

WABASH COUNTY COMMUNITY CORRECTIONS WORK RELEASE CRITERIA

To be eligible for the Work Release Program, defendants must meet the following criteria:

- 1) Must not have pending charges or active warrants.
- 2) Per IC 11-12-5-2, the defendant must not have committed a sex offense as defined by IC 35-42-4 or IC 35-46-1-3.

- Rape
- Criminal Deviant Conduct
- Child Molesting
- Child Exploitation/Possession of Child Pornography
- Vicarious Sexual Gratification/Sexual Misconduct in Presence of a Minor
- Child Solicitation
- Child Seduction
- Sexual Battery
- Sexual Misconduct with A Minor
- Unlawful Employment Near Children
- Sex Offender Residency Restrictions
- Sex Offender Internet Offense
- Inappropriate Communication with a Child
- Incest

- 3) Must not have been convicted of what would have been a Class A or B Felony.
- 4) Must not have been convicted of a violent offense.
- 5) Must not have failed a previous placement in a Work Release Program.
- 6) Must be deemed to be appropriate by the Community Corrections staff based on:
 - prior criminal history
 - prior conduct issues in the jail
 - prior work history
 - prior work release placement
 - general attitude
 - risk of further offenses
 - other factors related to the potential placement
- 7) Must have the final approval of the Community Corrections Director.

Revised August 29, 2014

Work Release Violent Crime Statute

IC 5-2-6.1-8 Violent crime

Sec. 8. As used in this chapter, "violent crime" means the following:

(1) A crime under the Indiana Code that is a felony of any kind or a Class A misdemeanor that results in bodily injury or death to the victim but does not include any of the following:

(A) A crime under IC 9-30-5 resulting from the operation of a vehicle other than a motor vehicle.

(B) Involuntary manslaughter resulting from the operation of a motor vehicle by a person who was not intoxicated (IC 35-42-1-4).

(C) Reckless homicide resulting from the operation of a motor vehicle by a person who was not intoxicated (IC 35-42-1-5).

(D) Criminal recklessness involving the use of a motor vehicle, unless the offense was intentional or the person using the motor vehicle was intoxicated (IC 35-42-2-2).

(E) A crime involving the operation of a motor vehicle if the driver of the motor vehicle was not charged with an offense under IC 9-30-5.

(F) Battery upon a child (IC 35-42-2-1(a)(2)(B)).

(G) Child molesting (IC 35-42-4-3).

(H) Child seduction (IC 35-42-4-7).

(2) A crime in another jurisdiction in which the elements of the crime are substantially similar to the elements of a crime that, if the crime results in death or bodily injury to the victim, would be a felony or a Class A misdemeanor if committed in Indiana. However, the term does not include any of the following:

(A) A crime in another jurisdiction resulting from operating a vehicle, other than a motor vehicle, while intoxicated.

(B) A crime in another jurisdiction with elements substantially similar to involuntary manslaughter resulting from the operation of a motor vehicle if the crime was committed by a person who was not intoxicated.

(C) A crime in another jurisdiction with elements substantially similar to reckless homicide resulting from the operation of a motor vehicle if the crime was committed by a person who was not intoxicated.

(D) A crime in another jurisdiction with elements substantially similar to criminal recklessness involving the use of a motor vehicle unless the offense was intentional or the person using the motor vehicle was intoxicated.

(E) A crime involving the operation of a motor vehicle if the driver of the motor vehicle was not charged with an offense under IC 9-30-5.

(3) A terrorist act.

As added by P.L.47-1993, SEC.2. Amended by P.L.36-1997, SEC.3; P.L.129-2009, SEC.2; P.L.48-2012, SEC.4.