

# LAKE COUNTY COMMUNITY CORRECTIONS

## Criteria for Eligibility

Determining factors of placement include, but are not limited to;

- Employment and/or employability
- Criminal History
- Risks/needs assessment score
- Residency
- Eligibility under statute

The defendant must not;

- Have multiple prior (history of) convictions involving resisting, violence, weapons or criminal sexual acts,
- Have history of escape and /or absconding,
- Have been expelled or discharged unsatisfactorily from a prior community correction program,
- Be a flight risk or a threat to the physical safety of the public,
- Have serious mental or physical illness that hider their abilities to follow the guidelines of LCCC,
- Have a conviction of an ineligible offense in less than seven (7) years prior to current conviction.

### **Community Corrections ineligible offenses by statute as defined in 38-38-2.6-1(b) Defendant must not be CONVICTED of any of the listed crimes.**

CRIMES UNDER IC 35-42-4 of IC 35-46-1-3

- IC 35-42-4-1 Rape
- IC 35-42-4-2 Criminal deviate conduct
- IC 35-42-4-3 Child Molesting
- IC 35-42-4-4 Child exploitation; possession of child pornography
- IC 35-42-4-5 Vicarious sexual gratification; sexual conduct in presence of a minor
- IC 35-42-4-6 Child solicitation
- IC 35-42-4-8 Sexual battery
- IC 35-42-4-9 Sexual misconduct with a minor
- IC 35-42-4-10 Unlawful employment near children
- IC 35-42-4-11 Sex offender residency restrictions
- IC 35-42-4-12 Sex offender internet offense
- IC 35-42-4-13 Inappropriate communication with a child
- IC 35-46-1-3 Incest

CRIMES UNDER IC 35-50-2-2(b)(4)

- IC 35-42-1-1 Murder
- IC 35-42-2-1 Battery with a deadly weapon or battery causing death

- IC 35-42-4-8 Sexual battery with a deadly weapon
- IC 35-42-3-2 Kidnapping
- IC 35-42-3-3 Confinement with a deadly weapon
- IC 35-42-5-1 Robbery resulting in serious bodily injury or with a deadly weapon
- IC 35-43-1-1 Arson for hire or resulting in serious bodily injury
- IC 35-43-2-1 Burglary resulting in serious bodily injury or with a deadly weapon
- IC 35-44-3-3 Resisting law enforcement with a deadly weapon
- IC 35-44-3-5 Escape with a deadly weapon
- IC 35-45-1-2 Rioting with a deadly weapon
- IC 35-48-4-1 Dealing in cocaine or a narcotic drug if the court finds the person possessed a firearm at the time of the offense, or the person delivered or intended to deliver to a person under eighteen (18) years of age at least three (3) years junior to the person and was on a school bus or within one thousand (1,000) feet of: school property, a public park, a family housing complex, or a youth program center
- IC 35-48-4-1.1 Dealing in methamphetamine drug if the court finds the person possessed a firearm at the time of the offense, or the person delivered or intended to deliver to a person under eighteen (18) years of age at least three (3) years junior to the person and was on a school bus or within one thousand (1,000) feet of: school property, a public park, a family housing complex, or a youth program center
- IC 35-48-4-2 Dealing in schedule I, II, or III controlled substance drug if the court finds the person possessed a firearm at the time of the offense, or the person delivered or intended to deliver to a person under eighteen (18) years of age at least three (3) years junior to the person and was on a school bus or within one thousand (1,000) feet of: school property, a public park, a family housing complex, or a youth program center
- IC 35-42-2-1.5 Aggravated battery
- IC 35-44-3-3.5 Disarming a law enforcement officer
- IC 9-30-5-4 Operating while intoxicated causing serious bodily injury
- IC 9-30-5-5 Operating while intoxicated causing death; death of law enforcement animal

LCCC, on advice and authority of the LCCC Advisory Board, reserves the right to reject from placement any individual failing to meet the above criteria.

(7/10)