



## **ELKHART COUNTY COMMUNITY CORRECTIONS**

# **ELECTRONIC MONITORING/DAY REPORTING HANDBOOK**

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*“THE FIRST STEP TOWARDS GETTING SOMEWHERE IS TO DECIDE THAT YOU ARE NOT GOING TO STAY WHERE YOU ARE”*

Dear Offender:

As a result of a court order, you have been placed in our Electronic Monitoring or Day Reporting Level of Supervision. We both share the same goal . . . for you to satisfactorily complete your sentence and return to the community as a responsible and productive citizen. Our Agency operates on the premise that every offender has the potential to achieve that goal. It will not be easy—your time on electronic monitoring or day reporting will be filled with challenges, but we believe that you can accomplish this or the court would not have placed you in this level of supervision.

During your placement, you can expect staff to assist in this effort by prioritizing your participation in services that address treatment and education needs identified during the development of your case plan. These services will support you and increase the likelihood of you successfully completing your sentence. This level of supervision has many rules and guidelines, all of which are designed to guarantee accountability and encourage a change in unacceptable behavior. Our expectation is that you attend all of the required treatment and education programs, that you abide by the rules and guidelines, and that you demonstrate the desire and put forth the effort required to change your behavior.

The following material, along with the behavioral contract, outlines the rules, guidelines and behavior that are expected of you. Our staff will explain the following information to you during the admission process, and you are encouraged to ask questions. It is recommended that you keep this material and review it carefully.

If there are any questions, do not hesitate to contact a member of our agency.

Respectfully,

Helen Calvin  
Executive Director

Deanna Larios  
Assistant Director of Programming and Case Management

Karen Chandler  
Assistant Director of Operations

Jared Wakeland  
Assistant Director of Policy and Procedures

# ELKHART COUNTY COMMUNITY CORRECTIONS

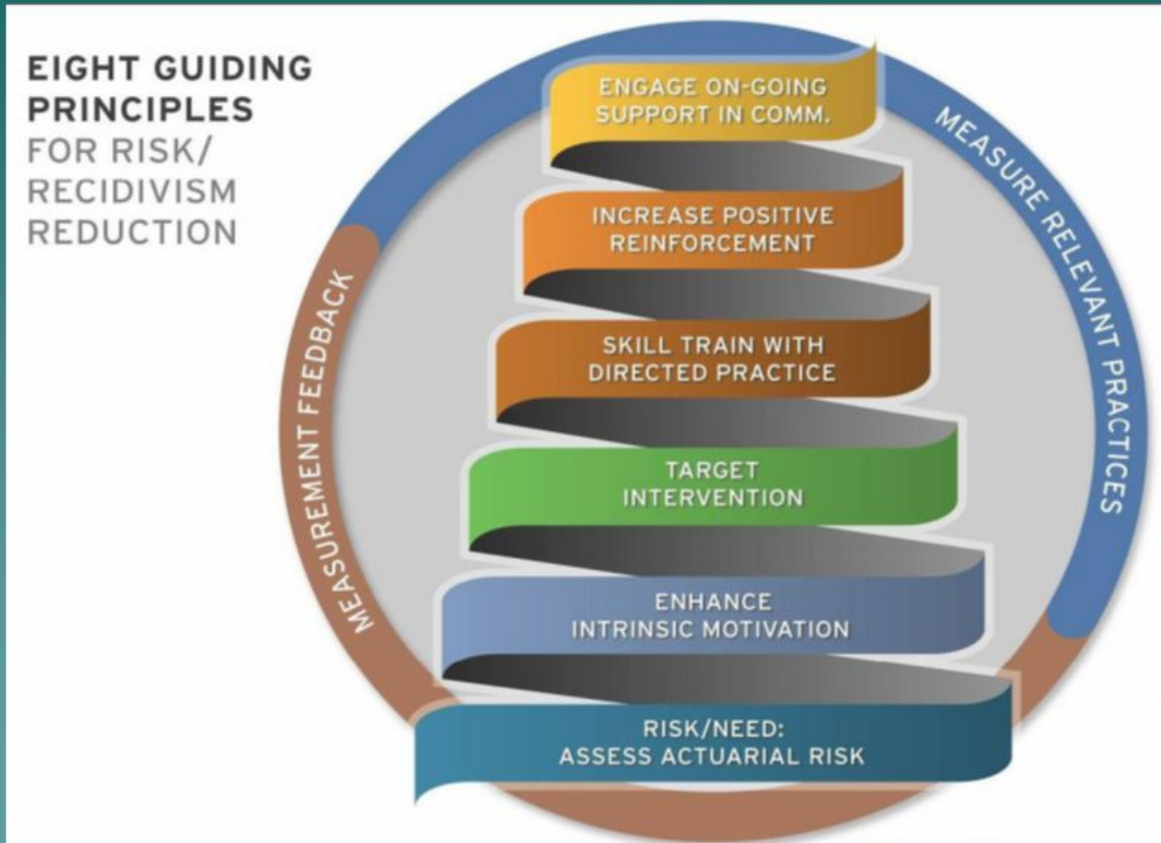
## **Mission Statement**

*To use evidence based practices and programs that partner with our community and clients to effect positive life change.*

## **Vision Statement**

*We will become an evidence-based organization that collaborates with our community partners to intentionally direct our clients toward a crime-desistance life.*

# Guiding Principles Of EBP



# IN-HOUSE PROGRAMMING

## MORAL RECONATION THERAPY (MRT):

- Moral reasoning is how people make decisions about what they should or should not do in a given situation. Moral Reconciliation Therapy—MRT® fosters moral development in treatment-resistant individuals. The book is used with all types of offenders including those in jails, prisons, community corrections, TCs, halfway houses, diversion, parole and probation, and drug/mental health/DUI courts. Numerous substance abuse programs, both residential and outpatient, utilize the workbook. MRT is a SAMHSA NREPP program used for substance abuse and general treatment of criminal populations.

## MRT – DOMESTIC VIOLENCE (MRT-DV):

- The MRT – DV model is a cognitive –behavioral program designed to change how batterers think (belief systems), therefore leading to changing the batterers’ behaviors from any types of abuse whether it is physical, emotional, or financial to behaviors which include equality and acceptance. The objective of MRT-DV is to define domestic violence, assist the batterer in taking responsibility, teach coping skills, and teach the socio-cultural basis for DV. The target population are domestic violence offenders.

## MRT – ANGER MANAGEMENT – COPING WITH ANGER:

- The anger management program, Coping with Anger, is designed to help offenders recognize, overcome, and control anger. The objective of Coping with Anger is to decrease anger and aggression and obtain and utilize coping skills. The target population are individuals that have difficulty with managing their anger including those who are substance users, have PTSD, or have mental health problems.

## THE COURAGE TO CHANGE:

- This is an evidence-based practice of Interactive Journaling, a structured and experiential writing process that motivates and guides offenders towards positive life change. The Courage to Change is a method designed specifically to engage each person actively in the thought and behavior processes of change, rather than being a passive recipient. The target population is criminal justice offenders working to change criminal and substance use behaviors.

## SEEKING SAFETY:

- Seeking Safety is helping offenders attain safety in their relationships, thinking, behavior, and emotions. It addresses both trauma and substance abuse. The objective for Seeking Safety is to reduce trauma/substance abuse symptoms, increase safe coping in offenders’ relationships, and increase safety in their thinking, emotions, and behaviors. The target population is adults who have a history of trauma and/or substance abuse.

## CELEBRATE RECOVERY:

- Celebrate Recovery is a 12-step recovery program for anyone struggling with hurt, pain or addiction of any kind.
- Celebrate Recovery is a safe place to find community and freedom from the issues that are controlling an individual’s life.

## AA/NA:

- AA/NA is an international fellowship of men and women who have had a drinking problem or addiction. It is nonprofessional, self-supporting, multiracial, apolitical, and available almost everywhere. There are no age or education requirements. Membership is open to anyone who wants to do something about his or her drinking problem or addiction.

**HSE/GED:**

- Elkhart Community Schools is dedicated to seeing all residents in our community succeed. To that effort it offers free High School Equivalency (HSE) preparedness classes (formally GED classes) at multiple locations throughout Elkhart County. Offenders are able to participate in classes at work release, locations throughout Elkhart county or for those with computer and Internet access it also offers free distance learning classes. \*HSE replaces the GED and is recognized by the State of Indiana.

## **FINANCIAL RESPONSIBILITIES**

Offenders are responsible for all fees that they accumulate while on the program. Below is a list of fees that are required to maintain eligibility at Elkhart County Community Corrections. Supervision fees begin accruing the first day you are placed in the program. If you are unemployed, the fees go on your account and are paid off after you start working at a flat rate of \$25 per week until the balance is zero. The following fees are effective as of September 2021:

- Initial One-time Fee - \$100
- Courtesy Transfer One-Time Fee - \$75
- Electronic Monitoring - \$13 per day;
- Work Release - \$15 per day;
- Work Release w/GPS - \$18 per day;
- BART – Alcohol Monitoring - \$15 per day;
- Day Reporting \$6 per day;
- Community Transition Program - \$10 per day; and,
- ID Reprint - \$5;
- Personal Hygiene/wash - \$3;
- Drug Testing fees (all programs):
  - Synthetic - \$45;
  - Monthly - \$30; and,
  - Per additional - \$30.

The fees for Elkhart County Community Corrections programs are approved by the Elkhart County Community Corrections Advisory Board.

Offenders may pay their fees at the Goshen facility, the Elkhart Satellite office, or online at:

<https://pay.paygov.us/EndUser/PaymentAgency.aspx?ttid=20731>. Collection times are as follows:

- Mondays, 9am-12pm and 1pm-5pm; and,
- Fridays, 9am-12pm and 1pm-4pm.

Office staff will create a budget for each offender. An offender will be issued a receipt detailing how much they paid and how much they still owe, if applicable. Drug test fees are to be paid by the end of the month.

1. Fees must be paid weekly during collection hours or online;
2. Fees must be paid by cashier's check, money order, debit card, or cash (must be exact amount);
3. If the offender has a fee arrearage, they may be required to sign a pay agreement;
4. Those who are not current paying their fees or are not compliant with their pay agreement may receive a noncompliance report;
5. ECCC is unable to declare an offender indigent. This can only be done by the sentencing court; and
6. If an offender receives Social Security disability benefits, the fees charged to the offender will be capped at the lesser of twenty percent (20%) of their income or the amount they would otherwise be expected to pay were they not receiving Social Security disability benefits.

### **CASE MANAGEMENT MEETING PROCEDURES**

1. Each offender is required to attend scheduled case management meetings. Offenders will be advised by the assigned Case Manager of the day and time of the meetings.
2. A case plan will be created during the initial meeting and will subsequently be reviewed every meeting in order to determine progress.
3. Offender's must submit documentation and verification to their Case Manager's mailbox upon entering the facility including but not limited to pay stubs, receipts, prescriptions, doctor notes, and treatment forms. Forms may also be submitted electronically via email. The case manager will discuss documents and verifications during the case management meeting.
4. Offenders are expected to be ready and prepared for their meetings.

### **ELECTRONIC MONITORING FORMS**

Elkhart County Community Corrections prescribes forms to facilitate offender requests. The offender must use the forms prescribed by Elkhart County Community Corrections correctly and submit them to the appropriate staff person.

#### **Offender Weekly Schedule Form:**

1. Offenders will submit a weekly schedule to their Case Manager by Wednesday at 8:00 am the week prior. This schedule will include all activities the offender needs time outside of the offender's home to complete. The Case Manager will review the schedule for compliance with Electronic Monitoring policy. Should a schedule be disapproved, the Case Manager will work with the offender until a compliant schedule is approved.
2. The offender's weekly schedule should be specific; actual work hours, time leaving from and returning to the place of residence.
3. Dental, medical, and other personal appointments must be included on the weekly schedule. The offender must indicate the name, address and telephone number of the service provider. The offender must be able to provide documentation of attendance to the Case Manager.
4. Elkhart County Community Corrections will assist offenders in obtaining special release time for emergency situations.
5. Every effort should be made between the Case Manager, the offender, and the offender's employer to have the offender's work schedule available on or before the day, it is due. If this is not possible, the offender should complete the schedule as fully as possible. The offender shall then contact their Case Manager with the complete work schedule as soon as it is available. If the Case Manager is not immediately available, the offender should leave a voicemail with the case manager. The Case Manager will return the call when they are available.
6. Elkhart County Community Corrections understands that there may be unexpected events during the week warranting a departure from the approved schedule. In such cases, the offender may request a schedule change from their Case Manager. Elkhart County Community Corrections has sole discretion to approve an offender's request for change of schedule. If the Case Manager is not immediately available, the offender should leave a message for the Case Manager to call them back. Leaving a message does not mean that the request has been approved. The Case Manager will return the call to the offender when available, and the request can be made at that time.

#### **Offender Request Form:**

1. Offenders may communicate to staff orally or in writing any requests that do not constitute grievances. Requests include questions about Elkhart County Community Corrections services, programs, or information. Staff shall encourage such communication in the interest of prompt resolution of offender requests.



2. Offenders may file a written request by submitting a requests form to the supervising case manager via the case manager's mailbox.
3. Any offender, regardless of classification or disciplinary status, may file a request. Offenders may file only in their name, though an offender may receive assistance if unable to communicate in writing.
4. Staff will provide a prompt response to offender requests.
5. Abuse of Requests
  - a. The Assistant Director of Operations and the Assistant Director of Programs are both independently entitled to designate an offender as a "request abuser" when either believes that the offender's continued, unrestricted use of the system would result in additional frivolous or annoying filings, and the offender has previously submitted:
    - Written requests on questions already addressed using the process; or
    - Written requests in error even after receiving instruction on proper methods.
  - b. Request abusers are limited to one written request per specific subject area. The ability to file emergency requests will not be abridged. The offender shall receive written notification of the "request abuser" designation and rules governing such designation.
6. Types of Requests
  - a. Offenders may communicate verbally to staff any informal requests. Staff shall encourage communication on issues in hopes of resolving issues or answering questions promptly. Staff shall document electronically any informal requests and resolution, while simple requests may be addressed without further documentation.
  - b. Formal requests must be submitted at least 72 hours prior to the event or knowledge of the event to be considered valid.
    - The staff receiving the request shall answer or resolve formal requests as quickly as possible, but no more than 48 hours after filing. The staff receiving the request may extend the deadline with good cause, notifying the offender of the extension and reasons for such in writing.
    - The staff receiving the request will return to the offender any requests that are past the event. The grievance is marked, "Submission deadline has passed. No action taken."
  - c. Emergency requests are reserved for life-threatening situations. Staff receiving the request will give such filings immediate attention.

**Grievance Form:**

1. An offender must attempt to resolve their grievance informally by speaking with a custody officer or case manager within 7 days after the grievant become aware of the incident giving rise to the grievance. If the grievant reasonably fears retaliation should he or she attempt to comply with Step 1, the grievant need not satisfy Step 1 and may proceed to Step 2.
2. If the grievance is not resolved after the offender has satisfied Step 1, a work release offender must complete and submit a grievance form to the Manager of Security and Operations or the Case Manager Coordinator via a drop box (there is a drop box in both the male and female dayrooms). Offenders in Electronic Monitoring or Day Reporting programs must submit a grievance form by personally delivering it to the Case Manager Coordinator. In either case, the grievance form must be submitted within 13 days after the grievant becomes aware of the incident. The Manager of Security and Operations or the Case Manager Coordinator has 15 days to respond to the grievance.
3. If the grievance is not resolved after the offender has satisfied Step 2, the offender must appeal the response by placing a new grievance form in the appropriate drop box, addressed to the Assistant Director of Operations or the Assistant Director of Programs, within 5 days of the response of the Manager of Security and Operations or the Case Manager Coordinator. The appropriate Assistant Director has 15 days to respond.
4. Emergency Grievances: An offender may file an emergency grievance to the Assistant Director of Operations or the Assistant Director of Programs if disposition according to regular time limits would subject the offender to a substantial risk of personal injury, or cause other serious or irreparable harm to the offender. The above grievance steps do not apply to emergency grievances. It is recommended that an offender communicate in-person with a staff member regarding an emergency grievance to ensure it is addressed promptly.
5. Abuse of Grievances

- a. The Assistant Director of Operations and the Assistant Director of Programs are both independently entitled to designate an offender as a “grievance abuser” when either believes that the offender’s continued, unrestricted use of the system would result in additional frivolous or annoying filings, and the offender has previously filed:
  - Numerous grievances lacking merit;
  - Grievances on issues already addressed using the process; or
  - Grievances in error even after receiving instruction on proper methods.
- b. Grievance abusers are limited to one, non-emergency grievance every 7 days for a period of 90 days. The ability to file emergency grievances will not be abridged. The offender shall receive written notification of the “grievance abuser” designation and rules governing such designation.
- c. Continued abuse of the system may lead the Assistant Director of Operation and the Assistant Director of Programs to designate the offender as a “chronic abuser.” Offenders with this designation are limited to one, non-emergency grievance every 30 days for 180 days. Again, the ability to file emergency grievances will not be abridged. The offender will receive written notification of the “chronic abuser” designation and the rules governing such designation.
- d. An offender designated as a grievance or chronic abuser may seek an appeal of the decision, and the appeal will not count against the established grievance limit. The offender may file a grievance form to an Assistant Director that did not make the chronic abuser designation.

**Discipline Hearing Appeal Form:**

Following a disciplinary hearing by the Hearing Committee, the offender may appeal the Hearing Committee’s decision in writing, stating the specific reasons for the appeal, within 15 days from the receipt of the decision. All appeals should be submitted using an Appeal form and directed to the Assistant Director of Operations.

**Employment Pass:**

This form is used to verify employment searches. This form must have the company name, location, phone number, position sought, arrival and departure times, printed name and signature of the person spoken to, and results of the interview or job application. This form must be submitted to your case manager weekly. Failure to complete the form entirely or to submit the form in a timely manner may result in the delay of future employment searches.

## **ELECTRONIC MONITORING RULES**

1. Offenders must remain in their residence and may not travel beyond the perimeter walls of their dwelling, unless granted permission to do so by Elkhart County Community Corrections (ECCC).
2. Offenders must observe ECCC's visitation dress code when reporting to the Goshen or Elkhart office.
3. Offenders may work only in Elkhart County or a county contiguous to Elkhart County, unless an Offender Request is approved granting an exception, or on a fixed income.
4. Offenders must secure full-time employment (a minimum of 35 hours per week) within thirty (30) days of intake. The sentencing court must approve any exceptions.
5. Inappropriate conduct will not be tolerated. Offenders are not to touch any agency staff or other Offender for any reason.
6. If an offender destroys Elkhart County or ECCC property, they will be held responsible for its replacement or repair. Criminal charges may be filed.
7. Offenders are not permitted in unauthorized areas of the ECCC facility.
8. Offenders must complete required treatment/educational services. The treatment plan from the outside provider will be reviewed with the designated Case Manager regularly, and offenders will be notified of changes. Monthly progress reports from treatment providers and monthly verification of attendance at support group meetings is required.
9. Offenders must carry photo identification on their person at all times and may be required to present this identification in order to gain entrance to the ECCC facility.
10. Offenders will inform their Field Officer of any animals at the offender's residence and secure them during field checks.
11. When home, an offender must answer door at all times.
12. Offenders must be available at all times via a telephone or cellular/mobile device.
13. Offenders should submit their requests for schedule changes at least 72 hours in advance of the change. Failure to timely request a schedule change may result in the denial of the request.
14. Offenders may contact their Case Manager by calling the Case Manager's office number. There is no need for repeated calls or messages. The offender's call will be returned as soon as possible. Leaving multiple messages can sometimes cause confusion and may extend the response time.
15. ECCC may establish zones in which the offender may or may not travel. If an offender violates an established zone they may be in violation of the electronic monitoring level of supervision.
16. Offenders on a BART alcohol monitoring device shall not use any personal hygiene or household products that contain alcohol. A list of alcohol-free products shall be available but should not be considered all inclusive.
17. Offenders must immediately report any contact between themselves and law enforcement personnel to the offender's Case Manager.
18. Offenders may not be away from their residence for more than sixteen (16) hours per day, including travel time. This includes employment, passes, appointments, etc.... Offenders must be in their residence at least eight (8) consecutive hours before being released again.

## **DRESS CODE FOR VISITING ECCC**

Individuals visiting the ECCC facility are expected to be properly dressed at all times. At no time shall a midsection of the torso be showing or the shoulders bare, and shorts cannot be shorter than six inches above the top of the kneecap. All clothing should be in good condition and not contain tears that expose parts of the body or undergarments.

1. Proper visitor attire is at the discretion of staff.
2. Visitors with inappropriate attire will immediately be asked to leave. Visiting offenders will be subject to disciplinary action.
3. Visitors are expected to wear undergarments at all times.
4. Visitors' clothing shall not display drug, alcohol, gang, pornographic, or racist overtones.
5. Visitors shall wear footwear at all times.

### **OFFENDER RESPONSIBILITIES CONCERNING CONTRABAND**

1. Offenders must immediately report the presence of contraband in their residence to staff.
2. If an offender discovers that they or another resident inadvertently brought contraband into their residence, they should contact staff immediately and have the property removed.
3. Offenders should remove any prohibited property from their home immediately after starting the program and being informed of what is considered contraband.

### **TIME SERVED RELEASE PROCESS**

Officially, the offender's time of release on the release date is 8:00 am. However, the week before the scheduled release, the offender and the Case Manager will discuss the release time for the offender and what will happen the day of release. A forwarding address and contact number is required upon release. All equipment including the transmitter and power cord must be returned to Elkhart County Community Corrections in good condition within the specified time frame. If the equipment is not returned within the allotted time, the offender may be criminally charged.

### **FUNERAL/HOSPITAL REQUESTS**

Requests to attend a funeral or visit a hospitalized person must be submitted immediately for verification and for paperwork to be completed.

1. Offender must submit an Offender Request form to their Case Manager for approval.
2. The agency shall only consider requests but not limited concerning an offender's immediate family members.  
(parent, spouse, child, sibling, grandparent, or legal guardian).
3. Hospital requests shall only be considered under the following circumstances: birth of biological child, life-threatening illness, or major surgery.
4. The eligibility criteria for temporary leave include, but are not limited to, the following: Alert Status, Geography (within surrounding/touching counties) and phase level.

### **TRANSPORTATION AND VEHICLES**

1. Before an offender may operate a motor vehicle while on the program, the offender must satisfy the following requirements:
  - a. Obtain permission from the offender's Case Manager.
  - b. Possess a valid Indiana driver's license. This must be shown to the offender's Case Manager to ensure the validity of the license before the offender operates a vehicle.
  - c. Possess a proper Vehicle Registration Certificate. This must also be shown to your Case Manager.
  - d. Maintain proof of compliance with Indiana law requiring valid insurance coverage on all motor vehicles.
  - e. If the offender is driving another individual's vehicle, a signed permission statement from the owner of the vehicle is required before the offender will be allowed to drive the vehicle.

### **ELECTRICAL OUTAGE**

If at any time, electrical power to an offender's residence is interrupted, the offender must immediately contact their case manager or, if after normal business hours, the ECCC facility. If the offender's power is not restored within 2 hours, the offender must report to the ECCC facility immediately or an approved location to charge their device. Once it is verified that an offender's power is back on, the offender will be released back to their residence.

### **CHURCH PASSES**

1. Offenders attending an outside religious service (maximum of three (3) hours, once per week) must observe the following requirements:
  - a. The offender must submit the name, address, and phone number of the church on the offender's Weekly Schedule. The location of the religious service must be located in Elkhart County or a contiguous county;
  - b. The offender must submit approved documentation (church bulletin, if available), signed by a service facilitator, as verification of attendance.

### **GROCERY PASSES**

1. Offenders on restrictions and/or on the Orientation phase are eligible for a grocery pass for one (1) hour once per week (not including travel time).
2. Offenders must submit an itemized receipt from the grocery store.
3. Offenders not on restriction must utilize their shopping/errand pass to purchase groceries.

### **EMPLOYMENT PASSES**

1. Eligible unemployed offenders qualify for two employment passes each week for the purpose of obtaining employment. The passes will be for a maximum of five hours and permit job-

seeking activities outside the offender's residence from 8:00 a.m. to 1:00 p.m., on days selected by the Case Manager. Offenders must schedule their employment pass at a time that does not interfere with their ability to participate in any programming within the ECCC facility.

2. Offenders must fill out an Employment Pass Form with the names, addresses, and phone numbers of each place to which the offender wishes to apply for work. The Case Manager will review and determine whether or not an Employment Pass will be granted. Offenders may schedule interviews with prospective employers at any time during the week. Should an offender obtain a scheduled interview, the offender will need to notify their Case Manager immediately to obtain permission to leave their residence. In order for the Case Manager to verify that the offender has an interview, the offender must provide the Case Manager with the employer's name, contact person, and phone number. The Case Manager will then give the offender permission to leave their residence.
3. Offenders must take their approved Employment Pass with them on their job search. This pass must be signed by each employer and must indicate the times the offender arrives and departs. No unauthorized stops may be made at any location not already approved on the employment pass. If the offender has visited all the locations approved on the pass, the offender must return to their residence immediately, even if the 5 hours are not up yet.
4. The offender will be required to turn in their completed employment pass to their Case Manager during their weekly meeting. Failure to turn in the offender's completed pass may result in disciplinary action.
5. If the offender accepts employment, the offender must contact their Case Manager for verification. The Case Manager will then set up a schedule for the offender to follow.

### **EMPLOYMENT**

1. Offenders are expected to obtain and maintain employment within thirty (30) days of entering the program unless they provide proof of disability or fixed income (social security, pension, etc.).
2. Failure to obtain employment will result in a review of the offender's efforts to secure employment. These findings of the review may result in disciplinary action, extending the time frame to obtain employment or reporting to the court.
3. The offender will have several resources to assist in obtaining employment through the Community Outreach Specialist and case management.
4. Offenders must obtain legal employment and cannot be paid in cash. Offenders cannot work for an employer for trade of services in lieu of pay (for example, for working off prior debt, rent, or vehicles).
5. Offenders are required to provide work schedules, time cards and paystubs to case management in order to verify their employment on a weekly or bi-weekly basis, depending on how they are paid.
6. Offenders must ensure that case management knows where they are during employment hours. Offenders with multiple worksites during a given workday must provide case management an itinerary of their whereabouts prior to starting that day of work.
7. Offenders may not terminate employment without discussing reasons with case management. A job change request form may be required.
8. Offenders may not be away from their residence for more than sixteen (16) hours per day, including travel time.

9. If the offender is terminated or laid off from their employment position, the offender is to immediately report to their residence and contact their case manager or, if after hours, the work release facility. The case manager will call to verify this information with the employer.
10. Program fees must be paid every week on either Friday or Monday. Hours are posted and available in the Offender Handbook.
11. In addition to full time employment, an offender may also hold a part-time job provided the offender can show need or is in danger of not being able to pay fees. To be eligible to work in additional part-time employment, the offender:
  - 1.a. must not have any job-related violations;
  - 1.b. must remain compliant with his/her case plan;
  - 1.c. must do all chores as assigned; and
  - 1.d. must remain up to date on all fee payments and compliant with all other rules and regulations.

### **DRUG AND ALCOHOL TESTING**

1. Each offender will immediately undergo a drug test when starting any ECCC level of supervision.
2. Each offender will be tested periodically for drug/alcohol abuse via drug tests and portable breath tests.
3. Refusal to provide a sample may result in disciplinary actions.
4. Tampering, switching, adulterating or in any manner attempting to provide deceptive specimens will be considered a refusal to submit a specimen.
5. An exception for a failed drug test may be for prescribed medication to that offender and documented by Elkhart County Community Corrections.

### **FIELD OFFICER VISITS**

1. All offenders on Electronic Monitoring will be subject to random field visits. Field Officers will appear at the offender's preferred/designated door with a visible county ID and be dressed professionally.
2. The offender must make sure they are dressed appropriately and immediately secure their pets. The offender must then permit the Field Officer entry to their residence and property, and guide the Field Officer through the offender's residence and property. The offender may not delegate the task of guiding the Field Officer through the offender's residence and property to any other person. The Field Officer will be looking for compliance with ECCC policies as well as anything unauthorized. They will also conduct an alco-sensor test and/or oral mouth swab during their field visit.
3. The offender must ensure that the residence is hazard-free, and that monitoring equipment is accessible for the Field Officer to inspect. Any violations will be noted by the Field Officer.
4. The offender must maintain their residence. Among other things, this means the offender may not engage in hoarding behavior, nor may the offender permit animal excrement within the residence.

### **CHILDREN**

Offenders with children must ensure they have adequate child care available at all times of the day or night. At times, offenders will receive a phone call to report to the ECCC Facility for such things as drug testing, equipment, maintenance, or to speak with staff. Inadequate child care is not an acceptable reason not to report to the ECCC Facility when requested. Offenders should not bring their children to check in for weekly meetings or to pay. If the offender is required to stay in the building for any reason, ECCC will not be able to care for their children in our facility.

#### **DOCTOR APPOINTMENTS**

1. All non-emergency medical appointments must be requested in writing and approved in advance by a Case Manager.
2. Offenders with medical appointments must bring an appointment slip to be completed by the medical provider. This slip must indicate the time you arrived as well as the time you left the appointment. The appointment slip and all medical paperwork must be turned into your Case Manager.
3. In the event of a medical emergency, a Case Manager must be notified as soon as possible. If it is after hours or a Case Manager is not available, please call the ECCC Facility and speak with a Custody Officer.

#### **RESIDENCE AND PHONE**

Electronic Monitoring offenders must maintain a residence located within Elkhart County or a contiguous county. The offender's Case Manager will verify the offender's residence and phone number every case manager meeting. Offenders must obtain permission from their Case Manager in order to move to a new residence. Permission must be obtained one week prior to the offender's planned move. Offenders must also maintain a landline or cellular phone with a functioning phone number, where ECCC staff can contact the offender.



## **DAY REPORTING GUIDELINES**

The Day Reporting Program is designed for offenders who meet the criteria for less restrictive supervision. This program is based on an intensive probation supervision level.

### **ELIGIBILITY**

Eligibility for Day Reporting may be established by a court sentencing order or modification, or by a phase advancement if eligible.

### **CHECK IN**

Day Reporting offenders must check into the Goshen ECCC Facility or the Elkhart office every day, including holidays. Check-in times vary between Elkhart and Goshen. Offenders may check in at the Elkhart office from 8am to 5pm on Monday and 8am to 4pm on Tuesday through Friday. At the work release facility in Goshen, offenders may check in between 6am to 8pm Sunday through Saturday, but must be physically inside their residence by 8pm. Offenders will be administered an alcohol breath test every time they enter the building, and one of the Custody Officers will verify and log the time that the offender came into the building. Unless there is a note for the offender to see their Case Manager, or it is time for their weekly one-on-one meeting, the offender will then be permitted to leave the building. Offenders are still serving their sentences with Elkhart County Community Corrections, and are responsible for proper dress code and conduct while in the ECCC Facility.

### **DRUG TESTING**

Offenders must submit to a minimum of one (1) monthly drug test. This is conducted on a random basis. Please enter the building ready to submit a sample if requested.

### **CURFEW**

Day Reporting offenders are permitted outside of their residences from 6am to 8pm every day. Day Reporting offenders are permitted outside of their residences after 8pm only if they are working nights with ECCC approval, or if an emergency arises.

### **EDUCATION AND TREATMENT**

Offenders may be required to attend and/or maintain all recommended education and treatment programs while on Day Reporting. Offenders must submit proof of attendance weekly to their case manager. Failure to attend as required, or to provide proof of attendance, or may result in other modifications to the offender's sentence or terms of ECCC placement.

### **TIMESHEETS**

Offenders must turn in weekly timesheets or check stubs to their Case Manager weekly. This is to verify continued employment. Failure to maintain employment may result in other modifications to the offender's sentence or terms of ECCC placement.

### **RESIDENCE AND PHONE**

Day Reporting offenders must maintain a residence located within Elkhart County or a contiguous county. The offender's Case Manager will verify the offender's residence and phone number every case manager meeting. Offenders must obtain permission from their Case Manager in order to move to a new residence. Permission must be obtained one week prior to the offender's planned move. Offenders must also maintain a landline or cellular phone with a functioning phone number, where ECCC staff can contact the offender.

## **INCENTIVES AND SANCTIONS**

**Purpose: To establish a disciplinary code, sanctions and a schedule of incentives for positive behavior for the electronic monitoring and day reporting offenders.**

The objective is to develop reasonable rules and regulations that are designed to encourage offenders to respect the rights of others. In addition, it is also designed to encourage the self-discipline and self-control that will enable offenders to remain in society and live within accepted standards.

Offenders shall not be approved for incentive outings on county-observed holidays. Special exceptions shall be approved by the Assistant Director. These requests shall be accompanied by verification and description of the special event and will be reviewed on a case-by-case basis.

Offenders are not subject to corporal or unusual punishment, humiliation, mental abuse, or punitive interference with the daily functions of living such as eating or sleeping.

### **Temporary suspension of release privileges:**

1. Offenders may have their release privileges suspended during the investigation of any alleged contract rule violation or any alleged violation of a court order if a supervisor deems that the offender's actions may be a threat to the safety of others or the offender is deemed a threat to abscond;
2. Offenders may have their release privileges suspended as the result of a disciplinary hearing. The suspension may be part of a sanction received, or it may be as a result of the Hearing Board referring the alleged violation to the sentencing court.
3. Offenders requesting medical attention will have the temporary suspension of release privileges lifted in order to allow the offender to seek medical care.

## **ELECTRONIC MONITORING INCENTIVES WITH PHASES**

### **Orientation Phase:**

1. One (1) hour yard time per day;
2. Employment passes (two (2) passes a week for leave from 8:00am to 1:00pm, travel time included)

### **Treatment Phase:**

1. One (1) hour yard time per day;
2. Two (2) extra visitors in the residence;

3. Shopping/Haircut/Personal Errands Pass (three (3) hours once a week, travel time not included);
4. Library pass (one (1) hour once a week, travel time not included);
5. Family and Community pass (four (4) hours once a week, travel time not included);
6. Fitness Center pass (maximum two (2) hours twice a week, travel time not included);
7. Dinner Pass (two (2) hours once a week, travel time not included).

**Maintenance Phase:**

1. One (1) hour yard time per day;
2. Two (2) extra visitors in the residence;
3. Shopping/Haircut/Personal Errands Pass (four (4) hours once a week, travel time not included);
4. Library pass (two (2) hours once a week, travel time not included);
5. Family and Community pass (five (5) hours once a week, travel time not included);
6. Fitness Center pass (maximum three (3) times a week for two (2) hours, travel time not included);
7. Dinner Pass (four (4) hours once a week, travel time not included).

*\*\*Offenders shall advance one phase at a time beginning in the Orientation Phase. The time frame listed on the Phase Checklist and Application is approximate and unique to each offender.*

*Offenders in the Maintenance Phase who demonstrate behavior inconsistent with supervision rules may be reverted to the Treatment Phase for the duration of appropriate treatment.*

## **ELECTRONIC MONITORING INCENTIVE GUIDELINES**

**Orientation Phase:**

The purpose of the *Orientation Phase* is to familiarize the offender with the electronic monitoring guidelines and expectations. Electronic Monitoring Offenders who are in the Orientation Phase are eligible for:

1. Yard time:
  - 1.a. The time may not exceed one hour per day,
  - 1.b. The time is scheduled as release time on the offender's weekly schedule; and,
  - 1.c. The Case Manager approves the time during regular scheduling procedures.
2. Employment passes (two (2) passes a week for leave from 8:00am to 1:00pm);

**Treatment Phase:**

The purpose of the *Treatment Phase* is for the offender to become actively engaged in their case plan and develop the tools necessary to enhance personal growth and exhibit pro-social attitudes and beliefs.

1. Yard time:
  - 1.a. The time may not exceed one hour per day,
  - 1.b. The time is scheduled as release time on the offender's weekly schedule; and,
  - 1.c. The Case Manager approves the time during regular scheduling procedures
2. The following requirements shall be met to have two additional visitors in the residence:
  - a. A visitor must not be on probation or parole; and,
  - b. Alcohol or drugs must not be present.
3. The following requirements shall be met for Shopping/Haircut/Personal Errands pass (three (3) hours once a week, travel time not included):
  - a. Request shall be submitted on the offender's Weekly Schedule;
  - b. Shall be in residing county, or can be in contiguous county if approved by the Case Manager;
  - c. Documentation from approved trip must be submitted.
4. The following requirements shall be met for library pass (one (1) hour once a week, travel time not included):
  - a. Request shall be submitted on the offender's Weekly Schedule;
  - b. The library shall be in residing county, or can be in a contiguous county, if approved by the Case Manager;
  - c. Documentation from approved trip must be submitted;
5. The following requirements shall be met to participate in a family and community activity with approved individuals (for four (4) hours once a week, travel time not included):

- a. Offenders must provide a list of who may attend the family or community activity along with the name of the location of the activity at least 72 hours prior to the requested date (not including weekends and holidays);
  - b. The activity must be in Elkhart County unless verification of a special event in a contiguous county is provided and approved by a Case Manager;
  - c. If available, documentation must be submitted.
6. The following requirement shall be met for a fitness center pass (maximum two times (2) a week for two (2) hours, travel time not included):
- a. Request shall be submitted on the offender's Weekly Schedule;
  - b. The Fitness Center shall be in residing county, or in a contiguous county if approved by the Case Manager;
  - c. Documentation must be submitted verifying offender's attendance at the fitness center;
7. The following requirements shall be met for a dinner pass (two (2) hours once a week, travel time not included):
- a. Request shall be submitted on the offender's Weekly Schedule;
  - b. The offender must dine in the county in which they reside;
  - c. Offender shall provide the Case Manager with an itemized dinner receipt.

**Maintenance Phase:**

The purpose of the *Maintenance Phase* for offenders is to utilize the skills learned and model pro-social behavior.

- 1. Yard time:
  - 2.a. The time may not exceed one hour per day,
  - 2.b. The time is scheduled as release time on the offender's weekly schedule; and,
  - 2.c. The Case Manager approves the time during regular scheduling procedures.
- 2. The following requirements shall be met to have two additional visitors in the residence:
  - a. A visitor must not be on probation or parole; and,
  - b. Alcohol or drugs must not be present.
- 3. The following requirements shall be met for Shopping/Haircut/Personal Errands pass (four (4) hours once a week, travel time not included):
  - a. Request shall be submitted on the offender's Weekly Schedule;
  - b. Shall be in residing county, or can be in contiguous county if approved by the Case Manager;
  - c. Documentation from approved trip must be submitted.

4. The following requirements shall be met for library pass (two (2) hours once a week, travel time not

included):

- a. Request shall be submitted on the offender's Weekly Schedule;
- b. The library shall be in residing county, or can be in a contiguous county, if approved by the Case Manager;
- c. Documentation from approved trip must be submitted;

5. The following requirements shall be met to participate in a family and community activity (five (5) hours once a week, travel time not included):

- a. Offenders must provide a list of who may attend the family or community activity along with the name of the location of the activity at least 72 hours prior to the requested date (not including weekends and holidays);
- b. The activity must be in Elkhart County unless verification of a special event in a contiguous county is provided and approved by a Case Manager;
- a. If available, documentation must be submitted.

6. The following requirements shall be met for a fitness center pass (maximum three times (3) a week for two (2) hours, travel time not included):

- a. Request shall be submitted on the offender's Weekly Schedule;
- b. The Fitness Center shall be in residing county, or in a contiguous county, if approved by the Case Manager;
- c. Documentation must be submitted verifying offender's attendance at the fitness center;

7. The following requirements shall be met for a dinner pass (four (4) hours once a week, travel time not

included):

- a. Request shall be submitted on the offender's Weekly Schedule;
- b. The offender must dine in the county in which they reside;
- c. Offender shall provide the Case Manager with an itemized dinner receipt.

**\*\*\*Travel time to get from your residence to employment or on a pass is one (1) hour maximum.  
Travel time to return to your residence from employment or pass is one (1) hour maximum.**

**\*\*\*May combine one pass with another pass.**

**Example:** Shopping/Haircut/Personal Errands Pass with Dinner pass.



## **Disciplinary Procedure**

The Elkhart County Community Corrections (ECCC) Discipline Policy establishes the rules of conduct for offenders committed to ECCC and the procedures to be followed by staff and offenders when imposing disciplinary actions.

The Discipline Policy encourages self-discipline and self-control and assists in preparing the offender for re-entry into the community by setting rules to be followed. This policy serves as a means for ECCC to manage offenders in a just and fair manner to ensure the safety and security of the staff and offenders.

### **Minor Rule Infractions:**

- Minor Rule Infractions are considered Class C and D offenses. Discipline for Minor Rule Infractions consists of verbal warnings and/or Minor rule infraction reports.
- Sanctions consist of the following: warning (verbal/written reprimand), loss of personal passes, extra work detail and restriction of privileges.

### **Major Rule Violations:**

- Major Rule Violations are considered Class A and B offenses. Major Rule Violations are considered major conduct and a hearing will be held with the offender and the Disciplinary Hearing Committee.
- Sanctions consist of the following: written reprimand, restitution, extra work detail, restriction of privileges, work crew and revocation. Class A offenses may result in a violation being filed with the Court in lieu of a Disciplinary Hearing.
- The following rights will be given to any offender who is given a Major Rule Violation Report:
  1. Offenders will receive written notice of the alleged violation within 24 hours of the time the violation is reported and is completed without unreasonable delay unless there are exceptional circumstances for delaying the investigation.
  2. Offenders will receive notice of the time and place for the disciplinary hearing.
  3. Non-English speaking offenders will be provided an interpreter at the disciplinary hearing and for interpretation of hearing notice and other hearing-related documentation.

4. Offenders have the right to be present at the disciplinary hearing, provided facility safety or security is not jeopardized.
5. Offenders have the right to request statements from witnesses.
6. An impartial Hearing Committee will determine guilt or innocence.
7. Offenders will receive the Disciplinary Hearing Report from the Hearing Committee that includes a statement of the decision and the supporting reasons. The Disciplinary Hearing Report and supporting documents will be stored in the case management database.
8. Offenders have the right to appeal the decision made by the Hearing Committee.
9. Offenders have the right to request assistance from a staff representative if the information regarding the alleged violation is too complex or if it is unlikely that the offender will comprehend the charges put forth.
10. The accused offender may call witnesses and present evidence unless the Hearing Committee finds that to do so would subject a witness to a substantial risk of harm.
11. The accused offender has no right to an attorney for corrections disciplinary actions.
12. The accused offender will appear before the Hearing Committee within 72 hours of receipt of the alleged rule violations.
13. If the Hearing Committee requires additional time beyond 72 hours, the offender will be notified of the delay.

## SANCTIONS

SANCTION	CLASS A	CLASS B	CLASS C	CLASS D
Revocation/Violation	Yes	Yes	No	No
Restitution	Yes	Yes	No	No
Work Crew	30 days	15 days	None	None
Restriction of privileges	45 days	30 days	15 days	5 days
Extra work (up to 4 hours per 24-hour period)	20 hours	20 hours	10 hours	5 hours
Loss of Personal Pass	None	None	2 passes	1 pass
Reprimand	Written	Written	Written	Verbal

- A. Any allowable sanction or combination of sanctions may be imposed.

- B. Any period of restrictive sanctions as a result of a prohibited act committed while an offender is already on restrictive sanctions will be served consecutively to any other restrictive sanctions the offender has previously received.
- C. Seriousness of the instant offense will be considered when imposing a sanction.
- D. Frequency and nature of prior violations will be considered.
- E. The degree to which the violation disrupted or endangered others or the security of the facility or program will be considered.
- F. Offender's attitude and demeanor before and during the hearing will be considered.
- G. Likelihood of the sanction(s) having a corrective effect on the offender's future behavior will be considered.
- H. Current level assignment of the offender will be considered.
- I. Current participation in education, rehabilitative or work programs will be considered with the intent to disrupt participation in these programs as little as possible.
- J. The following may not be imposed:
  - 1. Corporal punishment.
  - 2. A change in heating/lighting/ventilation.
  - 3. Restrictions on authorized or issued clothing, bedding, mail, visitation, reading and writing materials or the use of hygienic facilities, unless these privileges are abused.
  - 4. Restrictions on medical and dental care, access to courts, legal counsel, government officials or grievance proceedings and access to personal papers and legal materials.
  - 5. A deviation from the diet provided to other committed persons in the facility or program except for documented medical reason(s).
  - 6. Humiliation, mental abuse or punitive interference with the daily functions of living, such as eating or sleeping.
  - 7. When sanctions involving loss of privileges are imposed, the facility will ensure that the offender is provided at least minimal access to the privilege.