

## SOUTHEAST REGIONAL COMMUNITY CORRECTIONS

### Home Detention Rules and Regulations

Name: \_\_\_\_\_ Cause Number: \_\_\_\_\_

- 1.) You are to obey all federal, state, and local laws. If you are charged with or arrested for a new offense, you may be terminated from the program, your home detention time may be converted to jail time, subject to loss of good time credit and a Probation Violation may be filed. You are to report any and all contact with law enforcement to Community Corrections immediately. If you are arrested and released from jail for any reason, you are to report to Community Corrections immediately upon release.
- 2.) You will not consume any alcohol, illegal drugs or the synthetic form of any illegal drug, or controlled substance, without a valid prescription and submit to testing as required by Community Corrections, Probation or a Law Enforcement Officer. You shall take all medications as directed by the prescribing physician. You shall provide a copy of any prescription to SERCC within 24 hours. You shall notify the prescribing physician that you are on home detention and a letter from your physician may be required to verify the physician is aware of your home detention.
- 3.) You will not be found in the immediate vicinity of any person using illegal drugs. You shall not possess or have in your residence or vehicle any items associated with the use, administration or ingestion of illegal drugs.
- 4.) If you are found to have in your personal possession a firearm, destructive devise or other dangerous weapons, you are subject to immediate termination from the program. There are to be NO firearms or other dangerous weapons in your residence, in your vehicle, or on your property at any time.
- 5.) You shall not possess or use a police scanner or any device capable of intercepting police communications. Shall not possess or use any video surveillance equipment, audio surveillance equipment, or a combination of audio/video surveillance equipment. Any and all equipment found by Community Corrections staff will be confiscated.
- 6.) You are to remain on your property (no further than your porch) and within the range of your electronic monitoring equipment at all times, unless at a location previously approved by Community Corrections or the Court, as stated in IC 35-38-2.5-6, except when:
  - Working at employment approved by the court or traveling to or from approved employment.
  - Unemployed and seeking employment approved by your case manager (maximum of 3x per week Monday-Friday; 4 hours per day)
  - Undergoing medical care, mental health treatment, counseling, AA, NA or other treatment programs approved by the court.
  - Attending an educational institution or a program approved by SERCC.
  - Attending a regularly scheduled religious service at a place of worship.
  - Participating in a community work release or community service program approved by SERCC.
- 7.) You may be charged with the crime of Escape (IC 35-44-3-5) if (1) you leave your residence without the prior knowledge and permission of Community Corrections, if (2) you are found to be in any location not previously approved by Community Corrections, or if (3) you remove your ankle bracelet without authorization. If one of these events occur and the electronic monitoring equipment is not returned to Community Corrections, you may be charged with felony Theft.

- 8.) You are to abide by a schedule approved by Community Corrections, specifically setting forth the times you may be absent from your home and where you will be during these absences. You will report to the Community Corrections office as requested by your case manager to submit your schedule for the next week and may be required to submit verifications of your activities for the past week. If you are released from work or an activity early you will return immediately to your residence. You will keep all appointments as required by your case manager.
- 9.) You will not leave the state of Indiana without approval of SERCC.
- 10.) Any deviations from your schedule require explicit permission from Community Corrections staff, which will **not** be granted unless special circumstances exist. Extension of work hours will be allowed, within reason, if your supervisor calls Community Corrections to report the change.
- 11.) You must request permission in writing to change residence and cannot change your residence unless approved by SERCC.
- 12.) You must have a working telephone and telephone line in your home during the entire term of your House Arrest unless placed on GPS Monitoring. Interruption of phone service will constitute a violation and may result in incarceration.
- 13.) GPS Clients will be required to charge their GPS bracelet at a minimum of twice a day, 30 minutes in the morning and 30 minutes in the evening. If your GPS battery dies because of failure to charge the battery a violation may be filed.
- 14.) You are to follow all instructions regarding the electronic monitoring equipment. The RF monitor must remain attached to your phone line at all times and the ankle bracelet (RF or GPS) is not to be removed except by Community Corrections. You are responsible for any damage to the equipment and **may be charged with felony Theft if the equipment is not returned to Community Corrections within one business day after your completion of the program.**
- 15.) You will be in violation of the court order for Home Detention if your bracelet is tampered with or removed before your sentence is complete. You also understand that stretching the strap may lead to a violation. You understand that you are responsible for any damages to the electronic monitoring or GPS equipment. You will not, nor will you allow anyone else to tamper with or attempt to fix the equipment. If there is any problem with the equipment you will report it immediately to the SERCC office.
- 16.) You will be allowed travel time to go directly to and from approved activities with the exceptions of job searching. NO STOPS OR DETOURS UNLESS APPROVED BY YOUR CASE MANAGER.
- 17.) You are to provide verification for employment/school as requested by your case manager. Further, your case manager may require proof of hours worked and pay rate.
- 18.) You must submit the **Employer Notification of House Arrest** letter to your employer and have the employment verification returned to Community Corrections within 10 working days.
- 19.) You are not to leave your general work/school area during any meal times or other breaks.
- 20.) You are to pay an initial fee of \$200, which will be applied to your last month of home detention fees. You are to keep current or paid ahead on your House Arrest fees – PAST DUE FEES ARE A VIOLATION.
- GPS and RF \$10.00 per day- Indigent Rate
  - GPS and RF \$15.00 per day- Non Indigent Rate
- YOU WILL BE RESPONSIBLE FOR LOSS OR DAMAGED EQUIPMENT**

- RF- \$1910.00 Total; Transmitter \$575.00; Monitoring Box \$1320.00 and AC Adapter Cord \$15.00
- GPS- \$2174.00 Total; Tracking Unit \$1740.00 Strap \$60.00; Wall Charger \$124.00 and Beacon \$250.00

- 21.) You must be current in paying all other Court ordered obligations, including court costs, fines, restitution and any child support. You are also required to pay probation fees while on house arrest, if ordered by the Court.
- 22.) You are required to submit to any tests to detect the presence of alcohol or drugs at the request of Community Corrections, the Probation Department or the Court. Failure to provide a urine specimen within 2 hours of such request may be considered a refusal and treated as a positive result.
- 23.) Any visitors at your residence are to be of good character and reputation and may not be persons on probation, parole or facing criminal proceedings. Field Officers may inquire as to the identity of any visitors in your home and require they provide identification.
- 24.) You will allow members of the Community Corrections staff to enter your residence at *any time*, without prior notice, without Warrant or Court Order and make reasonable inquiry into your activities and others in the home. Furthermore, you will submit to searches of your person and property, including any computer or electronic device used to send, receive, transmit or store any type of electronic data or images, by any Police, Police K9 Dog, Probation Officer or Field Officer at any time, including any residence you occupy, to ensure compliance with SERCC rules.
- 25.) You will waive your right to extradition to the State of Indiana from any other State.
- 26.) You will not operate a motor vehicle if your driving privileges are expired, denied, suspended or revoked in any state. You must provide a copy of your driver's license to SERCC.
- 27.) All clients will be required to be assessed by a SERCC case manger through the Indiana Risk Assessment System (IRAS) and comply with any recommendations of a case plan created by the case manager, as a result of the IRAS. This may include but is not limited to alcohol/drug education, alcohol/drug counseling, self-help meetings, mental health counseling, evidence based programming, GED/diploma education, anger management, etc. You are required to submit proof of such recommendations to your case manger as requested.
- 28.) Participants may also do the following **as approved by SERCC**:
- Grocery shopping (1x per week) if there is no other adult in the house that is able to do so. (1 hours a week, plus travel time)
  - Laundry (1x per week) if no laundry facility in residence and if there are no other adults in the house. (3 hours maximum plus travel time).
  - Yard work: 3 hours per week maximum depending on season and size of yard, if there is no other adult in the house.
  - Haircut (1 hour, once a month)
  - Take Children to and from school/daycare if no other adult is capable.
- \*\*\*These activities must be pre-approved and scheduled with your case manager. These activities are privileges and may be revoked at any time.\*\*\***
- 29.) You are to maintain a respectful attitude and are not to use abusive or threatening language with Community Corrections staff.

30.) All animals belonging to you or any member of your household must be securely chained or otherwise restrained.

31.) You will comply with any other special conditions as outlined in the courts Sentencing Order and all Administrative and ministerial rules of SERCC.

***If you commit a violation of Home Detention rules or any condition of your probation, your Case Manager will recommend a Request for Home Detention Violation and ask that a hearing be set or a warrant be issued by the Court. Should you be found by the Court to have violated the rules of Home Detention and/or the terms of your probation, the Court may order an immediate execution of your suspended sentence/home detention incarceration or modify the conditions of your probation.***

I have been advised verbally, have read and completely understand and agree to adhere to all the above listed conditions and terms of the Home Detention program. I also understand that failure to comply with these conditions and terms could result in my suspension or termination from the program and further Court action.

I acknowledge receipt of the electronic monitoring equipment.

\_\_\_\_\_  
Name: Print

\_\_\_\_\_  
Client Signature

\_\_\_\_\_  
Date:

\_\_\_\_\_  
Witness Name: Print

\_\_\_\_\_  
Witnessed by

\_\_\_\_\_  
Date:

In addition to your home detention rules all Southeast Regional Community Corrections Home Detention clients must follow the below regulations.

**Home Detention Scheduling Guidelines (including Pre-Trial)**

**Indiana Criminal Law Code Regarding Home Detention**

35-38-2.5-6 Orders for Home Detention:

Sec. 6 An order for Home Detention of an offender under Section 5 of this chapter must include the following:

***(1) A requirement that the offender be confined to the offender's home at all times except when the offender is:***

- A. Working at employment *approved by the Court* or traveling to or from approved employment.
- B. Unemployed and seeking employment approved for the offender by the Court. \*\*defendant is allowed to do this up to 3 times per week Monday through Friday for a max of 4 hours per day unless otherwise approved.\*\*
- C. Undergoing medical, psychiatric, mental health treatment, counseling, or other treatment programs approved for the offender by the court.
- D. Attending an educational institution or a program approved for the offender by the court.
- E. Attending a regularly scheduled religious service at a place of worship.
- F. Participating in a community work release or community service program approved for the offender by the court.

**2.) Participants may also:**

- A. Grocery shopping (1x per week) if there is no other adult in the house that is able to do it (1 hour plus travel time)
- B. Laundry (1x per week) if no laundry facilities in residence (3 hours maximum plus travel time) if there is no other adult in the house
- C. Yard work: 3 hours per week max depending on season and size of yard if there is no other adult in the house
- D. Haircut (1 hour, once a month)
- E. Take children to and from school/daycare if no other adults are able

**\*\*\*\*These activities must be pre-approved by your case manager and scheduled\*\*\*\***

**\*\*\*\*These activities are privileges and may be revoked if abused\*\*\*\***

### **Employment Guidelines (all components)**

- A.) All offenders are required to be employed unless retired, full time student, or can provide proof of disability
- B.) Self-employment will only be allowed under certain circumstances and only when verification of employment can be provided (invoice, check, etc.) Offenders must provide proof that they are being paid (hours worked and rate of pay).
- C.) Employment with no specific location will not be allowed (ie: Junking)
- D.) Employment by family members may not be allowed.
- E.) Door-to-door sales or delivery jobs may not be allowed.
- F.) Offenders working jobs that require them to change job sites must call in exact job-site locations (if they fail to do so, they may not be allowed to keep that job.)
- G.) Clients not be allowed to work more than 10 hours per day 6 days per week unless overtime is required
- H.) Working at another individual's residence (house cleaning, etc) may be allowed, but only if verified and exact address is provided.
- I.) Job search should be limited to 8am to 12 pm or 1pm to 5 pm, weekdays, no more than 3 times per week, Monday through Friday (no weekends or holidays)

\*\*\*SERCC has the discretion to deny certain types of employment. \*\*\*

### **Employment Terms**

While you are participating in any community correction component, your employer must agree to the following terms:

- 1.) Agree and sign the Employee Notification of Community Correction Program.
- 2.) Allow community corrections to visit you on your job site at any time
- 3.) Call the answering service to inform community corrections of a change in job time or shift.
- 4.) Call the answering service to inform community corrections of a change in job site locations.

### **Verifications**

While you are participating in any home detention component, *you must obtain verification every place you go*. The following verifications must be brought in weekly:

- 1.) A paycheck stub of your employment. If you are self-employed, bring in invoices of completed jobs. If you are paid in cash, you must have a receipt by your employer.
- 2.) Any business contacts made throughout the week (all job searching locations; treatment contacts; AA/NA meetings; any doctor's appointments, etc). The person verifying you, must sign the business contact form.
- 3.) Receipts from the grocery store, bank and courthouse, etc.
- 4.) If attending church, you need to bring in the bulletin along with a signature and arrival and departure time.

**Misc.**

**Funerals:** Funerals will be approved for immediate family members of you or your spouse. Immediate family members will include: mother, father, child, brother, sister, grandmother, grandfather. You will be requested to provide verification of date, time and location of funeral and other arrangements.

**Holidays/Birthdays:** You will not be permitted to leave your residence to go to a family gathering. You will be permitted to have family come to your residence for a gathering. Community Corrections is to be notified in advance of any gathering at your residence. Shopping for gifts is not permitted.

**Southeast Regional Community Corrections  
Consent to Place Monitoring Equipment In Home**

I, \_\_\_\_\_, do hereby consent to the installation of an RF Electronic Monitoring Unit or GPS Beacon in my home. The purpose of Home Detention and the responsibility of the offender have been explained to me in detail. I further attest that I am the sole renter/owner of the premises in which the Monitoring Unit or GPS Beacon will be installed.

\_\_\_\_\_  
Client

\_\_\_\_\_  
Date

**Consent to Financial Responsibility**

I, \_\_\_\_\_, understand that I am financially responsible for any damage(s) to the RF Monitoring Equipment or GPS Beacon Equipment that might occur through negligence of myself, my child, or other persons while ordered to the Home Detention Program with Southeast Regional Community Corrections.

\_\_\_\_\_  
Client Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Witness Signature

\_\_\_\_\_  
Date

Other persons living in the residence:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_