

## Purposeful Incarceration FAQ

- **What is Purposeful Incarceration or “PI”?**

The Purposeful Incarceration (PI) initiative is a partnership between the Indiana court system and the Indiana Department of Correction (IDOC). PI is a sentencing recommendation that judges can use in situations where the judge is committed to modifying a sentence upon the offender’s successful completion of substance abuse treatment. The IDOC will provide a substance use disorder assessment to determine if clinical treatment is appropriate, and then make every effort to accommodate quick placement into an appropriate level of care within the Department’s substance abuse treatment program, called *Recovery While Incarcerated* (RWI).

- **What types of offenders are good candidates for Purposeful Incarceration?**

Some examples of good candidates for Purposeful Incarceration are:

- ✓ Offenders whose criminality appears directly related to his or her addiction
- ✓ Offenders who have committed and/or served time for numerous charges related to his or her addiction
- ✓ Offenders who may be facing a significant period of incarceration because of their substance use
- ✓ Offenders who have unsuccessfully been through other substance abuse treatment programs
- ✓ Offenders who have a significant history of relapse with substances

It should be noted that sex offenders are not eligible for PI.

- **What does a judge have to do to recommend an offender for Purposeful Incarceration?**

The court must indicate on the Abstract of Judgment or Sentencing Order that, should the offender successfully complete the clinically indicated addiction recovery program, the court will consider modification of the offender’s sentence.

“Yes” should be entered in the Purposeful Incarceration box on the AOJ as required by the INcite program through JTAC. In addition, the following language **MUST BE INCLUDED** in the Sentencing Order or Abstract of Judgment for the offender to be identified as a Purposeful Incarceration candidate:

“Defendant is recommended for Purposeful Incarceration. Upon successful completion of the clinically appropriate substance abuse treatment program as determined by the IDOC, the court will consider a modification to this sentence.”

- **What is different about RWI for offenders designated for Purposeful Incarceration?**

Offenders who have the appropriate recommendation language included in their sentencing order will be designated for PI and referred for assessment by Addiction Recovery Services (ARS) upon arrival at their housing facility. If appropriate for ARS, the offender will be exempt from certain eligibility requirements and will be admitted to the RWI program at the earliest opportunity. In addition, the courts can expect increased communication about the individual’s participation in RWI.

- **Can PI-designated offenders be denied admission into RWI?**

PI-designated offenders can be denied admission to RWI. If it is determined during the offender’s clinical assessment by ARS staff that the offender does not need substance abuse treatment or is inappropriate for

treatment, the offender will be denied admission. Justifications for denial of admission are sent to the court by IDOC ARS staff.

- **What happens if an offender whose judge recommended him for PI declines treatment?**

If the offender refuses to participate in RWI, IDOC staff will notify the court of the offender's refusal.

- **What happens if there is a change in the offender's status within the RWI program?**

If the offender is terminated, transferred, or quits RWI, the judge will receive a letter of non-completion and a Treatment Summary that documents the offender's participation and the reason(s) the offender did not successfully complete their substance abuse treatment program.

- **What happens when a PI-designated offender successfully completes RWI?**

Upon successful completion of RWI, the judge will receive a letter verifying the completion and a Treatment Summary that documents the offender's participation in and completion of the program. It is at this time that the judge can decide whether to modify the offender's sentence.

Completion of RWI Progression Five is considered an overall "Successful Completion" of the RWI program, even though there are six progressions (Progression Six is ongoing relapse prevention services).

- **Can a judge find out how an offender is doing in RWI after they have been designated for PI?**

The court may request a progress report at any time during the offender's incarceration, or at any time during their participation in RWI, by emailing a request to [purposefulincarceration@idoc.in.gov](mailto:purposefulincarceration@idoc.in.gov).

- **What information resources about PI are available?**

A Purposeful Incarceration webinar is available on the IDOC Addiction Recovery Services website (<https://www.in.gov/idoc/3624.htm>) which provides additional detailed information about the PI initiative.

## Common Misperceptions About PI

- **PI is not a program within IDOC.** PI is an initiative by which an offender may be granted a sentence modification if they successfully complete addiction recovery treatment while incarcerated. The program that PI-designated offenders must complete is RWI.
- **PI is not a court order for substance abuse treatment.** Offenders may refuse to participate in RWI if they choose. Substance abuse treatment may only be mandated by an order for involuntary civil commitment for substance abuse treatment.
- **PI does not guarantee automatic or immediate admission to RWI.** Offenders must still meet clinical and administrative eligibility requirements to participate in RWI and are subject to the same admission priority criteria as other offenders.