Purposeful Incarceration FAQ

• What is Purposeful Incarceration or “PI”?

The Purposeful Incarceration (PI) initiative is a partnership between the Indiana court system and the Indiana Department of Correction (IDOC). PI is a sentencing recommendation that judges can use in situations where the judge is committed to modifying a sentence upon the incarcerated person’s successful completion of substance use treatment.

• What types of incarcerated individuals are good candidates for Purposeful Incarceration?

Some examples of good candidates for Purposeful Incarceration are: ✓ An incarcerated person whose criminality appears directly related to his or her addiction ✓ An incarcerated person who has committed and/or served time for numerous charges related to his or her addiction ✓ An incarcerated person who may be facing a significant period of incarceration because of their substance use ✓ An incarcerated person who has unsuccessfully been through other substance use treatment programs ✓ An incarcerated person who has a significant history of relapse with substances. It should be noted that sex offenders are not eligible for PI.

• What does a judge have to do to recommend an incarcerated person for Purposeful Incarceration?

The court must indicate on the Abstract of Judgment or Sentencing Order that, should the incarcerated person successfully complete the clinically indicated addiction recovery program, the court will consider modification of the incarcerated person’s sentence. “Yes” should be entered in the Purposeful Incarceration box on the AOJ as required by the INcite program through JTAC.

In addition, the following language MUST BE INCLUDED in the Sentencing Order or Abstract of Judgment for the incarcerated person to be identified as a Purposeful Incarceration candidate:

**“Defendant is recommended for Purposeful Incarceration. Upon successful completion of the clinically appropriate substance use treatment program as determined by the IDOC, the court will consider a modification to this sentence.”**

• What is different about RWI for an incarcerated person designated for Purposeful Incarceration?

An incarcerate person who has the appropriate recommendation language included in their sentencing order will be designated for PI and referred for assessment by Addiction Recovery Services (ARS) upon arrival at their housing facility. The courts can expect communication automatically about the individual’s participation in RWI from the ARS staff. The incarcerated person does not need to file for a sentence modification hearing. The completion documents will automatically be provided to the court for review.

• Can PI-designated incarcerated person be denied admission into RWI?

Yes, if it is determined during the offender’s clinical assessment by ARS staff that the incarcerated person does not need substance use treatment or is inappropriate for treatment, the incarcerated person may be denied admission. Justifications for denial of admission are sent to the court by IDOC ARS staff.

• What happens if an incarcerated person whose judge recommended them for PI declines treatment?

If the incarcerated person refuses to participate in RWI, IDOC staff will notify the court of the refusal.

• What happens if there is a change in the incarcerated person’s status within the RWI program?

If the incarcerated person is terminated, transferred, or quits RWI, the judge will receive a letter of non-completion and a Treatment Summary that documents the participation and the reason(s) the person did not successfully complete their substance use treatment program.

• What happens when a PI-designated incarcerated person successfully completes RWI?

Upon successful completion of RWI, the judge will receive a letter verifying the completion and a Treatment Summary that documents the incarcerated person’s participation and completion of the program. It is at this time that the judge can decide whether to modify the person’s sentence.

• Can a judge find out how an incarcerated person is doing in RWI after they have been designated for PI?

The court may request a progress report at any time during the incarcerated person’s incarceration, or at any time during their participation in RWI, by emailing a request to purposefulincarceration@idoc.in.gov.

Common Misperceptions About PI

• PI is not a program within IDOC. PI is an initiative by which an incarcerated person may be granted a sentence modification if they successfully complete addiction recovery treatment while incarcerated.

• PI is not a court order for substance use treatment. An incarcerated person may refuse to participate in RWI if they choose.

• PI does not guarantee automatic or immediate admission to RWI. An incarcerated person must still meet clinical and administrative eligibility requirements to participate in RWI and are subject to the same admission priority criteria as other incarcerated people.