It is returned by the participant to FCCC before returning home, unless otherwise instructed. FCCC's staff is to review verification and scan into SRS.

**Community Checks:** Community checks are conducted for the purpose of program safety and participant accountability. Contacts can be in the form of face to face, telephone, home visits with case managers, site visits, etc., however, there shall be at least one (1) weekly office visit. The minimum number of per month to be conducted are as follows:

**Very High Risk:** a minimum of 6/month (4 of these face to face)

**High Risk:** a minimum of 5/month (3 of these face to face)

**Medium Risk:** a minimum of 4/month (2 of these face to face)

**Low Risk:** a minimum of 3/month (1 of these face to face)

**Home Visit:** HD case managers and monitoring officers are responsible for ensuring compliance with court orders. Home visits/community contacts provide a more complete view of the participant through unscheduled visits to the participant's home and/or place of employment. Community contacts will also ensure that the participant is complying with electronic monitoring and following the weekly schedule.

Case managers and monitoring officers must be aware of the participant's case and status including the last known address, others who may be living in the home, address of last known employment and work hours, prior record, especially crimes of violence, prior psychological treatment/illness.

Case managers and monitoring officers shall determine the purpose for the home visit/community contact. Home visits/community contacts may be conducted for the purpose of general information gathering and compliance monitoring, or for the purpose of specific information gathering.

Case managers and monitoring officers shall determine what personnel are necessary to conduct the home visit/community contact.

- Case managers may request assistance of monitoring officers or local law enforcement to conduct home/community visit.
- If local law enforcement assists the case manager conducting the Home visit/field contact shall inform and explain to law enforcement their role in the visit/contact. It is important that law enforcement understand the case manager



has authority over the visit/contact and are entering the home under the authority of the court.

- Case managers/monitoring officers are not allowed to conduct home visits with participants of the opposite sex, individually, but must be with another case manager/monitoring officer – unless given express permission by the FCCC Director.
- Monitoring officers conducting community checks or home visits include personnel required under local law enforcement policy and HD policy.

Case manager/monitoring officer shall determine what equipment is necessary to conduct the home visit/field contact.

- Monitoring officers shall include equipment necessary to conduct a HD home visit or community check as provided by HD policy and Floyd County Sheriff Department policy which is attached.
- All case managers/monitoring officers conducting home visits/community contacts shall have in their possession a badge and/or county-issued identification.
- Department-issued clothing or readily visible identification shall be worn.
- Body armor should be worn.
- Cellular telephones and/or police band radios shall be carried.
- Weapons, whether blunt force, stun guns, mace/OC spray, may be carried if department guidelines allow. Firearms may be carried according to department guidelines and appropriate training has been completed.
- Urine collection kits, portable breath testing devices, evidence collection kits, latex gloves, camera, flashlight, are recommended as standard home visit/community contact equipment.
- Appropriate clothing shall be worn during home visits/community contacts. (i.e.) flat shoes with nonslip soles, no sandals, no ties, limited jewelry, etc.

Case manager/monitoring officer shall submit to the monitoring supervisor a written list of the addresses and names of participants for proposed home visits/community contacts.

- The list shall be in the order in which the contacts are planned to be made.
- The list shall be grouped in such a manner as to encourage efficient use of resources.
- If the case manager/monitoring officer is not going to return to the office, the case manager/monitoring officer shall notify the supervisor/director upon completion of home visits.

**Conducting the Home Visit:** The case manager/monitoring officer shall approach the home and initiate the home visit with safety as a concern. Monitoring officer shall follow policy, procedure and training protocols of HD and Floyd County Sheriff Department. The case manager in conducting a home visit shall do the following:

- Prior to approaching the home, a drive-by of the residence shall be conducted looking for evidence of people in the home, the location of neighbors or other bystanders, the possibility of unrestrained dogs, and any indications of suspicious or dangerous activity.
- The case manager/ monitoring officer's automobile shall be parked in a location

which is readily accessible to suddenly leave. Automobiles shall be backed into rural home driveways that provide the immediate ability to flee.

- Depending upon the neighborhood, the monitoring officer may consider leaving the vehicle unlocked to provide easy access and shall be aware of the location of the vehicle's keys.
- The officer may park near the home and then call the residence to: a) determine if someone is home; b) observe activity; and/or c) request the participant to come to a location outside of the home such as the front porch or sidewalk. (\*67 may be used prior to placing calls to block caller I.D.)
- Upon approaching the home, the monitoring officer shall have identification available, and be cautious of standing directly in front of the door or windows of the residence.

Case manager/monitoring officer shall enter participant's home understanding it is the participant's environment.

- If the participant answers the door, the case manager/monitoring officer shall offer identification and explain the purpose and nature of the visit. If someone other than the participant answers the door, the case manager/monitoring officer shall request to speak to the participant and go with him/her to get the participant if possible.
- After entry is allowed, the case manager/monitoring officer shall immediately conduct a cursory visual search of the residence, identifying potential weapons, other occupants of the home, and potential escape routes.
- If no other occupants are visible, the case manager/monitoring officer shall ask the participant if other occupants are inside and to personally identify the locations.
- All occupants shall be placed in a central location where they can be observed.
- If there are audible or visual distractions such as televisions, stereos, etc., the case manager/monitoring officer shall request these devices be turned off.
- If there are potentially vicious animals in the home, require the animals be secured outside of the home.
- Do not leave the participant or other occupants unattended or allow them to move *throughout the home unobserved or unattended.*

The case manager/monitoring officer may complete a cursory inspection of the home without conducting a search.

- As part of the home visit, the case manager/monitoring officer shall initially complete a walk-through of the residence to determine if other occupants are in the home and to ensure the officer's safety.
- Case manager/monitoring officer may ask the participant to show him/her the home or may inform the participant that he/she is going to complete a walk-through of the home for safety reasons.
- If evidence of new criminal activity and/or contraband is viewed during the home visit, the case manager/monitoring officer shall enlist the assistance of local law enforcement.
- If evidence is seized by law enforcement, the law enforcement officer will

maintain chain of custody and store the contraband appropriately.

The case manager/monitoring officer shall interview or question the participant in a controlled atmosphere.

- The case manager/monitoring officer shall establish an authoritarian, but courteous, rapport with the participants and other occupants of the home.
- Do not threaten, intimidate, or otherwise confront the participant in a provoked manner that could escalate to violence.
- Stand near an exit, if possible. The case manager/monitoring officer should never allow the participant to sit or stand at a higher (over) level than them.
- Observe the participant at all times paying particular attention to the location of his/her hands.

**Identifying Problems and Implementing Damage Control:** The FCCC Director shall be notified as soon as possible of any incidents regarding hostile or violent behavior.

- The case manager/monitoring officer may use reasonable force necessary, to protect him/herself or others, if the case manager/monitoring officer believes his or her safety is compromised.
- If an incident occurs, the case manager/monitoring officer shall notify law enforcement of the incident.
- All incidents of hostile or violent behavior by participants towards case manager/monitoring officer(s) shall be addressed through revocation proceedings with the Court.

If any participant is found to be missing during a time when they are supposed to be at home, the following steps shall be taken:

- Call the participant to discuss whereabouts. If no answer, send a message to the participant's transmitter to call the case manager/monitoring officer.
- If able to speak to a household member, then gather collateral information and follow up until verifying participant's whereabouts.
- If able to speak to the participant who states she/he is at home, have participant take a photo of self and beacon, then text photo to case manager/monitoring officer.
- Conduct a visit to the participant's residence to verify.
- If the participant cannot be located, contact local law enforcement agencies with a description of the participant and advise that the participant has absconded from Home Detention. Request law enforcement contact the monitoring officer if the participant is located.

If participant is located by law enforcement:

- Monitoring officer if on duty will conduct a face-to-face visit with the participant to determine the legitimacy of the violation. If it is after hours, the monitoring officer on call will conduct a telephone contact with the participant to determine the legitimacy of the violation.
- Once it has been determined an actual violation has occurred, the appropriate violation policy for the type of referral will commence.

If a participant is found to be missing during regular community checks, the monitoring officer who made the discovery will initiate the above procedures.

### **Measure relevant processes/practices**

Performance metrics for each department and the agency are developed each year and are submitted to the Department of Correction. These metrics examine current practices and identify areas of improvement. From these metrics, work plans (strategic plans) for improvements are developed for each department and the agency. Recidivism is also measured over a three-year period upon completion of the program.

### **Provide measurable feedback**

The results measured above will give community corrections information on areas of improvement and determination on what is working for participants and what is not working. Along with the measurements listed above, community corrections staff member will administer participant satisfaction survey with all participants on a regular basis and exit surveys upon completion of supervision. The purpose of this survey is to assist us in improving the services we provide for the program participants in the HD program. The participant is not required to write her or his name on the survey. The participant is encouraged to be honest with her/his responses. Upon receiving the survey from the participant, the community corrections staff member will read the participant's responses, place their initials in the upper right-hand corner indicating they have reviewed the survey and forward it onto the next staff member for review. After staff have reviewed the survey, it will be forwarded onto the FCCC Director to be filed for future use, if necessary. A report of these surveys shall be provided quarterly to the FCCC Advisory Board. Once all These are used in various annual reports and to provide testimony to legislatures and community members.

### **Random Drug Screening**

Urine drug screens shall be given randomly to participants in the HD program pursuant to court order and/or at the discretion of the case manager or monitoring officer pursuant to court orders. The drug screen policy is found in the main FCCC Operational Guideline

. Participants may be placed on the random drug screen line as a response for substance use.

- In the SRS, go to “Redwood Drug Screen Instruction Sheet” and complete - print out
- Participants will be given an ID number on that sheet to identify selection of random drug screens and a document that explains the random drug screen line process
- The participant is required to call the FCCC drug screen telephone number *everyday by 9:00 am* as directed by the case manager
- If the participant does not get through to the telephone line, it is his/her responsibility to keep calling until they have made contact.
- If the participant's ID is selected, the participant shall immediately call FCCC to schedule an appointment to report.
- Participant reports to FCCC for appointment and submits drug screen.

- If the participant fails to report as directed, the missed drug screen will count as a refusal, and the appropriate sanction will be administered.

## **BEHAVIOR RESPONSE – INCENTIVES AND SANCTIONS**

### **Purpose**

Appropriate behavior response establishes a disciplinary code, sanctions, and a schedule of rewards for positive behavior for the FCCC HD Program. Evidence based practices encourages the use of positive reinforcement to promote change in behavior. Participants are given positive reinforcements as appropriate throughout the program (i.e.) positive affirmations, lowering the amount of required contact, or personal passes from HD.

### **Objective**

Establish reasonable rules and regulations that are designed to encourage program participants to respect the rights of others. In addition, it is also designed to encourage self-discipline and self-control that will enable program participants to live a productive life of positive citizenship.

### **Goals of Behavior Response**

The goals of behavior response process are to increase the likelihood of participant success and protect the public by:

- Holding participants accountable for their behavior by responding to all non-compliant behavior with swift certainty and consistency.
- Using evidence-based strategies to assist participant in identifying and changing thinking and behavior patterns that are anti-social or otherwise problematic.
- Encouraging good behavior by giving incentives for doing what is expected.

FCCC HD program operates on a progressive risk system. Work schedule, passes, treatment, and privileges outside of the home are based on risk level.

### **Definitions**

**Absonder:** A participant who has let their GPS device go dead and not reported for 24 hours. A participant who has removed their electronic monitoring device without permission from FCCC (and it was not a medical emergency). A participant who has failed to report two or more times and has not maintained contact with their case manager.

**Administrative Agreements:** a response to a violation that promotes participant changes and accountability, continues community supervision, and alters the original conditions of supervision.

**Proximal Behaviors:** behaviors the participant is readily capable of doing and that are necessary for completion of long-term goals. Examples: attendance, calling for drug screen numbers, and telling the truth.

**Distal Behaviors:** long-term and complex behaviors the participant is NOT readily capable of doing but are a necessary part of long-term behavior change (e.g. abstinence or sobriety, IF

ADDICTED, pro-social problem-solving skills, pro-social thinking patterns, etc.).  
RESPONSIVITY FACTORS SHOULD BE TAKEN INTO CONSIDERATION.

**Response:** action taken to promote accountability and long-term positive participant behavior change.

- Pro-social behaviors shall be supported by a positive response(e.g.) rewards or incentives designed to acknowledge success and encourage more pro-social behavior.
- Non-compliant behaviors warrant responses that include targeted interventions to address individual risk factors and support accountability.
- Therapeutic response is an intervention intended to specifically address a criminogenic need that is driving violation behavior.
- Accountability response is a sanction intended to stress accountability for the participant’s case plan and modify non-compliant behavior.

**Revocation:** a response to a violation that is intended to result in termination from supervision as the participant is deemed unsuitable for community supervision because: a.) a new felony or certain misdemeanor arrests occur; b.) appropriate responses have been exhausted (short of revocation); and c.) the participant’s violation behavior indicates an imminent public safety risk.

**Targeted Prosocial Behavior:** as participants work towards changing long-term complex behaviors (i.e. their “distal behaviors”), incremental improvements toward long-term changes will evidence themselves. These incremental changes which will typically be demonstrated by small, incremental improvements in skills, and may be among the skills identified in the participant’s case plan should be encouraged and rewarded through the Rewards and Incentives system when demonstrated.

**Therapeutic Adjustment:** a response to a violation that promotes participant change and accountability and continues supervision, but it does not alter the original conditions of supervision. Treatment referrals are made, or after consultation with the treatment provider, treatment plans may be modified.

**Violation:** a behavior that is non-compliant with the terms and conditions of supervision and/or program participation.

**Procedure:** Each participant shall be assessed and assigned a risk level in the first 5 days of supervision. During that time, the participant will not be eligible for passes. After 5 days of supervision, each participant will be categorized as high, medium, or low risk. Each participant shall have the opportunity to earn incentives with program compliance for her/his conduct, and progress toward case plan goals. Positive reinforcements are given throughout the week through case management and treatment. Some examples of desired behavior include, attending appointments, being honest with case manager and monitoring officer about daily struggles, challenges, or barriers, attending treatment, attending support groups, negative drug screens, keeping a positive attitude, making positive choice, including/maintaining employment, staying in contact with attorney, reporting maintaining sobriety, paying fees, and giving back to others.

**Incentives:** Positive reinforcement is scientifically shown to increase desired behavior. It should be given frequently to assist in behavior modification. Case manager and monitoring officer are encouraged to give positive reinforcement/incentives during every encounter with participants. Case manager and monitoring officer shall strive to give participants incentives at a ratio of 4 incentives to every 1 sanction. All incentives are to be recorded in SRS each time it is administered by the case manager or monitoring officer. It is important to remember that some conditions are assisting in making the participant successful. It is important not remove the very accountability mechanism that is making them successful too soon.

**Passes:**

Very High Risk: One (1) pass per month

High Risk: Two (2) passes per month

Medium Risk: Three (3) passes per month

Low Risk: Four (4) passes per month

First 5 days of supervision: Participant will be assessed, no passes

After 5 days of supervision: Participants who have been violation free and current in the payment of their supervision fees will be eligible for: A yard pass for up to 1.5 hours (yard work, cleaning, vehicle repair)

After 60 days of supervision: Participants who have been violation free, current in the payment of their supervision fees AND have approved residence will be eligible for Residential passes (family, specific address) for up to 3 hours or Non-residential passes (shopping, etc., specific address) for up to 1.5 hours

After 120 days of supervision: Participants who have been violation free and current in the payment of their supervision fees shall be eligible for any combination of the following passes per month, residential passes (family, specific address) for up to 5 hours or non-residential passes (shopping, etc., specific address) for up to 2.5 hours

**Pass Definitions:** Personal passes will consist of residential passes and non-residential passes, (e.g.) to visit family, car repairs, picking up medications, etc. All personal passes must take place between 9 AM and 7 PM. Verification forms are required for all personal passes. Participants will NOT be permitted passes to locations where an Emergency Protective Order or No Contact Order is in effect or locations that the Indiana State law prohibits them (sex offenders).

- **Residential Passes:** Participant must provide case manager/monitoring officer with relationship and exact address of proposed residential visit. Only one (1) location can be visited during any given pass. Participant shall not visit any other location during this pass.
- **Non-Residential Passes:** Shopping, haircuts, laundry, restaurant. Specific locations with addresses must be provided. All locations must be approved by case manager/monitoring officer.

Pass request must be submitted for ALL passes on a weekly schedule. Weekly schedules must be provided every Friday before 4 PM in writing to the case manager/monitoring officer. Failure to provide a weekly schedule will constitute a minor violation and will result in a sanction in accordance with the “Sanctioning Guideline” for case manager/monitoring officer.

If the participant is the only adult at the residence, she/he will be issued a personal pass to shop for household items once a week for 1.5 hours.

Verification forms are required for all passes and must be presented to case manager/monitoring officer before returning to designated place of home detention.

Case manager/monitoring officer retain the right to refuse a pass or terminate any pass at any time. Any unaccountability while on any pass will result in immediate termination of the pass and may result in further consequences. The participant must be accountable at all times while on HD.

**Other Incentives:**

- Verbal Praise
- Gift card
- Candy/treats
- Extra privilege

**Sanctions:** In responding to violations, case managers are to use the Behavior/Response Matrix. This policy allows for consistent responses to behavior so that discrimination does not occur against any participant based on actual or perceived race, class, age, handicap, religion, educational attainment, ethnicity, national origin, sex, sexual orientation, or gender identity along with personal feelings.

All responses to violations should be considered in accordance with the HD policy and core values as well as the goals of supervision: public safety, reduced criminal activity if future and recidivism, increased participants’ pro-social behavior and reduced risk, and compliance with orders of the court. Achieving these goals will lead to more successful participant outcomes.

Violations of the conditions of community supervision are inevitable. The case manager and monitoring officer are expected to respond to violations to promote public safety, hold the participant accountable, promote integrity in the HD program and criminal justice system and reinforce well thought-out decisions. Except for those instances in which community safety is an issue, responses to violations should take place in the community, rather than in a location outside of the community, where the potential for achieving the most positive outcomes is the greatest. While under community supervision, participants contribute to restitution and access treatment or pursue education geared toward the development of a more pro-social lifestyle. It is unlikely that these outcomes can result from incarceration.

Case managers and monitoring officers must respond to HD violations effectively and quickly to enhance participant accountability and future compliance. Oftentimes, containment of the



participant is achieved without initiating a formal revocation process. Case managers and monitoring officers must treat participants with fairness and respect when applying sanctions. Participants who demonstrate an unwillingness to abide by supervision orders, or who pose an undue risk to community safety or themselves, should be subject to the filing of violation paperwork with the court. Once a violation has been satisfactorily addressed, it should not typically be caused for further responses, unless the violation establishes a pattern, or community safety is compromised. In handling violations, the case manager and monitoring officer shall use discretion without affecting public safety or HD program staff liability.

### **Behavior Response for violations:**

*Start with the **Violation Response Grid Overview** and the **Violation Grid Worksheet** (fill in worksheet through each step)*

**Step 1. Determine if the behavior is Proximal or Distal. Then use the appropriate Grid (Proximal Goals or Distal Goals)**

**Step 2: Determine the participants' level of risk based upon the IRAS assessment and locate it on the Response Grid Overview on the Risk Level column.** (Low, Moderate, High, Very High).

**Step 3: Determine the behavior severity using the *Behavior Severity Grid* and then locate it on the Response Grid Overview.** For multiple violations refer to the highest violation behavior severity.

**Step 4: Determine presumptive response range based upon level of risk and violation behavior severity where the two line up on the Response Grid Overview.**

**Step 5: If the Case Manager deems the presumptive response range is inappropriate, they may review and select Stabilizing or De-Stabilizing factors and document the override. If no override is needed and behavior control (Accountability) is required, then select Accountability Response(s) from the appropriate response range on the *Behavior Response Option Matrix* (1<sup>st</sup> page)**

### **Definitions of Stabilizing Factors:**

- **Positive Action towards Building Pro-social Relationships** – demonstrating consistent action towards building pro-social relationships such as seeking out a mentor or sponsor and disassociating with criminal peers.
- **Gainfully Employed** – Verifiable employment that is required for the participant to provide financial support for him/herself.
- **Positive Participation in Education/Treatment Program** – attendance and active participation consistent with the program's policy which may include completion of assignments, drug screens, unsolicited response and input with the facilitator/therapist, responding to questions, etc.

- **Stable and Structured Living Environment** – a living environment that fosters pro-social behavior, accountability, and support. Stability is demonstrated by less than 3 address changes within the last 12 months and may also include paying rent, receiving correspondence through the mail and having a key.
- **Positive Performance on Supervision** – active participation and progress towards goals identified in the case plan and acceptable completion of assignments. May also include acceptable attendance and no known violation behavior within the last 6 months.

#### **Definitions of De-stabilizing Factors:**

- **Violation Related to Original Offense** – non-compliant behavior where there is a nexus between the original offense and the violation behavior.
- **Acutely Unstable Housing** – homelessness, 3 or more address changes within the past 12 months, temporary housing (such as a person’s couch). May also include housing where criminal family/peers are present; drugs are readily available or located in a high crime area.
- **Continued and escalating Drug/Alcohol Use:** Continued and escalating drug/alcohol use may be evidenced by one or more indicators that are present over a period of 30 days or more. These include: a series of positive drug screens/PBT’s; admission of continued and escalating use by the participant and/or verifiable reports from third parties (e.g., significant others, employers) of ongoing, escalating use and/or drug seeking behavior; repeated indications of drug/alcohol use as evidenced by contraband identified by an officer during successive field visits; and/or medical problems that result from substance abuse.
- **Pattern of Violations** – 2 or more violations during the period of supervision / participation with at least 1 occurring within the past 3 months.

**Step 6: Identify the participant’s criminogenic needs as they relate to the violation behavior(s) and locate it on the *Behavior Response Options Matrix* (pages 2-4)**

**Step 7: Select the appropriate intervention response from the response range on the *Behavior Response Options Matrix* that will best address the criminogenic need driving the behavior**

**Step 8: List the selected intervention response(s)**

**Step 9: The violation grid worksheet should be completed and signed by the case manager and brought to round table. The FCCC Director after approving the intervention response will authorize and sign and the case manager will complete the next step – an intervention, a therapeutic adjustment, administrative agreement or violation paperwork filed with the court.**

#### **Types of Responses:**

- 1. Low Level Responses**

- The participant will be notified of the violation and allowed the opportunity to offer an explanation. A verbal warning or written reprimand may be issued by staff if appropriate
- If a minor program rule has been violated, and the participant has already been issued a warning, a staff member will inform the participant of sanctions to be imposed.
- All verbal warnings, written reprimands, rule violations and sanctions will be documented in SRS and in the participant's case file.
- Repeated minor violations will result in a Medium or High Response level.
- Issued low level responses including verbal warnings, written reprimands, rule violations and sanctions will be reviewed by the case manager/monitoring officer.
- The participant may appeal this decision to the FCCC Director within one week of the notification. The FCCC Director will review, investigate in necessary and respond to the participant within 48 hours. The final decision will be that of the FCCC Director and will be documented in the participant's case file.

## **2. Medium Level Responses (Administrative Sanctions/Therapeutic Adjustments)**

- In the cases where community service is being imposed or if the participant is on the HD program as a condition of probation, has been released from electronic monitoring and is being placed back on electronic monitoring for a violation, an administrative meeting between the case manager, participant, monitoring officer and director must take place.
- During this meeting, the case manager will discuss the violation with the participant and the behavior response (which is based upon the violation matrix) with the participant.
- If the participant agrees with the violation and agrees to the response, the administrative agreement will be signed by the participant, case manager, monitoring officer and filed with the Court
- The participant may appeal this decision to the FCCC Director at the time of the meeting (if available). The FCCC Director will review, investigate if necessary and respond to the participant within 48 hours. The final decision will be that of the FCCC Director and will be documented in the participant's case file/SRS.
- If the participant does not agree with the violation and does not agree to complete the sanction, has appealed, and still does not agree, then violation paperwork will be filed with the court for the court to determine whether the violation occurred and what the appropriate sanction should be if found in violation through regular revocation proceedings.
- All Administrative Agreements and Therapeutic Adjustments will be included in the participant's file.
- If the participant does not complete the sanction in the Administrative agreement, then a new violation response is completed.
- If the participant completes the administrative sanction and has a future violation, the violation in the administrative sanction cannot be used in the

violation paperwork filed with the court but can be noted that the violation occurred with administrative sanction and the participant completed the sanction.

- All administrative sanctions will be documented in SRS and in the participant's case file
- All administrative agreements will be filed with the Court after receiving the Director's signature

### **3. High Level Response (Administrative Sanctions)**

Violations of supervision shall be reported to the court to protect public safety, if needed, and/or other intermediate efforts have been tried. Administrative Sanctions: follow the same process as above

#### **Documenting Response:**

Participant Summary -SRS

- Under "alert" click on warrant if one was issued
- Click on active case

On the active case cause number:

- Note in the case the date the Violation was filed; any court dates or if they are in jail
- "Case Status" – click "absconded" if they have stopped reporting or cut off GPS; "new offense" if the person has been charged with a new offense
- update IRAS

#### **Process/Testimony:**

- If called to testify, the case manager/monitoring officer must be prepared to testify to the most recent recommendation provided to the prosecutor.
- The case manager/monitoring officer must be prepared with an opinion regarding the disposition of the case. This opinion should be based upon staffing results.

#### **Loss of Credit Time for those on Home Detention:**

- Participants who are on Home Detention and are in violation of community corrections conditions are subject to a loss of credit time including failure to pay fees. All loss of credit time will be determined by the CAB.

### **Violations**

Determine if a violation has occurred in accordance with the HD contract or IC 35-38-2.5-2.

- Contact the participant for verification. You may need to contact the participant's employer, church, place of medical care, schooling, etc.
- If the participant has a written verification, attach it to the violation report and place in the participant's files. Update the Notes in SRS.

- If the participant is not able to provide verification, generate an affidavit documenting the violation. The affidavit is then referred to the FCCC Director for review. The affidavit will be forwarded to the appropriate court authority.

## **CONDUCT ADJUSTMENT BOARD**

### **CONDUCT ADJUSTMENT BOARD (CAB) – Including CTP**

The Conduct Adjustment Board (CAB) will consist of at least 3 members including any combination of the following: FCCC Director and 2 members of the FCCC Advisory Board. The case manager or monitoring officer or other FCCC staff member bringing an allegation of misconduct against the participant may not be a member of the CAB nor participate in its deliberations. The CAB will meet as necessary to hold hearings and determine sanctions for repeated medium response violations or when a loss of credit time is possible or for major violations. Any appeals are to be brought to the FCCC Director.

#### **CTP Guidelines for CAB Procedure for Major misconduct allegations:**

- A conduct report shall be completed within 24 hours of the incident or knowledge of the incident. Information included on this form will be the date and time of violation, the specific nature of the violation, participant comments/response, and action taken. The Report of Conduct form will be signed by the staff member and served to the participant within 72 hours of written violation.
- A screening should occur within 24 hours of the incident and a disciplinary hearing shall be scheduled within 7 working days from the date of the incident.
- During screening, give the participant a copy of the conduct report, determine participant's plea, advise participant of their rights, inform participant of possible sanctions and schedule hearing date.
- If the Participant admits, the Director can apply the appropriate sanctions to the conduct (If the Director is reporting, the staff supervisor is to handle and if the staff supervisor is reporting, the Director is to handle)
- If the Participant pleads does not admit, a CAB will conduct a hearing (the reporting staff is not to be a part of the CAB).
- All 3 reports (the Violation Report, the Screening report, and Report of Disciplinary Hearing) are to be sent to the IDOC CTP coordinator so sanctions can be applied.

#### **HD CAB Procedures:**

- If the participant has exhausted all efforts for behavior change, a CAB is scheduled before a Violation of HD Program is filed
- The case manager/monitoring officer is to complete the "Request for CAB" form and schedule the CAB with the members.

- The case manager is to give a copy of the “Request for CAB” to the participant and notify them of the hearing date.

**The following basic elements will be included in a CAB Hearing (both CTP and HD):**

- 1.) The participant will be notified regarding the time of the hearing process
- 2.) The participant must be present
- 3.) The participant will have an opportunity to call witnesses and present documentary evidence on their behalf except when doing so would be hazardous to program safety or goals
- 4.) The CAB decides the outcome
- 5.) A written statement by the CAB will be completed stating evidence relied upon, the reasons for decision, and the sanctions (if any) to be imposed. This statement will be filed with the court
- 6.) The participant has the right to appeal the decision of the CAB by addressing the court in writing (except CTP)
- 7.) The participant does not have the right to counsel for disciplinary hearings but will have the right to counsel if formal revocation proceedings occur. (except CTP)
- 8.) The CAB’s decision is final. All appeals will be heard by the FCCC Director. (except CTP)

**Sanction Guidelines:**

Sanction Guidelines – Minor Violations 1 <sup>st</sup> offense: two-week loss of passes (additional passes will not be reinstated and must be earned)  2 <sup>nd</sup> offense: three-week loss of passes (additional passes will not be reinstated and must be earned)  3 <sup>rd</sup> offense: Major Violation	Sanction Guidelines – Major Violations CAB has sanctions discretion:  1 <sup>st</sup> offense: loss of passes for 30 days plus additional CWC hours, attend MRT/Moving On, or loss of credit time  2 <sup>nd</sup> offense: loss of passes for 30 days, loss of credit time plus additional CWC hours  3 <sup>rd</sup> offense: loss of passes for 30 days, loss of credit time plus additional CWC hours or removal from program
Failure to provide or follow week schedule	Unaccountability greater than 30 minutes
Unaccountability less than 30 minutes	Disrespect toward staff (including verbal abuse, shouting, cursing, etc.
Failure to provide verification of whereabouts or required articles as directed within 24 hours	Failure to pay program fees
Abuse of travel time	Driving without authorization
Failure to obtain employment	Failure to comply with or positive urine or breath analysis

Failure to inform Community Corrections when not attending a scheduled appointment (work, school, church, AA, CWC, etc.	Failure to provide urine sample
	Participant found in unauthorized area.
Participant found outside of his/her residence during home visit	Failure to turn in copies of prescriptions to Case Manager within 24 hours of having them filled.
Dishonesty toward Staff	Repeated minor Rule Violations
	Failure to obtain employment within 90 days
	Failure to complete CWC hours as ordered

**Positive drug test or breath analysis:**

A first positive drug test or breath analysis after a negative baseline drug test or a positive follow up to a positive baseline will result in a major violation and appearance before the CAB. In addition to any sanction(s) given by the CAB, the participant may also be required to seek substance abuse evaluation by a Floyd County Court recognized service provider and follow all recommended treatment of that evaluation. Failure to seek evaluation or follow recommended treatment may result in removal from the program. Participant will be responsible for any fees associated with evaluation and or treatment.

**Serious Misconduct:**

Participants found to be in violation of rules considered Serious Misconduct will be subject to immediate termination from the program. Serious Misconduct consists of the following:

- Assault of staff, or self-injurious behaviors
- Commission of a new offense while in the program.
- Threats to staff.
- Damage to or theft of property belonging to FCCC or FCSD
- Sexual Behavior (exposing self, sexual language or behavior).

This list is subject to change at any time.

**SEARCHES**

**Purpose**

Searches are to be conducted to hold persons ordered to the HD program accountable and to protect the public. In meeting these goals, HD participants and the owner/lessee of the residence must sign a “Consent to Search” form at time of enrollment. Said consent is only in effect during the period the participant is at said residence during the HD sentence. Before a participant will be permitted to move to a different address, a new “Consent to Search” form must be signed by the new owner/lessee.

**Preparation for Search**

The primary goal of the search operation is to safely search for illegal contraband in the person’s possession. NO search will be conducted without the assistance of law enforcement.

Prior to conducting the search, the case manager/monitoring officer shall meet with the assisting law enforcement personnel. The case manager/monitoring officer shall provide law enforcement personnel any information that would be helpful in conducting the search and any reliable information that the participant could be dangerous.

If possible, the case manager/monitoring officer shall be aware of the location, the general floor plan of the dwelling, and the number of residents at the proposed search site. Prior to arrival at the search site, the case manager/monitoring officer should have in his/her possession a badge and/or proper identification, a copy of the signed contract, copy of signed "Consent to Search", and a photograph of the person.

### **Types of Searches**

**Random:** The monitoring officer utilizing the computer software program will generate a random list of HD participants who will receive a random search.

**Reasonable Suspicion:** "Reasonable suspicion" is based on facts that would lead a person of ordinary care and prudence to believe and entertain reasonable suspicion that a person has violated condition(s) of her/his supervision. Law enforcement personnel may provide information that constitutes "reasonable suspicion" if the information provided is firsthand knowledge or an informant who meets the criteria of being reliable provided the information or law enforcement has independently collaborated reasonable suspicion. The "reasonable suspicion" used for the basis of the search shall be based on current and immediate information and not on information received in the past. If information is received that constitute "reasonable suspicion" for a search, the search shall be conducted in a timely manner to receiving the information. Corroboration of past information with current information may provide a basis for "reasonable suspicion" even if the current information standing alone does not provide such a basis. "Subterfuge" or the appearance of working in conjunction with law enforcement to circumvent warrant requirements shall be avoided. The purpose of a search is to ensure compliance with conditions of community supervision. Therefore, such searches should not be used solely as a means of gathering evidence for new criminal proceedings. The case manager/monitoring officer conducting any search shall not conduct such search at the sole request of any law enforcement officer.

### **Execution of Search**

- Upon arrival at the search site, the case manager/monitoring officer shall survey the exterior of the premises and observe anyone entering or leaving the residence. Be careful to observe windows and doorways for signs of activity.
- Case manager/monitoring officer shall approach the person's residence and clearly knock on the door or ring the doorbell. The case manager/monitoring officer shall stand to one side of doorways or windows when knocking on the door or ringing the doorbell. Under no circumstances shall the case manager/monitoring officer or law enforcement enter or attempt to enter a residence unannounced.



- Case manager/monitoring officer will provide a copy of the signed contract and/or signed “Consent to Search”. The property/lease owner may again ask for verbal consent.
- If an individual answers the door, the case manager/monitoring officer shall introduce themselves, present his/her identification, and explain the nature and circumstances of the search. Case manager/monitoring officer will explain the presence of law enforcement is for personal safety.
- The participant must be at the residence to conduct the search. If no one answers the door, reasonable force/uninvited entry MAY NOT be used to enter the residence.
- Upon entry into the residence, a protective sweep shall be immediately made throughout the residence, and if practical, all individuals should be placed in a central area. Each individual inside the residence should provide a form of identification.
- Case manager/monitoring officer will conduct a search of the residence or vehicle observing contraband or illegal substances in plain view and will not open drawers, closets, cabinets, etc. Case manager/monitoring officer will conduct a search upon finding any illegal contraband in plain view, and monitoring officer will then apply for an appropriate search warrant or case manager will notify local law enforcement.
- If law enforcement takes further action beyond search and seizure and arrest the HD participant, the case manager/monitoring officer must remove the transmitter from the participant and disconnect the receiver from the location.
- All home searches must be documented in the participant’s database and case file. The case manager/monitoring officer will notify, at a reasonable time, the FCCC Director and advise the chain of events including outcome of search.

### **TERMINATION**

If a participant commits a new criminal offense, a petition for termination from Home Detention will be filed with the sentencing court. If a participant commits multiple HD violations, a petition for termination may be filed with the sentencing court. Upon the termination of a participant for violations, the following procedure will be followed:

- monitoring officer will obtain a copy of the police report.
- monitoring officer prepares a violation report.
- monitoring officer presents warrant information to the prosecutor for review/approval then submits it to the sentencing court.
- the warrant will be served by law enforcement.
- monitoring officer will obtain all equipment from the participant.
- the participant will be deactivated in the monitoring service provider’s computer program in addition to the drug testing program.
- a hearing will be scheduled with the court for determination on sentencing based upon the information that has been submitted.
- upon termination, the participant’s status will be changed in SRS to unsuccessful and the program manager will enter a case note regarding termination.

## **DISCHARGE SOP**

Once a participant has completed the ordered time/program component, he/she is discharged from the program. The case manager completes a discharge IRAS is completed if one has not been done within the last three months. The monitoring officer will change the participant's status in SRS to completed and a case note will be entered. The participant will be deactivated in the monitoring service provider's computer program in addition to the drug testing program.

### **Completion Process**

- A participant has successfully completed the program when he/she served the entire executed sentence and any unpaid fees are paid in full. The participant will report to the FCCC office at the designated time, on their discharge date, with all the equipment issued to them.
- Inactivate participant in the monitoring service provider websites
- Generate a HD completion form and Continuation of Care through SRS with appropriate information and forward to prosecutor/probation/parole/sending court or agency.
- Complete participant in the SRS (financial and case) and make an ending notation in notes.
- Contact participant to report to FCCC with equipment and final payment if necessary.
- Collect and inspect equipment and fees, if necessary, from participant. Provide participant with a copy of "Completion"
- Forward "Completion" and Continuation of Care to appropriate agency
- Give participant a confirmation of a probation appointment (if applicable)
- Email designated probation office personnel regarding change in participant's status
- For CTP completions, the case manager will complete the "Confirmation of Release Form" and send it to the Indiana Department of Corrections.

## **GRIEVANCE POLICY**

It is the policy of this department that any participant may file a grievance relating to conditions of home detention. Grievances will be reported according to the Grievance Policy outlined in the FCCC main Operational Guidelines.