



**POLICY AND ADMINISTRATIVE
PROCEDURE**
Manual of Policies and Procedures

Title

ADULT OFFENDER RELEASES

Legal References (includes but is not limited to)	Related Policies/Procedures (includes but is not limited to)	Other References (includes but is not limited to)
IC 11-8-2-5(a)(8)	00-03-201	ACA:
IC 11-8-4-1 <i>et seq.</i>	01-04-101	
IC 11-10-11.5	01-04-104	ACI: 3-4099
IC 11-10-12-1 <i>et seq.</i>	01-06-101	3-4291
IC 11-13-3-1 <i>et seq.</i>	02-01-101	3-4393
IC 11-13-4-1 <i>et seq.</i>	04-01-104	CO: 2-CO-4G-01

I. PURPOSE:

The purpose of this policy and administrative procedure is to establish uniform standards for the appropriate release of adult offenders from Department facilities.

II. POLICY STATEMENT:

The Department recognizes the majority of adult offenders committed to its facilities will be released into the community. In order to ensure offenders are released appropriately, are made aware of and provided with necessary information, the Department shall provide a standardized release program.

The development and implementation of a standardized release program for adult offenders shall provide an effective management tool and improve staff accountability in the release process. Such a program allows for the application of consistent and uniform procedures for the release of adult offenders.

The standardized release program shall provide for all types of releases from the Department, including Parole/probation releases, discharges, court ordered releases and other types of releases. It also shall provide for cooperation between the Department and other agencies, as well as other states. This program shall provide for all mandatory notifications, such as victim/witness notices and sex offender registration, as well as voluntary referral programs.

Provisions shall be made to have trained staff at each facility to serve as the coordinator for the releasing of offenders. This staff person shall be responsible for ensuring that all required steps are completed in the release process and for monitoring the overall release process at the facility. In conjunction with the staff at the facilities, the Executive Director of Classification or designee shall monitor the release process at all facilities to ensure compliance with the Department's release program.

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III. DEFINITIONS:

For the purpose of this policy and administrative procedure, the following definitions are presented:

- A. **ABSTRACT OF JUDGMENT:** Legal document originating from the court that legally commits the offender to the Department.
- B. **ACTION SHEET:** Top sheet of summary file prepared for Parole and Clemency Board appearances that include sentencing data, criminal history, and chronological listing of significant events in an offender's incarceration.
- C. **APPEAL BOND:** A bond, which when granted by the sentencing court, authorizes an offender to be released from custody of a criminal justice agency pending appeal of the conviction.
- D. **BUSINESS/WORKING DAY:** Monday through Friday, excluding weekends, holidays, and emergency days declared in writing by the Superintendent.
- E. **CENTRAL OFFICE SENTENCE COMPUTATION AND RELEASE SECTION:** A section within the Classification Division with the primary responsibility for the calculation of offender release dates and review and authorization of all offender releases.
- F. **CHANGE OF COMMITMENT:** A State form completed by the Central Office Sentence Computation and Release Section and issued to the facility Supervisor of Classification and/or designated staff when a new commitment and/or amended commitment have been received by the court for an offender.
- G. **CLASSIFICATION:** The process used by the Department to divide offenders into subgroups with the goal of placing each offender in an environment that meets his/her appropriate security level and is consistent with the risk and needs of the offender.
- H. **CLEMENCY:** A collective term for a commutation, pardon, reprieve, and remission of fine and forfeitures that means mercy. It is commonly used to refer to only a commutation as that is the most common form of clemency.

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- I. **COMMUNITY TRANSITION PROGRAM:** A court supervised program that an offender, at the discretion of the sentencing court, may participate in prior to the offender's EPRD.
- J. **COURT SUPERVISION:** The supervision of a non-incarcerated offender by a court utilizing probation and/or community corrections programs such as Home Detention, Electronic Monitoring, and Work Release.
- K. **DATE OF SENTENCE:** The date that a court imposes a sentence or if the court grants a delay, the date of sentence execution ordered by the court.
- L. **DETAINER:** A document that indicates the intent of a criminal justice agency to assume control of an offender for the purpose of continuing court action.
- M. **DISCHARGE:** The official completion of a sentence.
- N. **DUAL SUPERVISION:** Situation wherein reaching his/her Earliest Possible Release Date, the offender is released to both Parole and Court supervision.
- O. **EARLIEST POSSIBLE RELEASE DATE (EPRD):** The date, on which an offender would be entitled to release, taking into consideration:
 - 1. Term of Sentence;
 - 2. Term of any concurrent or consecutive sentence the offender must serve;
 - 3. Credit Time which the offender earned prior to sentencing; and,
 - 4. The maximum amount of credit time the offender would earn if in the current credit class during the period of incarceration.
- P. **EARNED CREDIT TIME:** Number of days earned by an offender during assignment to a specific credit class as well as at completion of designated education and treatment program(s).
- Q. **EFFECTIVE DATE OF SENTENCE:** The date as determined by the date of sentence less credit time in days earned while in jail or on court supervision.

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- R. EXECUTIVE DIRECTOR OF CLASSIFICATION: Position responsible for planning and directing the Classification system within the Department.
- S. GATEAGE: Funds given to an offender upon his release from incarceration for the purpose of assisting him/her in making the transition to society.
- T. IDOC RECORDS MANAGEMENT SYSTEM (IRIS): The electronic storage system used by the Department for the storing and maintenance of offender records.
- U. INTER-STATE COMPACT: An agreement entered into by contracting states for cooperative effort and mutual assistance in placing of offenders and other purposes.
- V. JAIL TIME CREDIT: Credit Time earned prior to sentencing.
- W. MAXIMUM RELEASE DATE: The release date of an offender at the expiration of the fixed term of incarceration.
- X. MEDICAL CLEMENCY: The process for an offender who has a terminal medical condition, or a medical condition that would be more effectively treated in another type of facility in the community and who, because of his/her medical condition, is unlikely to be involved in further criminal activity, maybe considered for release in accordance with 210 IAC 1.1-4-4 and Section VIII of this policy and administrative procedure.
- Y. OLD CODE: Criminal Code that was in effect prior to October 1, 1977.
- Z. PAROLE: The administrative conditional release of an offender from a facility prior to the expiration of the sentence under supervision of the State and the discretionary release by the Indiana Parole Board of eligible old code offenders and new code returned violators who are being released on their new Projected Release Date (PRD).
- a. PAROLE CASELOAD MANAGEMENT: Is used in conjunction with the offender information system to provide a system that enhances accountability and reduces the hours required to track and manage parolee cases.

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- b. **PAROLE VIOLATOR:** An offender who has violated a condition of his/her Parole.
- c. **PRE-RELEASE RE-ENTRY PROGRAM:** A multi-faceted program established at designated facilities to provide information to offenders prior to their release from the Department to aid in community reintegration.
- d. **PROBATION:** A criminal sanction imposed by a court that allows the offender to serve the sanction under conditional supervision by the court in the community.
- e. **PROGRESS REPORT:** Summary report that is sent to the court and supervising authorities outlining the achievements, conduct, needs, etc., of each offender. The progress report is also referred to as the “Offender Case Management Summary.”
- f. **QUALITY ASSURANCE SUPERVISORS:** The Quality Assurance Supervisors have direct supervision over the Sentence Computation and Release Specialists and report directly to the Supervisor of the Sentence Computation and Release Section.
- g. **RE-ENTRY CHECKLIST:** Completion of the Re-Entry Checklist should begin at the start of the release process and be completed no later than twenty-four (24) hours prior to release.
- h. **RE-ENTRY PROGRAM COORDINATOR:** The staff person designated by the Superintendent to coordinate the development, operation, supervision and administration of a Pre-Release Re-Entry program at the facility.
- i. **RE-ENTRY PROGRAM DIRECTOR:** The Central Office Division Director responsible for overseeing the development and operation of the Department's Pre-Release Re-Entry programs.
- j. **RE-ENTRY STAFF:** Includes all staff who report to the Assistant Superintendent of Re-Entry.
- k. **RELEASE AUTHORIZATION:** A form prepared by the Release Specialist in the Central Office Sentence Computation and Release Unit and forwarded to the facility's Supervisor of Classification and/or

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designated staff authorizing an offender to be released from the facility to the appropriate supervising agency.

1. **RELEASE CHECKLIST:** A form completed by the designated Classification/Release staff and is completed up to five (5) days and no later than twenty-four (24) hours prior to an offender's release.

- m. **RELEASE PACKET:** A packet of information prepared by staff designated by the Supervisor of Classification for use by parole and probation staff, consisting of:
 1. Initial entry in the Offender Case Management System (OCMS);
 2. Psychological or Psychiatric Reports; (parole releases only);
 3. Provide the offender written reporting instructions to report to the Chief Probation Officer; (probation releases only);
 4. Progress Report, to include a summary of the Case Plan;
 5. OIS Report #70 (formally State Form 4837, "Notice of Arrival");
 6. All Abstracts of Judgment or Commitment Orders including those in which all executed time has been suspended;
 7. Certificates of Final Discharge issued on concurrent or consecutive sentences during the current commitment period;
 8. Pre-Sentence Investigation Report;
 9. Picture of the offender;
 10. Police report and/or Affidavit of Probable Cause if available; and,
 11. Any additional relevant material.

- n. **SENTENCE COMPUTATION AND RELEASE SPECIALISTS:** The Specialist is responsible for the calculation of all offender sentences and has final authority for the release of all offenders from Department of Correction custody.

- o. **SENTENCE MODIFICATION:** A change made in an offender's sentence by the sentencing court.

- p. **SOMM:** Sex Offender Management and Monitoring Program.

- q. **SUPERVISOR OF SENTENCE COMPUTATION/RELEASE SECTION:** Staff member responsible for the calculation of offender sentences and release from Department of Correction supervision. The Supervisor has direct supervision of the Central Office Sentence Computation and Release Section.

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- r. **TERM OF SENTENCE:** The sentence imposed by the court.
- s. **UNIT MANAGEMENT TEAM:** A group of Re-Entry staff persons designated by the Superintendent responsible for overseeing offenders' Re-Entry process.
- t. **UNTRIED INDICTMENT:** A written statement charging a person with a crime issued by a Grand Jury.
- u. **VICTIM/WITNESS NOTIFICATION PROGRAM:** Program by which the victims and witnesses of an offender's crimes are informed of changes in the offender's location, security level and release date as well as scheduled appearances before the Parole and Clemency Board.
- v. **WAIVER OF EXTRADITION:** Voluntary relinquishing of the right of challenging the legal surrender of an alleged criminal to the jurisdiction of another state for trial.
- w. **WARRANT:** A judicial writ authorizing an arrest.
- x. **ZACHARY'S LAW:** Stipulations placed on released offenders convicted of sex and violent crimes as specified by Indiana statute.

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IV. RELEASE: FUNCTIONS AND PROCESSES:

A. Purpose:

This section provides an administrative process whereby committed offenders are appropriately released from the Department.

B. Departmental Release: Basic Objectives, Principles and Responsibilities:

1. The objectives of the Adult Offender Release System are:

- a. To release committed offenders appropriately from the Department; and,
- b. To provide the Department with an effective management tool for the release of offenders.

2. The basic principles of the Release System are:

- a. The application of consistent and uniform release procedures throughout the Department; and,
- b. The improvement of staff accountability in the release process.

3. The responsibility of the Release Section is to release committed offenders appropriately.

C. Staff Responsibilities:

1. The Commissioner has designated the Executive Director of Classification as the Commissioner's designee in matters of departmental release. The Executive Director of Classification has been assigned the following duties:

- a. Coordinate the departmental release system;
- b. Interface with the Judicial System as it relates to interpretations and applications of release services;

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- c. Develop, implement, operate, monitor, evaluate, and revise the Department's release system as it relates to the mission of the Department and the various facilities;
 - d. Act as the Commissioner's designee in the release of offenders from the Department;
 - e. Respond to inquiries concerning offender release services; and,
 - f. Provide budgetary input regarding release services.
2. Under the direction of the Executive Director of Classification, the Director of the Central Office Sentence Computation and Release Section is the staff position responsible for the release of all offenders. The responsibilities include:
- a. Supervising the Program Director I and Release Specialists who are responsible for the release of offenders; and,
 - b. Ensuring the release of each offender is in accordance with statute and Department policy and administrative procedure.
3. Youthful offenders serving Alternative Sentences in Division of Youth Services facilities shall be released in accordance with the court order.
4. Youthful offenders serving Alternative Sentences or direct commitments shall be released in accordance with this policy and administrative procedure, and all other applicable policies.
5. The Wardens are responsible for the operation of their respective facilities, including the facility Release Unit and release of assigned offenders. The Warden's responsibilities include:
- a. Supervision of a Supervisor of Classification, where this position has been authorized, through the Deputy Warden of Re-Entry.

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- b. Designation of one (1) or more staff to perform the duties of a Supervisor of Classification, where this position has not been authorized;
 - c. Provision of an ongoing, in-house release training program to ensure that all staff involved in offender release are cognizant of the overall procedures and their individual roles and responsibilities in offender release processing;
 - d. Designation of staff in the facility to be responsible for the completion of State Form 55956, "Release Checklist," and forwarding it to the facility's Supervisor of Classification or designated staff person.
 - e. Provision of timely dissemination of changes in release processing to all pertinent staff;
 - f. Ensure that the State Form 55956, "Release Checklist," is reviewed and has been completed properly and forwarded to the Supervisor of Classification or designee; and,
 - g. Designation of a primary and secondary contact staff person for the Central Office Sentence Computation and Release Section.
6. The Supervisor of Classification or designated staff person has the following responsibilities:
- a. Supervise offender release activities;
 - b. Develop and administer all facility level internal procedures related to release process;
 - c. Supervise the facility Offender Release Unit;
 - d. Supervise the management of the facility offender records;
 - e. Maintain an ongoing review of the offender population that is currently on "Out to Court" status. Ensure the offender information system's Out to Court Report is printed, the

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status of each offender is reviewed, verified and corrective action is taken, if applicable, to correct all errors. This shall be completed on a monthly basis.

- f. Provide release staff training as needed;
- g. Maintain an on-going review of the offender information system Release Data;
- h. Ensure the quality of all reports and documents generated by the facility and sent to courts, parole, probation, etc.
- i. Coordinate with Unit Team and Re-Entry Staff to resolve any problems relating to the offender’s projected release and in preparing the release of each offender; and,
- j. Review the State Form 55956, “Release Checklist,” for completeness and:
 - (1) Verify that all issues relating to the offender’s release have been addressed or resolved;
 - (2) If necessary, within two (2) weeks prior to the offender’s release, contact any applicable courts regarding any outstanding warrants/detainers to determine whether they are to be enforced and ensure that any warrants/detainers have been entered in the offender information system.
 - (3) When the State Form 55956, “Release Checklist,” has been reviewed and any discrepancies resolved, sign the State Form;
 - (4) Forward the completed and signed State Form 55956, “Release Checklist,” to the appropriate Release Specialist in the Sentence Computation and Release Unit in Central Office up to five (5) business days prior to the offender’s day of release by scanning and e-mailing;

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- (5) Receive the State Form 55956, "Release Checklist," from the Release Specialist via e-mail and note any comments or concerns; and,
 - (6) Forward the State Form 55956, "Release Checklist," and State Form 56106, "Release Authorization," to the facility's Master Locations Office to prepare for the offender's release.
- k. Perform other duties as assigned.
 - l. Ensure that all Interstate Compact applications for out of state placements are processed at facility level and confirmed through the Interstate Compact Administrator.
 - m. Ensure that all Interstate Compact Detainer applications are processed at the facility level.
 - n. Coordinate all Parole/Clemency Board Appearances.
7. The duties of the Re-Entry Coordinator are outlined in Policy and Administrative Procedure 01-07-101, "The Development and Delivery of Programs, Pre-Release and Case Management." In addition to providing the appropriate pre-release program to each offender, the Re-Entry Coordinator is also responsible to:
- a. Assist offenders with special needs and aiding in the provision of services needed after the offender's release by coordinating with the appropriate community resources. This shall include but not be limited to, special requests by the offenders which are deemed applicable to the individuals' successful reintegration to the community.
 - b. Coordinate with Classification and Unit Team Staff in preparing the release of each offender.
8. The responsibilities of the Unit Manager are outlined in the Re-Entry Procedure. For the purpose of these release procedures they include:

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- a. Supervise staff assigned to the unit and coordinate service delivery;
 - b. Coordinate with Classification and Re-Entry Staff in preparing the release of each offender;
 - c. Review all reports and documents generated by Unit Team Staff and provide quality control of those documents;
 - d. Coordinate with the Classification and Re-Entry staff in preparing the release of each offender;
 - e. Assist the designated staff person, as needed, to ensure that any areas of concern regarding the offender's release, as indicated on the State Form 55956, "Release Checklist," are addressed; and,
 - f. Ensure that all transfers to the Community Transition Program are processed appropriately.
9. The responsibilities of the Case Manager are to:
- a. Counsel offenders assigned to the unit;
 - b. Participate in unit programs as directed by the Unit Manager;
 - c. Coordinate with Classification and Re-Entry Staff in preparing the release of each offender;
 - d. Prepare Progress Reports as required;
 - e. Develop and monitor each assigned offender's Case Plan;
 - f. Recommend assignment of offenders to programs and work assignments in accordance with the offender's Case Plan and this policy and administrative procedure; and,
 - g. Process all Interstate Compact Applications for Out-of-State parole placements; and,

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- h. Ensure that supervising agencies (Parole, probation, community corrections) are made aware of release plans with emphasis on those with special needs.

- 9. The responsibilities of the Correctional Counselor are to:
 - a. Make appropriate Classification recommendations to the Unit Team Committee;
 - b. Conduct unit orientation for newly received offenders;
 - c. Provide day to day counseling for offenders as assigned;
 - d. Perform security functions as directed by the Unit Manager or designee;
 - e. Prepare progress reports, as required or officially requested;
 - f. Coordinate with Classification and Unit Team Staff in preparing the release of each offender; and,
 - g. Facilitate offender access to programs and services, telephones, and visitation.

- 10. The duties of the staff person designated by the Warden to complete the State Form 55956, "Release Checklist," are to:
 - a. Ensure that an IDACS-Warrant Query (QW) check is completed on the offender within five (5) business days prior to the offender's projected release;
 - b. Review the offender's records, including a current IDACS-Warrant Query (QW) check, and complete the State Form 55956, "Release Checklist;"
 - c. Submit the completed State Form 55956, "Release Checklist," to the facility's Supervisor of Classification for review and approval;
 - d. Assist the Supervisor of Classification in resolving any release issues prior to the offender's release; and,

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- e. Ensure the State Form 55956, "Release Checklist," is submitted to the Release Specialist up to five (5) business days prior to the offender's projected release date and a State Form 56106, "Release Authorization," is received from the Release Specialist before releasing the offender.
11. The responsibilities of the Release Specialist in the Sentence Computation and Release Unit are to:
- a. Review offender to be released up to ten (10) calendar days prior to the offender's earliest possible release date (EPRD) using the appropriate State Form 56311, "Continuity Checklist for Release or Transfer to Community Transition Program (CTP), or State Form 56309, "Continuity Checklist for Release from Community Transition Program (CTP)." This form will ensure accuracy on State Form 561036, "Release Authorization."
 - b. Receive all State Form 55956, "Release Checklist," forms and pertinent information submitted by the facilities regarding the release of an offender by e-mail up to five (5) business days prior to the offender's projected release date;
 - c. Review the State Form 55956, "Release Checklist," and pertinent information to ensure that the State Form 55956 has been completed in full and signed by all appropriate facility staff and to ensure that all discrepancies or problems have been addressed or resolved;
 - d. Once the State Form 55956, "Release Checklist," has been approved, initial the form and date it;
 - e. Prepare a State Form 56106, "Release Authorization," for the release of the offender; and,
 - f. Return by e-mail the State Form 56106, "Release Authorization," to the facility Supervisor of Classification in sufficient time for the facility to prepare the release of the offender.

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12. The responsibilities of the Master Locations Office staff are to:

- a. Receive the State Form 55956, "Release Checklist," and pertinent information, including the State Form 56106, "Release Authorization," from the Supervisor of Classification;
- b. Review the State Form 55956, "Release Checklist," to ensure that all necessary staff has signed the form and that everything appears to be in order
- c. Verify that no active warrants/detainers are present;
- d. Immediately notify the Warden or designee if any discrepancies or problems are found or if staff becomes aware of a warrant/detainer that has not been addressed and follow any instructions provided by the Warden or designee;
- e. Sign the State Form 55956, "Release Checklist," following the release of the offender; and,
- f. Ensure that the completed and signed State Form 55956, "Release Checklist," and any pertinent or accompanying information, including the State Form 56106, "Release Authorization," are filed in the offender's facility packet, as soon as possible.

D. Release Considerations:

All persons involved in offender release decisions shall apply the following considerations:

1. The offender's Earliest Possible Release Date (EPRD);
2. The offender's release type (court supervision, Parole, dual supervision, discharge);
3. Any Active Warrant/ Detainer, an IDACS report must be run prior to the release of any offender from Department custody;
4. SOMM status;

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5. Victim Notification Information;
6. Sex and Violent Offender Notification Information;
7. The offender's conduct record (any conduct reports pending); and,
8. Community Transition Program Activation Date.

E. Release Types:

1. Permanent Releases:

The following types of permanent releases may occur at facilities:

- a. Parole Release, including Inter-State Compact;
- b. Court Supervision (probation, community corrections, CTP);
- c. Dual supervision;
- d. Discharge;
- e. Turn over to (TOT) wanting authorities, including Inter-State Compact;
- f. Release to the Department of Mental Health; or,
- g. Death.

2. Temporary Releases:

The following type of temporary release may occur at a facility:

- a. Release to Court Order;
- b. Release on Appeal Bond; or,
- c. Temporary Leaves (escorted or unescorted).

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V. CREDIT TIME - SENTENCE MODIFICATIONS ADDITIONAL COMMITMENTS

A. Purpose:

To ensure that amended Abstracts of Judgment and additional commitments received for an offender are recorded in accordance with Policy and Administrative Procedure 01-04-101, "Adult Offender Classification."

B. Staff Responsibilities:

1. The Executive Director of Classification is responsible for the calculation of offender's credit time in accordance with statute and Department policy.
2. The Director of the Central Office Sentence Computation and Release Section is the staff position responsible for the calculation of credit time. The responsibilities include:
 - a. Supervising the Program Director I and Sentence Computation/Release Specialists who are responsible for the calculation of offender sentences;
 - b. Ensuring credit time calculation certification for appropriate staff; and,
 - c. Ensuring the credit time calculation of each offender's sentences(s) is in accordance with statute and Department policy.

C. New Commitment:

Upon receipt of a new commitment, the Sentence Computation and Release Specialist shall observe the following steps, in accordance with Policy and Administrative Procedure 01-04-101, "Adult Offender Classification," shall be followed using State Form 56310, "Commitment Change Worksheet." This will ensure accuracy on State Form 56105, "Change of Commitment."

1. Review sentencing documents and ensure they match and, at a minimum, contain the following information:

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- a. Offender's name;
 - b. Date of sentence;
 - c. Offense name and offense class;
 - d. Date of offense;
 - e. Number of days confined prior to sentencing, if applicable;
 - f. Term of sentence;
 - g. Cause number; and,
 - h. Electronic judge's signature (from INcite).
2. Contact the court by telephone to verify the information contained in the documents if the information cannot be verified in INcite/ODYSSEY.
 3. Facility Release Specialists shall document the verifications on the offender packet access sheet with date and signature. Central Office Release Specialists shall document the information on State Form 56105, "Change of Commitment."
 4. If the sentencing document appears questionable, the Sentence Computation/Release Specialist shall:
 - a. Contact the Court to determine if the issue can be rectified;
 - b. Contact the assigned Program Director I in the Central Office Sentence Computation and Release Unit;
 - c. Contact the Supervisor of the Sentence Computation and Release Unit; and,
 - d. Contact the Division of Legal Services for guidance.
 5. Enter the new commitment into the offender information system.
 6. Notify the facility of the change of commitment by forwarding the completed State Form 56105, "Change of Commitment," to the Supervisor of Classification or designee. The Supervisor of Classification or designee shall be responsible for notifying the offender, determining if a new Classification Designation needs prepared, and generate and file the "Detail Credit Time Calculation Report" in the offender packet.

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7. Notify Victim/Witness Coordinator, if applicable.
8. Forward the sentencing documents to the facility staff for placement in the offender packet and scanning into IRIS.

D. Amended Sentences:

Upon receipt of an amended sentencing document, the Supervisor of Classification shall, if received at a facility, forward to the Sentence Computation and Release Section. The staff at the Sentence Computation Section shall:

1. Review sentencing documents and ensure they match and, at a minimum, contain the following information:
 - a. Offender's name;
 - b. Date of sentence;
 - c. Offense name and offense class;
 - d. Date of offense;
 - e. Number of days confined prior to sentencing, if applicable;
 - f. Term of sentence;
 - g. Cause number; and,
 - h. Electronic judge's signature (from INcite);
2. Contact the court by telephone to verify the information contained in the documents if the information cannot be verified in INcite/ODYSSEY;
3. Facility Release Specialists shall document the verifications on the offender packet access sheet with date and signature. Central Office Release Specialists shall document the information on State Form 56105, "Change of Commitment;"
4. If the sentencing document appears questionable, the Sentence Computation/Release Specialist shall:
 - a. Contact the Court to determine if the issue can be rectified;
 - b. Contact the assigned Program Director I in the Central Office Sentence Computation and Release Unit;

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- c. Contact the Director of the Sentence Computation and Release Unit; and,
 - d. Contact the Division of Legal Services for guidance;
 - 5. Enter the new commitment into the offender information system;
 - 6. Notify the facility of the change of commitment by forwarding the completed State Form 56105, "Change of Commitment," to the Supervisor of Classification or designee. The Supervisor of Classification or designee shall be responsible for notifying the offender, determining if a new Classification Designation needs prepared, and generate and file the "Detail Credit Time Calculation Report" in the offender packet;
 - 7. Registration and Victim Services Division in the Department's Central Office; and,
 - 8. Forward the sentencing documents to the facility staff for placement in the offender packet and scanning into IRIS.
- E. Court Ordered Termination of Commitment:

Upon receipt of an order from the sentencing court directing an existing commitment be "Vacated, Set Aside, Overturned or Expunged", the Sentence Computation Specialist shall:

- 1. Contact the sentencing court for verification and clarification of the court's intent to terminate the commitment; and,
- 2. Contact the Director of the Sentence Computation and Release Section.

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VI. WARRANTS/DETAINERS - IN-STATE

A. Purpose:

1. Provide an administrative process to receive, serve, and remove a warrant/detainer from an offender's record.
2. Ensure that wanting authorities are notified in a timely manner and wanted offenders are turned over to (TOT) wanting authorities.

B. Receipt of Warrant/Detainer:

Upon the arrival of an offender from an intake unit with an active warrant/detainer or upon the receipt of an active warrant/detainer, the Supervisor of Classification/designated staff shall within ten (10) working days:

1. Review the warrant/detainer for complete information;
2. Contact the court of jurisdiction if the court or cause number is known or the sheriff of the county issuing the warrant/detainer seeking the disposition or status of the warrant/detainer or if the warrant/detainer appears incomplete or questionable (For additional information, staff shall refer to "DOXPOP, MyCase, or InCite);
3. Complete State Form 7899, "Warrant/Commitment Wanted;";
4. Notify offender and provide with a copy of State Form 7899 and warrant/detainer;
5. File warrant/detainer information in the offender packet;
6. Enter warrant/detainer information and offense description into the offender information system;
7. Scan additional documents into the IRIS system;
8. Notify Parole Services and/or probation department(s) if placement plans have been submitted;

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9. Notify the wanting authority in writing sixty (60) days prior to the offender's Earliest Possible Release Date (EPRD);
10. Contact the court of jurisdiction if known or the county sheriff of the wanting county by telephone if no response is received from the wanting authority within thirty (30) days of original notification; and,
11. Notify the Unit Team Manager that a new Classification Designation Instrument may need to be generated.

C. Recall of Warrant / Detainer:

Upon receipt of information noting the release or dismissal of a warrant/detainer, the Supervisor of Classification, or designated staff person, shall:

1. Review the document for complete information;
2. Contact the court of jurisdiction to verify the disposition and/or for clarification if the document appears incomplete or questionable (For additional information, staff shall refer to "DOXPOP, MyCase, or InCite);
3. Complete State Form 8048, "Warrant/Commitment - Not Wanted";
4. Notify offender and provide with a copy of State Form 8048;
5. Enter the warrant/detainer End Date into the offender information system;
6. Place the recall or dismissal information in the offender packet;
7. Scan a copy of the warrant/detainer reclassification or dismissal information to IRIS;
8. Notify Parole Services and/or probation department(s) if placement plans have been submitted;
9. Notify the wanting authority in writing of the receipt of the warrant/detainer recall information; and,

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10. Notify the Unit Team Manager that a new Classification Designation Instrument may need to be generated.

D. Pending Charges:

Upon the arrival of an offender from an intake unit with a possible pending charge or upon receipt of information concerning a possible pending charge, the Supervisor of Classification or Designated Staff shall within ten (10) working days:

1. Review the information;
2. Complete State Form 36170, "Request for Information on Offender," and forward it to the court of jurisdiction if the court or cause number is known or the sheriff of the wanting county if the court or cause number is not known, via mail, to determine the disposition and/or status of the possible pending charges and whether the court or sheriff wants a hold placed on the offender (For additional information, staff shall refer to "DOXPOP, MyCase, or InCite). When this information is received, the Supervisor of Classification shall:
 - a. Place the pending charge information in the offender's packet;
 - b. Enter the pending charge information and description of the offense in the offender information system;
 - c. Notify the offender and provide a copy of the pending charge information;
 - d. Scan a copy of the pending charge information in IRIS; and,
 - e. Notify the Case Management staff that a new Classification Designation Instrument may need to be generated;
3. If a reply from the court of jurisdiction or the sheriff of the wanting county has not been received within sixty (60) days of the receipt of the certified letter, contact the court if the court or cause number is known or the sheriff if not known by telephone and advise them

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VII. RELEASES:

A. Purpose:

Identify the types of releases from the Department and provide an administrative process to appropriately release offenders.

B. Release Considerations:

Release Schedule:

1. All scheduled releases of offenders shall be on a Monday or Thursday. Offenders with Earliest Possible Release Dates (EPRD) on a Monday, Tuesday or Wednesday shall be released on their EPRD or on the Monday immediately preceding their EPRD and offenders with EPRDs on Thursday, Friday, Saturday or Sunday shall be released on their EPRD or the Thursday immediately preceding their EPRD.
 - a. Each year in December, the Commissioner shall issue an Executive Directive indicating the appropriate day of release for offenders who are scheduled to be released on a holiday due to the Monday and Thursday releases during the following calendar year.
 - b. Offenders receiving a modification of their sentence from a court, which results in an immediate release, shall be released as soon as possible in accordance with the modified sentencing order.
 - c. Offenders who are released before their EPRD, except those offenders released due to a modification of sentence or to the Community Transition Program (CTP), in accordance with the Monday and Thursday release schedule shall be released on a Temporary Leave in accordance with the administrative procedure for Policy 02-04-104, "Temporary Leaves for Adult Offenders."
 - d. The offender may be released at any time on the designated release date after 12:01 a.m. in accordance with the

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operational needs of the facility. The actual time of release is at the discretion of the facility.

- e. When preparing the offender's release documentation, staff shall ask the offender if family or friends will pick the offender up on the day of release and, if so, the approximate of arrival at the facility. Failure on the part of the offender to provide information regarding the time that family or friends may arrive could result in a delay in the release of the offender until later in the day.
 - f. Staff shall ensure that all release documentation is prepared so that it will be ready whenever the offender will be released.
 - g. Offenders being released to Parole under authorized Global Positioning Satellite (GPS) supervision, or other approved electronic monitoring, shall be released on the actual Earliest Possible Release Date (EPRD). These offenders **are excluded** from the 12:01am release. These offenders **are excluded** from the normal Monday and Thursday release schedule.
 - h. At the discretion of the Superintendent, offenders housed in Administrative Restrictive Status Housing Units or Disciplinary Restrictive Status Housing Units may be released on the actual EPRD.
2. Intake units shall initiate release processing of offenders received into the Department with four (4) months or less remaining until their EPRD. The procedures outlined in subsection C shall be followed. The Admission Summary may substitute for the Progress Report.
 3. Wanting authorities may take custody of an offender thirty (30) days prior to an offender's release. If the wanting authority takes custody of the offender prior to the offender's release date, it is to be provided with a copy of the State Form 9320, "Offender Status-Disposition Report," indicating the cause number(s) and release date for the current sentence. Procedure listed in IV. D. of this section must also be followed.

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4. Offenders awaiting transfer to the Department of Mental Health (DMH) may be released to the DMH authorities on the last working day prior to an offender's release or on the date approved by the DMH for transfer.
5. An offender, who within thirty (30) calendar days of release from Department confinement, is charged with a crime or has allegedly violated a Department rule may have the release date suspended until the pending allegation is resolved, in accordance with Policy 01-04-101, "Adult Offender Classification," and Policy 02-04-101, "The Disciplinary Code for Adult Offenders."
6. Final discharges shall be processed by Parole Services in accordance with Parole Services Division Directive # 13-04, "Final Discharge."
7. An offender shall be placed on Parole if the offender has completed a felony sentence of which no portion was suspended. If the commitment period includes more than one such sentence (concurrent or consecutive), the offender shall be placed on Parole for the sentence with the latest Maximum Release Date (MRD), regardless of the order in which they were served or the presence of misdemeanor or partially suspended sentences.

The only exceptions to the above are as follows:

- a. The latest MRD of the sentence of which no portion was suspended does not extend beyond the offender's Earliest Possible Release Date (EPRD); or,
 - b. The offender is to be released by discharge.
8. Any offender who is defined as a sex or violent offender under Indiana Code (IC) 11-8-8-5 is required to register as a sex or violent offender before his/her release from the Department. After release, the offender is required to register with the local law enforcement authority in the county(ies) that has (have) jurisdiction where the offender intends to live (including where real property is owned), work, or attend school. For processing sex offenders within the Department, facilities shall adhere to Policy

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and Administrative Procedure 00-03-301, "Sex and Violent Offender Registry Appeal Process."

9. Re-Entry Staff/designee shall process the offender's release and ask whether the offender has adequate identification available upon release. The staff person shall advise the offender that an identification card showing the offender as released may be prepared if a form of identification is needed.
10. The Supervisor of Classification or designated staff shall document the date and type of release on the Indiana State Police Fingerprint Card, located in Section 1 of the offender's facility packet. This card shall be forwarded to the Indiana State Police Central Repository.
11. The Supervisor of Classification or other Designated Staff are to review OIS Reports 'RPTCTP 8' Anticipated on CTP in One Hundred Twenty (120) Days or Less and RPT024 Projected Release List on a daily basis. If an offender appears in the RPT024 'Projected Release Report' with an EPRD one hundred eighty (180) days or less from the date the report was requested and release processing has not been initiated designated staff shall:
 - a. Notify the appropriate Unit Team staff and the Re-Entry Coordinator of the names of the offenders who appear on the reports.
 - b. Prepare a release packet as outlined in Section VII, C of this policy and administrative procedure. All material is to be emailed as a single PDF file to the appropriate Parole District on the date the offender's name appeared on the report. The Progress Report is to be completed in OCMS within five (5) working days. If the offender is to be released to Court Supervision, a Release Packet shall be prepared as outlined in Section VII, C of this policy and administrative procedure. This material is to be mailed to the appropriate probation department within five (5) working days of the date the offender's name appeared on the report.
 - c. Follow the procedure outlined in Section VII, D, of this

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policy and administrative procedure if the offender is to be released to discharge.

- d. If the offender's name appears on the 'RPTCTP 8', Anticipated or CTP in One Hundred Twenty (120) Days or Less report, staff shall refer to, and comply, with Policy and Administrative Procedure 01-04-107, "Community Transition Program."

C. Parole/Probation/Court Supervision Releases:

Re-Entry/designee staff responsibilities:

1. Prepare a Release Packet to be scanned and emailed as a single electronic file in PDF format to the Parole District Supervisor and/or appropriate Chief Probation Officer no less than one hundred eighty (180) days prior to the offender's Earliest Possible Release Date. The date the Release Packet was emailed, and the name of the staff member that sent it shall be documented in the Transitions area of OCMS under the appropriate Parole or Probation tab. It shall be the responsibility of the Unit Team and Re-Entry Staff to insure that the necessary release reports, Parole Case Management entries into OCMS and Release Checklist are provided to the Unit Team Manager/Supervisor of Classification. The Progress Report includes a summary of the updated Case Management Plan, as well as any reports used to complete the Case Management Plan such as: Psychiatric, Psychological, SOMM, Substance Abuse, Education, or Vocational information. The Release Packet shall include the following:
 - a. Pre-Parole Investigation Request in Offender Case Management (OCMS) (Parole releases only);
 - b. Psychological or Psychiatric Reports; (probation will require a release of information);
 - c. Provide the offender written reporting instructions to report to the Chief Probation Officer; (probation releases only);
 - d. OIS Report #70;

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- e. All Abstracts of Judgment and Commitment Orders including those in which all executed time has been suspended;
 - f. Certificates of Final Discharge issued on concurrent or consecutive sentences during the current commitment period;
 - g. Pre-Sentence Investigation Report;
 - h. Picture of the offender;
 - i. Police report and/or Affidavit of Probable Cause if available; and,
 - j. Any additional relevant material, including any special release needs considerations.
2. Pre-Release Progress Reports shall be developed in accordance with Policy and Administrative Procedure 01-07-101, "The Development and Delivery of Programs, Re-Entry, and Adult Case Management,"
 3. Initiate one hundred twenty (120) days prior to the EPRD the following procedure when releasing any offender flagged as a sex offender in the offender information system to Parole supervision:
 - a. Fax the following information to the SOMM main office:
 - (1) Parole Stipulations For Sex Offenders, State Form 49108; and,
 - (2) Parole Release Informed Notification;
 - b. Send to the Parole District Office:
 - (1) A completed State Form 49108, "Parole Stipulations For Sex Offenders;,"
 - (2) Parole Release Informed Notification; and,

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6. Prepare State Form 23, "Conditional Parole Release Agreement," to include reporting instructions provided by parole district;
7. Cause offender to review and sign State Form 23;
8. Cause copies of all paperwork to be distributed as needed;
9. If the offender requires transportation, staff shall adhere to the process outlined in Policy and Administrative Procedure 04-01-106;
10. Process offenders to be released to out-of-state Parole Supervision in accordance with Section XI of this policy and administrative procedure, if applicable;
11. All offenders shall have a criminal background/warrants check run no later than five business days prior to release from Department custody. This includes Parole, Probation, Discharge, and Court Order releases; and,
12. Lifetime Parole (TOT Court Supervision)

When an offender who has a sentence that includes a lifetime Parole obligation is released to court supervision, Unit Team shall enter into the OCMS parole placement field, "Lifetime Parole." The offender shall be released in the offender information system to the Parole District of his/her county of residence on his/her EPRD. The Parole staff shall enter, "Temp-Out to Court Supervision," to the appropriate county into the appropriate offender information system field.

When the parolee's court supervision ends, the Parole Agent shall update the appropriate offender information system field to show the return from, "Temp-Out to Court Supervision."

D. Discharge Release:

1. When a sentence has been satisfied totally, the offender shall be released by discharge. All requests for a Final Discharge based upon the offender reaching his/her MRD shall be forwarded to the

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Superintendent of the housing facility (for offenders who reach their MRD while still incarcerated in a Department facility) or the Parole District Supervisor of the Supervising Parole District (for those offenders who reach their MRD while under Parole supervision) for approval. The Superintendent or Parole District Supervisor shall verify that the offender has reached his/her MRD and, if appropriate, shall sign the “Certificate of Final Discharge” as the designee of the Chairman of the Indiana Parole Board, in accordance with Parole Services Division Directive # 13-04, “Final Discharge.”

Re-Entry Staff/designee responsibilities:

- a. Produce a State Form 49, “Certificate of Final Discharge;”
- b. Contact staff person responsible for gateage;
- c. Provide assistance as deemed appropriate for all offenders being discharged from a Department facility; and,
- d. Notify the county sheriff of the sentencing county of any offender who is being discharged from a Department facility.

E. Release to Community Transition Program (CTP):

For releases to the Community Transition Programs, staff shall comply with Policy and Administrative Procedure 01-07-101, “The Development and Delivery of Programs, Re-Entry, and Adult Case Management,” and Policy and Administrative Procedure 01-04-107, “Community Transition Program.”

F. Facility Responsibility:

1. The Department shall return any property or money, including accumulated earnings, held for the offender consistent with departmental policies and procedures.
2. The Department shall provide at least one (1) set of clothing appropriate for the season, if the offender is unable to provide such

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clothing. The clothing shall not identify the offender as an ex-offender.

3. Offenders requiring on-going medication shall be provided the prescribed medication with dosage instructions. Offenders being transferred to facilities without health care staff shall be provided with at least one (1) week's supply of medication.

G. Release to Wanting Authorities: In-State:

If an offender has an outstanding warrant or detainer, the offender shall be turned over to that authority upon reaching his/her Earliest Possible Release Date. In accordance with procedure outlined in this section of this policy and administrative procedure, offenders may be released thirty (30) days prior to their EPRD.

Supervisor of Classification/designee responsibilities:

1. Notify the wanting authority sixty (60) days prior to the offender's Earliest Possible Release Date in writing;
2. Notify Victim/Witness Coordinator, if applicable;
3. Contact wanting authorities by telephone if no response is received from wanting authority within thirty (30) days of original notification;
4. Arrange transportation to local county jail, if applicable; and,
5. Process appropriate release type, notifying any parole or probation authority of the offender's release to the wanting authority.

H. Release to Wanting Authorities: Out-of-State:

If an offender has an outstanding warrant or detainer from an out-of-state wanting authority, the offender shall be turned over to that authority upon reaching his EPRD if a waiver of extradition has been executed or the offender has been authorized for release to the wanting authority by an Indiana court. A Parole release offender with an INS detainer shall be referred to the Parole Board for discharge review using the "Request for Parole Board Review" format described in Section VII, B. In accordance

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with the procedure outlined in Section VII of this policy and administrative procedure, offenders may be released thirty (30) days prior to their EPRD.

Supervisor of Classification/designee Responsibilities:

1. Notify the wanting authority ninety (90) days prior to the offender's Earliest Possible Release Date in writing;
2. Notify Victim/Witness Coordinator if applicable;
3. Contact wanting authority by telephone if no response is received from wanting authority within thirty (30) days of original notification;
4. Request offender to sign waiver of extradition;
5. Contact wanting authority by telephone if offender refuses to sign waiver of extradition;
6. Contact prosecutor in county where the offender is incarcerated to arrange for the appropriate court hearing, if applicable;
7. Contact the county sheriff and arrange for the offender to be transported to the county jail, if applicable; (This is to be the county jail where the offender is incarcerated at the time of the his Earliest Possible Release Date.); and,
8. Process offender to be released based upon the appropriate type of release, notifying any Parole or probation authority of the offender's release to the wanting authority.

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the charge(s) will no longer be considered pending without appropriate documentation. The Supervisor of Classification shall:

- a. Notify the offender that charges are no longer considered pending;
- b. Complete State Form 8048, "Warrant/Commitment-Not Wanted;"
- c. Enter the ending date in the offender information system;
- d. Place information indicating the charge is no longer pending in the offender packet;
- e. Scan a copy of the information into IRIS;
- f. Notify Parole Services and/or probation department(s) if placement plans have been submitted;
- g. Notify the wanting authorities, in writing, that the charges are no longer considered pending; and,
- h. Notify the Unit Team Manager that a new Classification Designation Instrument may need to be generated.

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VIII. PAROLE AND CLEMENCY BOARD APPEARANCES:

A. Purpose:

Provide an administrative process for offenders to file for clemency and for offenders to appear before the Indiana Parole Board.

B. Clemency Consideration:

Offenders may file a petition for clemency by the Governor under the following conditions:

1. Applying for Clemency

- a. Four (4) months are usually required after receipt of eligible petitions before they can be considered at a hearing, except in the cases of Medical Clemencies when time may be of the essence. This will allow adequate time to schedule appearances and to prepare necessary background information.
- b. Each petitioner for clemency shall be advised when and where appearances will be held and the final action taken on the petition by the Governor.
- c. All petitions shall be filed on forms provided by the Board.

2. Eligibility for Consideration

- a. Petitions of offenders sentenced under IC 5-50 ("New Code") and who have been sentenced to a period of time in excess of ten (10) years may be considered after the offender has served one-third (1/3) of the sentence or twenty (20) years, whichever comes first.
- b. Petitions of offenders serving life sentences ("Old Code") may be considered after the offender has served ten (10) years.
- c. A petition that is denied may be considered after one (1) year, upon request of the offender, if the sentence is sixty (60) years or less; after two (2) years, if the sentence is a single life sentence or greater than sixty (60) years; and after five (5) years, if the sentence is more than one life sentence.

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- d. For purposes of clemency, the "sentence" is the maximum amount of time the offender could possibly be incarcerated and is not diminished by reason of credit time or good time earned.
- e. The "sentence" is calculated by totaling the number of years of consecutive sentences or consecutive parts of sentences when sentences overlap.
- f. For purposes of clemency, the amount of time that has been served on a sentence is determined without regard to credit time or good time that has been earned either prior to or following sentencing. Credit for time served prior to sentencing ("jail time credit") shall be counted toward the amount of time served on a sentence to the extent that it reflects the actual number of days incarcerated prior to sentencing.
- g. Offenders who have served their minimum sentence and are eligible for parole consideration are not eligible for clemency consideration.
- h. No petition will be considered if the offender does not have a clear institutional record for twelve (12) months immediately preceding the hearing. An offender does not have a clear institutional record if the record shows a conviction of a major violation (Class A or Class B) or two (2) or more minor violations (Class C or D).
- i. No petition will be considered unless the offender has at least one (1) year remaining to be served from the date of his clemency hearing before the Board and his projected release date.

C. Clemency Process:

- 1. The Case Management/Re-Entry staff shall notify all eligible offenders of their initial Clemency Appearance Date;
- 2. If the offender chooses to cancel the scheduled Parole Board hearing, the Case Management/Re-Entry staff shall provide the Parole Board with a completed SF 3718, "Clemency Hearing Waiver;"
- 3. Upon contact by an offender requesting to file for clemency, the Case Management/Re-Entry staff shall meet with the offender to explain the criteria and the process for clemency. The Case Management/Re-Entry

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staff shall make a preliminary assessment of the offender's eligibility for clemency using SF 55294, "Clemency Checklist," and the criteria listed above in subsection B, 2. The Case Management/Re-Entry staff shall inform the offender that the final decision on approval/denial of clemency will be determined by the Governor of Indiana;

4. If the offender meets the minimum eligibility criteria as indicated in Procedure VIII, B, at the offender's request, staff shall provide offender with State Form 1213, "Petition for Clemency," six (6) months prior to the eligible clemency appearance date;
5. The offender shall return the completed, signed SF 1213 to the Case Management/Re-Entry staff, who reviews for completeness and provide the offender with a copy;
6. The Case Management/Re-Entry staff shall forward the completed SF 1213 and SF 55294 to the Warden for review and recommendation;
7. The Warden shall return SF 1213 and SF 55294, with a recommendation, to the Case Management/Re-Entry staff;
8. After receipt of SF 1213 with a recommendation from the Warden, the Release Assistant shall:
 - a. Scan and email each completed SF 1213, SF 55294, and any attached documents individually to the Parole Board Staff. The subject line of the email message shall read, "Clemency Petition-Name/DOC Number."
 - b. Scan and email an updated progress report to the Parole Board Staff.
 - c. Scan and email an updated action sheet to the Parole Board.
 - d. Mail to the sentencing court and to the prosecutor a copy of the petition and letter requesting a response to the petition;
9. Upon email receipt of the completed SF 1213, the designated Parole Board staff person shall:
 - a. Log SF 1213 into its tracking system;

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- b. Submit SF 1213 to Chairman or Vice Chairman for final approval to proceed;
- c. Establish a hearing date for the offender with the Parole Board;
- d. Send a letter via designated facility staff to offender advising of date of Clemency hearing with the Parole Board;
- e. Send letter to witnesses named on SF 1213 advising of date of hearing;
- f. Notify Department Victim Witness Services; and,
- g. Prepare Clemency packet:
 - 1. OIS Information;
 - 2. Parole Board Overview Report;
 - 3. Pre-Sentence Report;
 - 4. Court Abstracts; and,
 - 5. Folder for Public letters;
- 10. The hearing will be scheduled by the Parole Board, and public notice(s) will be posted;
- 11. Hearing will be held and a recommendation to the Governor will be submitted;
- 12. Clemency hearing minutes will be delivered by the Parole Board staff to the Governor's office for review; and,
- 13. The offender will be informed of the Governor's decision by letter from the Parole Board staff via designated facility staff.

Once the offender has been received the final notification of the Governor's decision, the Release Assistant shall cause all related documents to be scanned into IRIS and filed in accordance with Policy and Administrative Procedure 01-04-104, "The Establishment, Maintenance, and Disposition of Offender Records."

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D. Medical Clemency:

An offender who has a terminal medical condition or a medical condition that would be more effectively treated in another type of facility in the community and who, because of his/her medical condition, is unlikely to be involved in further criminal activity, may be considered for medical clemency in accordance with 220 IAC 1.1-4-4 and this policy and administrative procedure. The time frame eligibility criteria indicated in Procedure B, 2, above are waived in the case of a Medical Clemency petition.

Any offender may be considered for medical clemency upon recommendation by the Commissioner. If the Commissioner declines to recommend the offender for medical clemency, the Parole Board may decline consideration in evaluating a petition for medical clemency. The Parole Board will consider, in addition to the factors enumerated in 220 IAC 1.1-4-4(d) and (e), the following factors:

1. The seriousness of the medical condition;
2. Whether the medical condition cannot be adequately treated while offender is on inmate status; and,
3. Whether the medical condition would effectively prevent the offender from engaging in any future serious criminal activity.

The Parole Board may waive the full community investigation required under 220 IAC 1.1-4-4, if the Parole Board determines time to be of the essence.

An offender whose medical clemency petition is either denied or declined for consideration may not re-apply unless a substantial and documented change occurs in the medical condition that is the basis of the clemency request or a new and serious medical condition arises.

E. Medical Clemency Process/Procedure

The Warden shall designate a staff person to initiate the medical clemency process, either through identification via Health Services or requests from the offender or his/her family and friends. The Designee shall ensure the offender meets the above criteria for medical clemency. The offender shall be informed that initiating the medical clemency process does not ensure review or approval by the Governor of Indiana, with whom rests the final decision.

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1. After completing the requirements of Health Care Services Directive 1.04A, “Advance Directives-Adult Offenders,” the Designee shall meet with the offender, Case Management staff, and Health Services staff to ensure that all parties are aware of the process and the roles in the process that they fulfill.
2. The Designee shall complete the top section of State Form 42183, “Application for Offender Medical Clemency,” and forward the form to the Department’s Chief of Staff with a copy to the facility’s Warden and Classification Supervisor.
3. The Chief of Staff will contact and discuss the offender’s situation with the Warden. From this discussion, the process may proceed or end. If the decision is to end the process, the offender and all persons involved shall be informed by the Warden or Designee.
4. If the decision is to proceed with the Application, the Designee shall provide the Health Services Administrator (HSA) and the facility Medical Director with the in-progress State Form 42183. The HSA and Medical Director shall complete the section of State Form 42183 headed with, “Medical Staff Report,” with only the facts surrounding the offender’s current medical condition, diagnosis, and prognosis. After completion of the Medical Staff Report section, State Form 42183 shall be forwarded to the Designee.
5. The Designee shall complete the “Institution or Facility Head Report,” section of State Form 42183 and ensure that the following documents are attached:
 - a. A current Progress Report;
 - b. A copy of the offender’s Pre-Sentence Investigation;
 - c. The offender’s accurate post incarceration placement information (contact with Case Management staff may be necessary for accuracy);
 - d. A copy of the offender’s disciplinary history;
 - e. A copy of the offender’s Diagnostic and Classification Summary; and,
 - f. Results of warrants, detainers, and/or holds, entered into the “Institution or Facility Head Report” section of State Form 42183.

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6. The Warden shall receive the above documents, sign and date the designated lines, and ensure the documents are forwarded to the Chief Medical Officer (CMO) and the Executive Director of Classification.
7. The CMO and the Executive Director of Re-Entry and Medicaid shall confirm appropriate post-incarceration placement.
8. The CMO shall complete the “Chief Medical Officer Report” section of State Form 42183 and forward the form to the Chief of Staff.
9. The Chief of Staff shall review State Form 42183, make a recommendation in the “Commissioner or Designee Recommendation” and sign the form.
10. The Chief of Staff shall ensure the completed State Form 42183 is forwarded to the Indiana Parole Board. The Parole Board will make a recommendation to the Governor of the State of Indiana.
11. The Governor’s Office will return the Governor’s decision to the Indiana Parole Board and the Chief of Staff.
12. The Chief of Staff shall forward a copy of the Governor’s decision to the Executive Director of Classification.
13. The Executive Director of Classification, in conjunction with the Warden, shall cause the Governor’s decision to be effected.
14. The Warden or Designee shall notify the family, or the offender’s designated contacts, if involved, of the final decision.

F. Parole Violators and Review Hearings:

Offenders returned to the Department as alleged Parole Violators, either as Technical Parole Violators or with New Commitments, shall be afforded a Parole Revocation Hearing within sixty (60) days of the date of sentence or availability to the Department.

Offenders found to be Parole Violators, who have in excess of one (1) year remaining time, shall be reviewed by the Parole Board on an annual basis or sooner, if requested by the Parole Board.

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Offenders found to be Parole Violators with less than one (1) year remaining time will be released to Parole or turned over to their new commitment if applicable, when the remainder of the fixed term, less credit time earned since the revocation, is completed, or sooner if authorized by the Parole Board.

G. Parole Violator and Hearing Process:

Release Assistant/designee Responsibilities:

1. Parole Violators shall be schedule to appear before the Indiana Parole Board
 - a. Print the offender information system's "Receive Code" Report weekly;
 - b. Review each Parole Violator's record for the following:
 - 1) Accuracy of the "Receive Code." If the Parole Violator was received under the wrong "Receive Code," the Director of Offender Movement shall be notified immediately of the error so that it may be corrected.
 - 2) Where the Parole Violator shall be placed on the Indiana Parole Board agenda
 - a) Parole Revocations Section: A PV-Tech shall be scheduled within sixty (60) days of the warrant/violation.
 - b) Continued Parole Hearing Section: A PVNC is not to be scheduled until the Parole Violator has been sentenced on the new commitment. Once sentenced, the Parole Violator is to be scheduled within sixty (6) days of the date of sentence, or the date the Department was made aware of the disposition.
2. Complete State Form 7018, "Notification of Parole Notice/Disposition By Parole Board;"
3. Notify offender of scheduled Hearing Date and parole rules allegedly violated;

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4. Notify Victim/Witness Coordinator, if applicable;
5. Complete State Form 22224, "Notice/Disposition By Parole Board," upon completion of Parole Violation Hearing; and,
6. Distribute form as directed.

H. Review Hearing Process:

Upon notification that an offender is scheduled for a parole review hearing (a parole review hearing is consideration for parole release that follows a parole revocation hearing), the Release Assistant / designee staff shall:

1. Complete State Form 7004, Report Of Investigation and Decision Of Parole Board;
2. Notify offender of scheduled hearing date;
3. Notify Victim/Witness Coordinator, if applicable;
4. Prepare Parole Material Packet consisting of the following in ascending order:
 - a. Pre-Sentence Investigation;
 - b. Adult Offender Arrival and Identification form, Criminal History and all other relevant documents;
 - c. Diagnostic and Classification Summary;
 - d. Psychiatric/Psychological Evaluations, if applicable;
 - e. "Inter-Departmental Transmittal Form-Parole Violation" and Supplemental Report of Parole Violation;
 - f. Preliminary Parole Violation Hearing minutes, and related documents;
 - g. Community Investigation and Crimes Report, if applicable;
 - h. Progress Report to include all prior progress reports;

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- i. Protest letters; and,
 - j. Action Sheet;
 5. Complete and distribute State Form 7004, "Report of Investigation and Decision of Parole Board."
- I. Eligibility for Old Code Parole Hearings:

Offenders shall appear not more than sixty (60) days or less than thirty (30) days prior to their eligibility date. After the initial appearance before the Parole Board, offenders shall not appear for at least five (5) years unless the Board finds special circumstances during the annual paper review.

 1. A person sentenced upon conviction of a felony to an indeterminate term of imprisonment is eligible for consideration for release on parole upon completion of his/her minimum term of imprisonment, less the credit time he/she has earned with respect to that term.
 2. A person sentenced upon conviction of a felony to a determinate term of imprisonment is eligible for consideration for release on parole upon completion of one half (1/2) of his/her determinate term of imprisonment or at the expiration of twenty (20) years, whichever comes first, less the credit time he has earned with respect to that term.
 3. A person sentenced upon conviction of first degree murder or second degree murder to a term of life imprisonment is eligible for consideration for release to parole upon completion of twenty (20) years of time served on the sentence. A person sentenced upon conviction of a felony other than first degree murder or second degree murder to a term of life imprisonment is eligible for consideration for release on parole upon completion of fifteen (15) years of time served on the sentence. A person sentenced upon conviction of more than one (1) felony to more than one (1) term of life imprisonment is not eligible for consideration for release on parole. A person sentenced to a term of life imprisonment does not earn credit time with respect to that term.
- J. Old Code Parole Hearing Process:

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Upon notification that an offender is scheduled for an Old Code Parole Hearing, the Release Assistant Staff/designee staff shall:

1. Complete State Form 7004, "Report of Investigation and Decision of Parole Board;"
2. Notify offender of scheduled hearing date;
3. Notify Victim/Witness Coordinator, if applicable;
4. Prepare Parole Material Packet consisting of the following in ascending order:
 - a. Pre-Sentence Investigation;
 - b. Adult Offender Arrival and Identification form, Criminal History and all other relevant documents;
 - c. Diagnostic and Classification Summary;
 - d. Psychiatric/Psychological Evaluations, if applicable;
 - e. "Inter-Departmental Transmittal Form - Parole Violation" and Supplemental Report of Parole Violation;
 - f. Preliminary Parole Violation Hearing minutes, and related documents;
 - g. Community Investigation and Crimes Report, if applicable;
 - h. Progress Report to include all prior progress reports;
 - i. Protest letters; and,
 - j. Action Sheet;
5. Complete and distribute State Form 7004, "Report of Investigation and Decision of Parole Board."

K. Old Code Annual Paper Review Process:

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Upon notification that an offender is scheduled for an annual paper review, the Re-Entry/designee staff shall submit the following one (1) month prior to the offender's scheduled review month:

1. Updated Action Sheet and Progress Report;
2. Special reports the Board may have requested, such as: Community Investigation Report, Psychiatric and Psychological Reports; and,
3. Any documents demonstrating significant change in the status of the offender.

L. Parole Board Minutes:

The Supervisor of Classification or designee shall ensure that the Parole/Clemency Board minutes have been prepared and distributed.

M. Rehabilitation Based Discharge for Long Term Offenders:

1. Offenders convicted of the following offenses are not eligible for the Rehabilitation Based Discharge as outlined in this section.
 - a. An offender who receives a sentence of Death or Life Without Parole under IC 35-50-2.
 - b. An Offender who has committed an offense described in IC 11-8-8-4.5.
 - c. An offender convicted of a crime of violence (as defined in IC 35-50-1-2).
2. Notwithstanding any other law or offenders convicted of offenses listed above, as soon as practicable after an offender has been confined to the custody of the Department for:
 - Twenty-five (25) consecutive years;
 - Twenty-four (24) consecutive years, if the offender has received one (1) year of credit time under IC 35-50-6-3.3;

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- Twenty-three (23) consecutive years if the offender has received two (2) years of credit time under IC 35-50-6-3.3;
- Twenty-two (22) consecutive years if the offender has received three (3) years of credit time under IC 35-50-6-3.3; or,
- Twenty-one (21) consecutive years if the offender has received four (4) years of credit time under IC 35-50-6-3.3,

the Department shall complete the following:

- a. Central Office Classification Staff shall identify the eligible offender(s) and forward the names to the appropriate facility staff.
- b. Unit Team shall complete a Progress Report in OCMS and forward notification of the completed Report via e-mail to the Executive Director of Classification and Supervisor of Offender Placement. Central Office Classification shall review the Report and forward to the Parole Board and Legislative Council. Facility staff shall insure that the Progress Report contains the information outlined in H, 4, a-d of this Section.

NOTE: In accordance with IC 11-13-9-2 and as used in this policy and administrative procedure, confinement is “consecutive” if:

- a. The offender has remained in continuous custody of the Department for the requisite length of time; or,
- b. The offender would have remained in the continuous custody of the Department for the requisite length of time, but:
 - The offender was released from the custody of the Department on the basis of an erroneous court order; and,
 - The offender was returned to the custody of the Department not later than seventy-two (72) hours after the erroneous court order was rescinded.

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3. Upon receipt of the Progress Report, the Parole Board shall set a hearing to determine whether the circumstances warrant the offender's release from the custody of the Department.
4. The Parole Board will consider all relevant factors in determining whether the offender is to be discharged under this chapter and will consider a community investigation report submitted to the Parole Board. The Parole Board will give special consideration to an offender who demonstrates each of the following:
 - a. A good conduct history during confinement;
 - b. Proof that the offender will have suitable living quarters in a community if the offender is released;
 - c. Proof that one (1) or more employers in the area in which the offender would reside if released have offered to employ the offender for at least thirty (30) hours a week on the same terms as the employer employs other employees; and,
 - d. Proof that the offender is at least a high school graduate; or has obtained a high school equivalency diploma.
6. If the Parole Board determines that the offender has been properly rehabilitated; and has suitable plans to carry out if released; the Parole Board will release the offender from the custody of the Department. An offender who is released from confinement by the Parole Board after meeting the requirements for the Rehabilitation Base Discharge must be placed on release supervision as follows:
 - a. An offender who is required to be placed on Parole for the remainder of the offender's life under IC 35-50-6-1(e) shall be placed on Parole for the remainder of the offender's life;
 - b. An offender who has a sentence that requires probation supervision upon release shall be placed on probation; and,
 - c. An offender, who does not require probation supervision or lifetime Parole, shall be placed on Parole for a period of two (2) years.

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7. If the Parole Board denies an offender's request to be discharged under this section, the offender may petition for a new review not earlier than one (1) year after the Parole Board denies the request.
 - a. One (1) year after denial, the offender may petition through Unit Team to have the Parole Board reconsider the petition for release.
 - b. Unit Team Staff shall complete a new Progress Report, as outlined in items 2 and 4 of this section and forward to the Parole Board for reconsideration.
 - c. If approved, facility staff shall follow procedures outlined in item 5 of this Section.

8. If approved for release, Department staff shall notify a registered crime victim in accordance with Policy and Administrative Procedure 00-03-201, "Statewide Automated Victim Information and Notification System."

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IX. COURT ORDER RELEASE:

A. Purpose:

Provide an administrative process to receive, review and comply with court orders authorizing the Department to relinquish custody of an offender to an authorized agency.

B. Court Order Release Process:

Upon receipt of a court order authorizing the Department to relinquish custody of an offender to an authorized agency, the Supervisor of Classification or designated staff person shall:

1. Review the court order to ensure it includes at a minimum the following:
 - a. The name of the offender;
 - b. A cause number;
 - c. A Seal of the Court or signature of the judge. While a seal is preferred, it is not required); and,
 - d. A court order stating the Department is to relinquish custody of the offender to the authorized agency. The order does not have to list the facility in which the offender is currently housed.
2. Verify the order with the issuing court or the transporting sheriff's department if the court issuing the order cannot be reached. Doxpop, Mycase, and InCite are additional resources available if unable to verify an order with the issuing court and/or transporting sheriff's department. If the order cannot be verified, the offender is not to be released.
 - a. Note on the court order the verification of the order, ensuring that date, time, and court staff or sheriff's department staff contacted; and,

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- b. If verified with the court issuing the order or the Transporting Sheriff Department, comply with the court order;
3. Request an IDAC check noting detainers on the Offender Status Disposition Report or by attaching them to the Report;
4. Ensure that State Form 56169, "Checklist for Court Order Releases," is completed by the appropriate staff and review this form to ensure accuracy and completeness.
5. Cause State Form 9320, "Offender Status - Disposition Report," Section 1 to be completed, including all appropriate signatures;
6. Notify Victim/Witness Coordinator, if applicable;
7. Cause State Form 23605, "Offender Transport Order," to be completed and signed;
8. Ensure that a copy of State Forms 9320, 56169 and 23605, IDACS check, and the court order is filed in section 3, "External Interest," of the offender's facility packet, as well as documented on the "Access-Assignment-Movement-Release" sheet in Section 1 of the offender's facility packet. In addition, the above documents shall be scanned into IRIS with a copy maintained as records in the Classification department.
9. Law enforcement or a court may notify facility staff during normal working hours of a need to pick an offender up after hours or on weekends. If facility staff is able to verify the order with the court, the offender can be released to law enforcement after hours.
10. Cause the following procedures to be followed by the appropriate staff if the court order is received after regular working hours:
 - a. The appropriate Classification/Release staff is to be notified. They shall review the court order to ensure that it includes at a minimum the following:
 - (1) Name of the offender;

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- (2) Cause number;
 - (3) A court seal or signature of the judge (If the order cannot be verified, the offender is not to be released.); and,
 - (4) A court order stating the Department is to relinquish custody of the offender to the authorized agency.
- b. Follow steps outlined in items 2 through 6 of this Section.
11. If the facility is unsure about its right and/or ability to refuse to comply with a court order for funeral leave or similar matter, the court order is to be referred immediately to the Legal Services Division for an initial determination as to whether the order is to be honored or opposed by the Department.

Under no circumstances shall facility staff communicate to offenders (or their representatives) that they need to "get a court order" to accomplish whatever they desire.

Staff is to be aware that orders of the court, even if in error, are still valid and enforceable until overturned by a higher court or withdrawn by the court issuing the order. No staff member shall ignore a court's order without first contacting the Legal Services Division.

12. If new or pending charges are discovered through the court or the IDACS check, ensure that this information is logged into the offender information system.
13. If the offender has been away from the facility on court order, the facility shall contact the court every thirty (30) days for an update on the offender's status. When the facility receives the status update from the court, the facility shall enter any new information into the offender information system.

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X. INTERSTATE AGREEMENT/DETAINERS:

A. Purpose:

Establish an administrative process for the processing of out-of-state untried indictments, information, or complaints as defined by the Interstate Agreement on Detainers (IAD).

B. Receipt of Detainer:

Upon receipt of information concerning an untried indictment, information, or complaint as defined by the Interstate Agreement on Detainers, the Supervisor of Classification or designated staff person shall:

1. Review the information to ensure that it meets the definition of untried indictments, information or complaints as defined by the Interstate Agreement on Detainers (The Interstate Agreement does not cover Detainers based on charges that have already resulted in conviction and sentence [parole and probation violations]);
2. Contact the wanting authority to clarify the information if it appears incomplete or questionable; and,
3. Follow procedure for receipt of Warrant/Detainer as outlined in Section VI, "Warrants-Detainers In-State," of this policy and administrative procedure.
4. Appropriate forms may be obtained by contacting the IAD Administrator.
5. Contact the Sentence Computation and Release Section or the IAD Administrator with questions.

C. Offender Requested Disposition under the Interstate Agreement:

If an offender requests final disposition under the Interstate Agreement, this request operates as an automatic waiver of extradition rights for the offender's transfer to and from the requesting state. In this situation, no judicial hearing is necessary before the offender is transferred from the custody of one jurisdiction to another under the Interstate Agreement.

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Upon request of an offender for final disposition under the Interstate Agreement, the Supervisor of Classification or designated staff person shall:

1. Cause the completion of the following forms in accordance with the Interstate Agreement:
 - a. Form I, "Notice of Untried Indictment, Information, or Complaint and of Right to Request Disposition;
 - b. State Form 12109, "Supplement to Form 1, Agreement on Detainers;"
 - c. Form II, "Inmate's Notice of Place of Imprisonment and Request for Disposition of Indictments, Information or Complaints;"
 - d. Form III, "Certificate of Inmate Status;" and,
 - e. Form IV, "Offer to Deliver Temporary Custody."
2. Cause copies of all forms to be distributed in accordance with the Interstate Agreement;
3. Cause copies to be distributed in accordance with the Interstate Agreement upon receipt of the following forms:
 - a. Form VI, "Evidence of Agent's Authority to Act for Receiving State;" and,
 - b. Form VII, "Prosecutor's Acceptance of Temporary Custody Offered with an Inmate's Request for Disposition of a Detainer."
4. Cause copies to be distributed in accordance with the Interstate Agreement upon receipt of Form IX, "Prosecutor's Report of Disposition of Charges."

D. Transfer of Temporary Custody upon Request of Prosecutor:

When a prosecutor in a receiving state places a valid detainer/untried charges against an offender incarcerated in the sending state, the prosecutor

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may obtain temporary custody of the offender under article IV of the Interstate Agreement on Detainers. Transfer pursuant to Article IV is viewed by the Federal Courts as equivalent to extradition.

Judicial pre-transfer hearing is required unless the offender executed a formal waiver of extradition. If the offender chooses not to waive extradition he/she should not be transferred to the temporary custody of the requesting state until a judicial pre-transfer hearing and opportunity for Habeas Corpus challenge has been satisfied.

Upon receipt of Form V, "Request for Temporary Custody," the Supervisor of Classification or designated staff person shall:

1. Cause the following forms to be completed in accordance with the terms of the Interstate Agreement on Detainers:
 - a. Form I, "Notice of Untried Indictment, Information, or Complaint and of Right to Request Disposition;
 - b. State Form 12109, "Supplement to Form 1, Agreement on Detainers;"
 - c. Form III, "Certificate of Inmate Status; and,"
 - d. Form IV, "Offer to Deliver Temporary Custody," if all terms noted in the Interstate Agreement on Detainers have been satisfied;
2. Cause the offender to be notified;
3. Cause copies of all forms to be distributed in accordance with the Interstate Agreement on Detainers;
4. Arrange a pre-transfer hearing in accordance with the Interstate Agreement on Detainers if the offender chooses not to waive extradition; and,
5. Cause the appropriate forms to be distributed in accordance with the Interstate Agreement on Detainers, upon receipt of the following forms:

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- a. Form VI, "Evidence of Agent's Authority to Act for Receiving State;"
- b. Form VIII, "Prosecutor's Acceptance of Temporary Custody Offered in Connection with a Prosecutor's Request for Disposition of a Detainer," if applicable; and,
- c. Form IX, "Prosecutor's Report of Disposition of Charges."

E. Detainers Not Covered by the Interstate Agreement:

The following detainers are not covered under the Interstate Agreement on Detainers:

- 1. Parole Violations;
- 2. Probation Violations;
- 3. Detainers from a department of correction of another state that deal with the completion of the remaining portion of a pre-existing commitment rather than an untried indictment;
- 4. A detainer from the States of Louisiana or Mississippi, both of which are non-signatories of the agreement; and,
- 5. Immigration and Customs Enforcement (ICE).

F. Resolving Detainers with Non-Signatory States:

When a detainer for untried charges is lodged by or with officials in the States of Louisiana or Mississippi, the offender who is the subject of the detainer may be transferred only via the formal extradition process. In conjunction with the formal extradition, an executive agreement between the Governors of the asylum state and demanding state must be prepared. Staff shall contact the Sentence Computation and Release Section, Attorney General or Compact Administrators with questions concerning this subject.

G. Resolving Detainers for Temporary Custody of Offenders on Death Row:

If a detainer is received for an offender with a death penalty, the facility staff shall notify the assigned Executive Director of Adult Facilities and the

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Legal Services Division. The Legal Services Division shall review the detainer to determine its correctness. The Legal Services Division shall contact the Commissioner and the Office of the Attorney General for instructions. If so directed by the Commissioner, the Legal Services Division shall notify the Office of the Governor of the receipt of the detainer.

After consultation with the Offices of the Governor and the Attorney General, the Legal Services Division shall advise the facility what action, if any, is to be taken with regards to the detainer. The Legal Services Division shall maintain contact with the facility to ensure that all appropriate actions are completed and that the state filing the detainer is kept informed.

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XI. INTERSTATE AGREEMENT/OUT-OF-STATE PAROLE PLACEMENT:

A. Purpose:

Provide an administrative process to receive and process applications concerning transfer to out-of-state parole supervision.

B. Processing Applications for Out-of-State Parole:

Upon receiving a request from an offender to transfer to out-of-state parole, the facility Re-Entry Staff/designee shall:

1. Request the following information to be prepared:

- a. Release paperwork as outlined in Section VII, C, of this policy and administrative procedure;
- b. Information regarding the committing offense;
- c. Probable Cause affidavit;
- d. Current conduct information;
- e. Current mental health summary;
- f. Pre-Sentence Investigation;
- g. The completed State Form 23, "Conditional Parole Release Agreement;" and,
- h. A current photograph.

2. Complete all Interstate Compact Offender Tracking System (ICOTS) forms.

- a. The Offender Application must be completed, signed, and dated by the offender and a witness on the same date.
- b. The Transfer Request shall be entered into ICOTS within one hundred and twenty (120) days of the Projected

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XII. APPLICABILITY AND APPROVAL:

This policy and administrative procedure are applicable to all Department facilities housing adult offenders.

signature on file
Bruce Lemmon, Commissioner

Date

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Release Date (PRD). The Transfer Request can be entered into ICOTS up to the day prior to release.

- c. Re-Entry staff/designee shall verify that the proposed placement is willing to have the offender reside there.
 - d. Verification of employment of employment is necessary if the offender has employment in the receiving state.
 - e. The length of supervision must be entered on the Transfer Request.
3. Alternative placement in Indiana must be entered into the Offender Case Management System (OCMS) at one hundred eighty (180) days.
 4. The Compact fee of one hundred twenty-five dollars (\$125.00) can be paid by the offender prior to release or within thirty (30) days of release.
- C. Additional Consideration:

The following are additional considerations when processing out of state parole requests:

1. The request for alternate parole placement shall be forwarded to the parole district of the county of last residence, when the offender is requesting out-of-state Parole placement;
2. If the offender is not a resident of Indiana, an in-state placement must be completed when out-of-state parole is requested;
3. Offenders may not leave the state unless accepted by the receiving state and the Parole plans have been approved by the receiving state;
4. Requests to transfer probation supervision must be processed by the Probation Department and Community Corrections of the sentencing court; and,

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5. The Division of Registration and Victim Services and the Deputy Compact Administrator shall work in cooperation to notify any registered victim and/or witnesses of their right to be heard and offer comments. The Division of Registration and Victim Services and the Deputy Compact Administrator shall comply with the Rules established by the Interstate Commission for Adult Offender Supervision found online here:

<http://www.interstatecompact.org>