



STATE OF INDIANA

CAUSE NUMBER:

VS.

CONDITIONS OF WORK RELEASE

As a result of your conviction under the above cause you are ordered to serve term on Work Release. Terms and Conditions of Work Release are identified as “Major” and “Minor” rules. While attached is a listing of the program’s Major and Minor violations and the department’s graduated sanction policy the following additional terms cited below are designed to provide you the basic expectations of the program. Please understand that said terms identified below are documented as Major stipulations. You will obey the following conditions during your term on Work Release:

GENERAL:

1. You will report to the Cass/Pulaski Community Corrections office, at any time the Community Corrections Department directs you to appear.
2. You will furnish to the Community Corrections staff, proof of attendance any time you have received a pass by taking an appointment verification form with you and having it signed by a qualified representative. Make sure to keep all receipts as well. Passes will be authorized through the programs request procedure.
3. You will pay to Community Corrections an initial Work Release user fee of seventy-five dollars (\$75.00) and equal to two (2) weeks fees or two hundred fifty-two dollars (\$252.00) before you start the program. You will pay a user fee in the amount of eighteen dollars (\$18.00) or five dollars (\$5.00) per day while you are on this program.
 - (a) Payments are to be made weekly. Payments must be kept current. Failure to make weekly payments and keep all fees current will result in loss of privileges and/or earned credit time.
 - (b) You may be required to serve up to eight (8) hours Community Service weekly until your account becomes current. These hours may NOT be counted towards any Community Service hours that you may have been sentenced to through by the courts. Hours must be worked when assigned by the Community Corrections Department.
 - (c) Payments of cash will be accepted only at the Stellar Machine at the West entrance of the building. If you plan to bring payments to the office you must schedule an appointment with staff. It is also your responsibility to present your receipt to your case worker at the reception window so that the receipt number can be entered into the Community Corrections data base. When using the Stellar Machine you will be inserting cash into the machine. The system will charge you two dollars (\$2.00) per transaction and will not give you change. Payments to the Stellar Machine for your fees may be made by family members without an appointment. Please contact Community Corrections Office two (2) weeks before your completion date to confirm the amount due on your final payment.

- (d) If at any point during your sentence you owe user fees towards your Work Release sentence the department may conduct an administrative hearing. If the Department determines that you had means to pay the aforementioned fees and failed to do so you may lose good time credit. As sanction for failing to pay the aforementioned fees you may remain on Work Release until which time your balance is paid in full or you obtain your maximum release date, whichever occurs earlier. If you are sanctioned to remain on Work Release past your earliest possible release date you will not be charged additional fees. You will not be charged daily user fees past your earliest possible release date.
- (e) If you are released from the program owing user fees the Department will then file a “Request for Judgment” with the sentencing court. You understand that records and information generated by the department, which indicates noncompliance of the conditions set forth, may be used in a court of law and you agree to allow same to be admitted as evidence without the presence of department personnel.
- (f) If you are approved placement and do not have employment upon entry into the program you will not be charged a daily user fee. However, you will be charged for urine screen and laundry fees. Once you begin employment you will be required to make user fee payments as stated above. If within sixty (60) days you failed to obtain employment you will begin being assessed the aforementioned charges. If after a period of time you have accrued a debt of two hundred dollars (\$200.00) you may be terminated from the program.
- (g) In the event you are found to be in arrearages of program user fees you authorize the department to seize control of your financial holding i.e. pay check, cash money and position said holdings to pay off debt to the department.

4. Without prior exception from community correction staff, no person who has been convicted of a felony, a co-defendant, or who is currently on probation or parole will be allowed to visit with you during your term of Work Release. The Community Corrections staff may at any time prohibit any person from visiting with you. If at any time a person prohibited from visiting you is found doing so, a notice of violation will be filed with the court.

5. You and every person you associate with will fully cooperate with the Community Corrections staff, law enforcement officers and/or probation officers. False information, under any circumstances, or any deception on your part will constitute an immediate violation. You will upon request submit to a polygraph test. You will respond to all questions truthfully. Any indication of deceit will be considered a violation.

6. You agree to let any Community Corrections staff, probation officer or law enforcement officer to enter your residence or place where you are approved for a pass at any time without prior notice. You agree to submit to a search of your person, residence, motor vehicle or any location where personal property may be found. As a condition precedent to your presence at the residence, all persons at the residence will also agree to submit to a search of their person, motor vehicle and/or any location where personal property may be found. If any person refuses to allow a search as requested, you will be immediately removed from and banned from that residence to be incarcerated in the Cass or Pulaski County Jail until another complaint residence is secured. In addition, the failure of anyone in your residence to allow as set out above may constitute a violation of your community corrections.

7. You will be required to have in your possession at all times your Community Corrections Identification Card. You will present this card to any Community Corrections officer so that your contact with Community Corrections may be documented. Furthermore, if within the scope of a criminal investigation by any Law Enforcement Officer, you will present this card to said officer identifying that you are on Work Release. If you fail to present this card as instructed a violation of Work Release will be filed with the Court. If you lose or

damage this card, or change your address there will be a ten dollar (\$10.00) reissue fee. It is also your responsibility to return this card when your sentence is completed.

8. In the event that you possess or control any item deemed unauthorized by the department you understand that the department will exert control over said property and you will permanently transfer possession of said property to the department. In the event that you successfully complete or are removed from the program you will have five (5) days to have your property collected by an authorized person. If in the event said property has not been collected you hereby permanently transfer possession of said property to the department. In this event the Department will have full control over said property and will either donate said property to the mission, retain control for department/client use, or discard as waste. In the event you are found to be in arrearages of program user fees you authorize the department to seize control of your financial holding i.e. pay check, cash money and position said holdings to pay off debt to the department.

EMPLOYMENT

8. You must maintain full time employment while on the program and you must not be terminated from that full time job for any reason regarding your attendance, work performance, etc. If you do not have a full time job you must actively look for employment while you are on the program. You may not quit or change jobs without the approval of the Community Corrections Staff. If you are seeking employment please contact the Community Corrections office to find the proper procedure for doing so.

9. If you are not employed then you may be required to perform twenty four (24) hours of community service per week. This sanction does not relieve your responsibility to pay program user fees.

10. You understand that you are responsible for informing the Community Corrections staff of any employment change ex: employer, work location, days or hours worked or work telephone number. If you work construction or your job location changes periodically, you will leave the exact address of your job location daily with the Community Corrections staff, not on the machine. If you are scheduled to work and become sick, have an excused day off, or are excused from work early you must call and inform staff of the change of scheduled.

11. You will have an Employment Verification form completed and signed by your employer. On this form will be the hours you are required to work, days you will be working and if any overtime exist. Your employer shall keep a copy of this form for their records. You understand that Community Corrections will have ultimate control over your work schedule.

12. You understand that if you are self employed, the Community Corrections staff will set your work schedule. You understand that the days, times and location you request to work may either be restricted or denied.

13. You must provide to the Community Corrections department a printout of your timecard which is to be turned in weekly. Time cards must show Place of Employment, dates worked, and supervisor's signature.

TREATMENT/ALCOHOL-DRUGS/FIREARMS

14. One of the primary purposes for your placement into the Work Release program is cognitive behavioral and substance abuse treatment. Upon entry into the program you will participate in a risk/needs assessment (IRAS). Based on this assessment you will be assigned a treatment/case plan. You will agree to abide by your treatment plan and will follow through with all treatment recommendations. In order to ensure you will abide by your treatment plan you will review, agree and sign a treatment contract. Violation of this contract will be a violation of Work Release.

15. You agree not to possess, have in your control or consume alcoholic beverages, illegal substances or use substances for the primary purpose of intoxication i.e. over the counter medication, synthetic marijuana, gasoline, bath salt. You will not be allowed to be with, be in the presence of, or associate with any person who is possessing, using supplying, or dealing in illegal drugs or alcohol. No Nyquil, mouthwash, cough syrup or medicine containing alcohol will be allowed, unless prescribed by a physician. You further agree that any results used to test for the consumption of alcohol or illegal drugs will be admissible in a court of law. This includes portable alcohol breath test results.

16. You agree to submit to random testing for alcoholic beverages or illegal drugs at the request of the Community Corrections staff. You agree that you will pay the cost of such test and test negative for the presence of alcohol/illegal drugs. Policy states that you will be required to submit to a base test to confirm or deny the presence of any drugs in your body (system) at this time. Furthermore, when submitting to testing you will be allowed one (1) hour to produce an adequate sample. If you can not produce an adequate sample within one (1) hour it will be considered a refusal and a violation. You will not have in your possession, any items or substances intended for the use of altering or diluting urine screens. It will constitute a violation if the sample test is found to be diluted or altered in any way. If you are required by other agencies, i.e. counseling or employment, to submit to drug screens it is your responsibility to provide this agency with the results of said screen.

17. You will not possess, have in your residence or in your control any firearms or other weapons. Including handguns, rifles, shotguns, bows, arrows, knives, BB guns etc...

18. You will provide to the Community Corrections office a list of all medical prescriptions before use of said medication. You will log the use of each dose of medication on your med chart. If it is determined that you are not following the prescription as directed by your physician then a violation will be filed with the court.

LAWS

19. You will abide by all Federal, State and local laws during your term on Work Release. You will not commit or be arrested for any criminal offense.

20. You understand that Indiana Code. 35-44-3-5 (c) states that “a person who knowingly or intentionally fails to return to lawful detention following temporary leave granted for a specified purpose or limited period commits Failure to Return to Lawful Detention, a level 6 felony. However, the offense is a level 5 felony if, while committing it, the person draws or uses a deadly weapon or inflicts bodily injury on another person”. Said act is also an immediate violation of Work Release. Understand, if you fail to return to the facility as directed by staff i.e. from an approved pass or employment you may be charged with the Failure to Return offense. This means that a charge can be placed upon you if you are late returning from an assignment and/or are not at your approved location.

21. You agree not to leave Cass / Pulaski County without the permission of the Cass/Pulaski Community Corrections staff. You hereby waive extradition from any other state of jurisdiction and agree to return to Cass/Pulaski County at the discretion of the Sheriff of Cass or Pulaski County.

22. If you have been ordered by any court to pay any judgment i.e. Child Support, Court Costs, Fines, Restitution, Small Claims, etc..., you must do so faithfully. Any non-compliance of any order by any court will be considered a violation of Work Release.

23. If your conviction is a sex or violent offense that by statute requires you to register with local law enforcement, you will do so faithfully. Additionally, you will follow all treatment and supervision policies as dictated by the Department.

24. You understand that your placement in this program is voluntary. You are advised that the Cass/Pulaski Community Corrections Department may at anytime during your sentence modify the above conditions of Work Release. You further understand that if probable cause of a violation exists a notice of violation will be filed with the court, if it is believed that probable cause of a violation exists you may be immediately transported to the county jail by a Community Corrections or law enforcement officer. You may be remanded in the county jail until which time a court/conduct hearing is held. If in the course of this hearing it is determined that you have violated any conditions of this program, you may be remanded to the county jail or the Indiana Department of Corrections for the remainder of your sentence.

25. Special Conditions:

I, the undersigned, have read and/or had explained to me the aforementioned conditions of my Work Release and by my signature, do acknowledge my understanding of and agree to all conditions of Work Release in addition to the standard rules of probation and other(s) imposed by the sentencing court. I have acknowledged that I have received a copy of these conditions.

Date

Signature

Address

Telephone

Date

Community Corrections Staff

Date

Witness

Revised: 01-15-20

CPCC Work Release Graduated Sanction Policy

Violations of Community Alternative Supervision Programs will be identified as either “Court Review” or “Administrative”.

Court Review:

It is the policy of Cass/Pulaski Community Corrections that violations of CASP that requires court review are to be filed with the court that holds jurisdiction over the case. The following are violations the Courts are eligible to review:

1. Allegations of substance abuse i.e. positive urine screens, possession of alcohol, controlled substance and/or paraphernalia.
2. Allegations of committing new criminal offense.
3. Participant having three (3) or more prior administrative sanctioning.
4. Allegations identified as “Major Conduct Violations”.
5. Participant has been identified as being a security risk to staff, residents and/or the facility.

If the courts find the participant has violated terms of the program the courts will have authority to impose appropriate sanction, including deprivation of good time credit.

Administrative:

It is the policy of Cass/Pulaski Community Corrections that all violations with the exception of violations identified in “Court Review” are to handled administratively. Administrative violations are to be processed through the “Conduct Adjustment Board” procedures. The following is a guideline for graduated sanctions:

1. First Violation:
 - a. Loss of Positive Reinforcement Privileges, Passes, and or,
 - b. Deprivation of up to fifteen (15) actual days of good time credit.
2. Second Violation:
 - a. Loss of Positive Reinforcement Privileges, Passes, and or,
 - b. Deprivation of up to thirty (30) actual days of good time credit.
3. Third Violation:
 - a. Loss of Positive Reinforcement Privileges, Passes, and or,
 - b. Deprivation of up to sixty (60) actual days of good time credit, and or,
 - c. Forwarded for Court Review.
4. Fourth Violation or more:
 - a. Loss of Positive Reinforcement Privileges, Passes, and or,
 - b. Deprivation of up to ninety (90) actual days of good time credit, and or,
 - c. Forwarded for Court Review.

other manner moving an unauthorized physical object from another person without the prior authorization of the facility warden or designee.

An offender engaging in behavior violating this provision or the Indiana Code criminal provisions IC 35-44.1-3-5 or IC 35-44.1-3-6 commits the act of trafficking, regardless of whether the offender is criminally arrested, prosecuted, or convicted.

114 **Sexual Act with a Visitor**

Contact of a sexual nature by an offender with a visitor including: contact between the penis and the vulva or the penis and the anus including penetration, however slight; contact between the mouth and the penis, vulva or anus; or, penetration of the anal or genital opening of a visitor by a hand, finger or other object. (Does not include kicking, punching or grabbing the genitals when the intent is to harm or debilitate rather than to sexually exploit.)

115 **Nonconsensual Sexual Act** 216

Contact of a sexual nature by an offender against another person without his or her consent, or a person unable to consent or refuse including: contact between the penis and the vulva, or the penis and the anus including penetration, however slight; contact between the mouth and the penis, vulva, or anus; or, penetration of the anal or genital opening of another offender by a hand, finger, or other object. (Does not include kicking, punching, or grabbing the genitals when the intent is to harm or debilitate rather than to sexually exploit.)

116 **Refusing a Mandatory Program** 347, 356, 371

Refusing to participate in a mandatory program (as authorized by statute or by order of the Commissioner), to include: failure to register for the program, failure to comply with the criteria for participation in the program, failure to cooperate with the staff presenting the program and being terminated from the program based upon failure to participate or for other behavioral reasons.

120 **Violation of Condition of a Temporary Leave**

Failure to abide by any rules/conditions of the Temporary Leave Agreement.

121 **Use and/or Possession of Cellular Telephone or Other Wireless or Cellular Communications Device**

Unauthorized use or possession of any cellular telephone or other wireless or cellular communications device.

212	Battery	236, 360, 372
	Committing a battery upon another person.	
213	Threatening	348, 364
	Engaging in any of the following:	
	<ol style="list-style-type: none"> 1. Communicating to another person an intent to physically harm, harass or intimidate that person or someone else. 2. Communicating an intent to cause damage to or loss of that person's or another person's property. 3. Communicating an intent to intentionally make an accusation that he/she knows is untrue or false 	
215	Unauthorized Possession of Property	228, 306, 353
	Unauthorized possession, destruction, alteration, damage to, or theft of property.	
216	Sexual Conduct	302
	Engaging in any of the following:	
	<ul style="list-style-type: none"> • Sexual intercourse, as defined in Policy and Administrative Procedure 02-04-101, with the consent of the other offender • Making a request, hiring, or coercing another person to have sexual contact • Having contact with or performing acts with an animal that would be sexual intercourse or sexual contact if with another individual • Clutching, exposing, fondling, or touching the offender's own intimate parts for the sexual arousal of the offender or others, whether clothed or unclothed, while observable by others. 	
218	Possession of Plans for Weapons	
	Possession of literature or plans regarding an explosive, ammunition or a dangerous or deadly weapon.	
219	Possession of Escape Paraphernalia	352, 353, 364
	Possession of escape paraphernalia including: a disguise, a mask, or a dummy or dummy-like object or a map or maps related to an escape or escape attempt or that may be used to aid an escape.	
220	Engaging in Unauthorized Financial Transaction	

Engaging in or possessing materials used for unauthorized financial transactions. This includes, but is not limited to, the use or possession of identifying information of credit cards, debit cards, or any other card used to complete a financial transaction. This includes the discussion of engaging in unauthorized financial transaction(s) with any other person.

222 **Arson** 305

Setting a fire without authorization.

223 **Group Demonstration/Work Stoppage** 347, 351, 352, 356, 364

Engaging in, or encouraging others in a Department facility to engage in, a group demonstration, work stoppage, or refusal to work.

226 **Tampering with Lock** 352, 364, 469

Tampering with, altering or blocking any locking device or mechanism or possession of any device that may be used to pick locks.

228 **Possession of Altered Property** 353

Unauthorized possession of any item of property that has been altered or modified from its intended use or purpose.

230 **Counterfeit Documents** 350, 353

Counterfeiting, forging, or unauthorized reproduction or possession of any document, article, identification, money, passes, security or official paper.

231 **Intoxicants** 344

Making or possessing intoxicants, or being under the influence of any intoxicating substance (e.g., alcohol, inhalants).

233 **Bribing/Giving** 306, 353

Giving or offering a bribe or anything of value to a staff member, authorized volunteer, visitor or contractor or possessing, giving to or accepting from any person anything of value without proper authorization.

235 **Fleeing/Resisting** 347, 352, 364, 366

Fleeing or physically resisting a staff member in the performance of his/her duty.

250

Community Re-Entry Center/Community Transition Program Violations

Commission of any of the below acts by Community Re-Entry Center/Community Transition Program participants:

- (A) Refusing employment or the opportunity to seek employment, resigning or being discharged from employment without the approval of the Warden.
- (B) Failure to turn in all wages, tips, monetary compensations, pay stubs or statements of earnings to staff.
- (C) Securing or using any identification card other than the approved offender identification card unless approved by the Facility Head or designee to possess an employment identification card from the offender's approved place of employment.
- (D) Failing to report to work/school as scheduled, being absent from work/school, failing to return to the center/program within prescribed time limits unless approved by the Warden.
- (E) Failure to go to, or from, the approved destination, by the approved route or approved method of transportation.
- (F) While in the Community Re-Entry Center/Community Transition Program, refusing to obey an order from any staff member.
- (G) While in the community Re-Entry Center/Community Transition Program, refusing to work or accept a work, program or housing assignment, or unauthorized absence from any work or program assignment.

251

Interfering with Counts

Failing to stand count, being late for count, or interfering with the taking of the count.

252

Interfering with Staff

Interfering with a staff member in the performance of his/her duties.

MINOR OFFENSES

CLASS C OFFENSES

302 **Sexual Harassment**

Repeated, unwelcome sexual advances, requests for sexual favors, or verbal comments, gestures, or actions of a derogatory or offensive sexual nature by an offender toward another individual

304 **Disfigurement**

Disfiguring, cutting, piercing, removing, mutilating, discoloring, tattooing anyone's body, including one's own body, or possession of paraphernalia that can be used for this purpose.

305 **Use/Possession of Tobacco**

Possession and/or use of tobacco, tobacco associated products or unauthorized tobacco substitute products (including, but not limited to cigarette lighter, pack of matches, rolling papers, electronic cigarettes, etc.)

306 **Possession of Money**

Unauthorized possession of money or currency.

307 **Unauthorized Possession of Food Items**

Obtaining more meals or food items from the Dining Hall or other area in which food is served than authorized.

344 **Misuse of Medication**

Misuse of authorized medication or possession of unauthorized medication.

346 **Business Activity**

Unauthorized participation in any business activity or any activity not authorized under Policy and Administrative Procedure 02-01-116, "Offender Business Activities."

347 **Refusing an Order**

Refusing to obey an order from any staff member. An offender may be guilty of this offense if the offender knew or reasonably should have known that the order existed or was in effect.

- 348 **Insolent/Vulgar/Profane Behavior**
Insolence, vulgarity or profanity toward any person(s).
- 350 **Lying to Anyone**
Lying or providing a false statement.
- 351 **Unauthorized Meeting**
Participating in any unauthorized meeting or gathering.
- 352 **Unauthorized Possession of Property**
Any unauthorized possession, alteration, removal or relocation of personal property.
- 356 **Refusing an Assignment**
Refusing to work or accept a work, program or housing assignment or unauthorized absence from any work or program assignment.
- 357 **Motor Vehicle Violations**
Unauthorized use, operation or possession of a motor vehicle, driver's license, motor vehicle keys or registration.
- 360 **Disruptive Behavior**
Disruptive, unruly, rowdy conduct, making unreasonable noise or disturbing other people, arguing or horseplay.
- 361 **Abuse of Mail/Telephones/Visits**
Unauthorized use or abuse of mail, telephones, or visitation.
- 362 **Conspiracy/Attempting/Aiding or Abetting (Class C)**
Attempting to commit any Class C offense; aiding, commanding, inducing, counseling, procuring or conspiring with another person to commit any Class C offense.
- 366 **Unauthorized Area**
Entering or remaining in a room or area other than the room or area to which the offender is assigned, without permission of authorized staff, or leaving a room or area where the offender is required to be, without permission of the staff person supervising the activity or without a valid pass to go somewhere else at that time. This offense includes entering

the living area (cell, bed area, etc.) of another offender without permission from staff or facility rules or permitting another offender to enter the offender's living area without permission from staff or facility rules and includes reaching or leaning into or putting any object or part of the body into another offender's living area.

367 **Gambling**

Gambling or possession of gambling paraphernalia, or preparing or conducting a gambling pool, lottery, drawing or other game of chance.

370 **Cruelty to Animals**

Striking, hitting, punching or kicking any animal or deliberately abusing or mistreating any animal, including those under the care and control of the Department.

371 **Inadequate Work/Study Performance**

Failing to meet the standards set for performance on a work assignment or program assignment if the offender has the ability to meet those standards, including: failure to submit program assignments, deliberately participating in a work slow-down, refusing to follow work standards established for a work assignment.

372 **Fighting**

Participating in a situation where two (2) or more people are trying to injure each other by any physical means where no weapons are involved and no serious bodily injury occurs.

373 **Punctuality and Attendance**

Failure to attend and be on time for all activities for which an offender is scheduled, unless:

1. The offender is sick and reports this to staff as required by the facility;
2. The offender has a valid pass to be in another location; or,
3. The offender is authorized to not attend the event or activity.

375 **Staff/Offender Provocation**

Intentionally or knowingly causing physical contact with staff or another offender that a reasonable person would regard as offensive, but which results in no injury.

CLASS D OFFENSES

465 **Violating Facility Rule**

Violating any facility rule, regulation, or standing order if said rule, regulation, or standing order has been posted or otherwise communicated to the offender.

469 **Violation of Safety/Sanitation Rules**

Failure to follow safety or sanitation regulations, using any equipment or machinery unless specifically authorized to do so or operating such equipment or machinery in a manner contrary to instructions or posted standards.

472 **Failure to Maintain Personal Hygiene Standards**

Being unsanitary or untidy; failure to keep one's person or one's quarters in accordance with standards which have been posted or otherwise communicated. This offense includes failure to maintain personal cleanliness or grooming to the point that the offender presents a health hazard or is offensive to others and who has knowledge of this condition and the opportunity to correct it. Offenders shall be expected to shower at a minimum of once per week unless the offender has a documented medical excuse.

473 **Unauthorized Contact**

Unauthorized contact with the public including physical contact with a member of the public and oral communication with the public which has not been approved by staff.