

## • Eligibility

- Recommended independently by the Court at time of sentencing
- Recommended by the Court as a result of a probation revocation

## • Selection Criteria

- Must be willing to voluntarily enter the Program
- Must be a first or second non-violent felony offender
- Shall not have any prior felony convictions for any sex offense as defined in La. R.S. 15:541
- The instant offenses before the Court cannot be any of the following:
  - A crime of violence as defined in La. R.S. 14:2(B) (including domestic violence)
  - A sex offense as defined in La. R.S. 15:541
  - A habitual offender in accordance with La. R.S. 15:529.1
- Sentenced to the Department's custody without diminution of sentence for up to 12 months
- No pending felony matters

## • Unsuitability

- Outstanding felony charges
- Numerous outstanding misdemeanor charges
- Outstanding immigration detainer
- Pending probation/parole revocation
- Medical or Mental Health problem that would preclude safe Program participation
- Significant, long-term history of assaultive behavior
- An assaultive escape within the last five years
- Overt homosexual behavior
- A sex offender

## Example language

### If the subject is in a drug court program in lieu or as a condition of supervision

#### In Lieu

In lieu of revocation, the Court ordered the defendant to up to 12 months with the Department of Corrections Intensive Incarceration Program in accordance with the code of criminal procedure under Article 900(6)(a) without diminution of sentence.

#### Added Condition

The Court ordered the defendant to enroll in and successfully complete the Intensive Incarceration Program in accordance with the code of criminal procedure under Article 895(B)(2).

# **Intensive Incarceration**

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## **Non drug court cases either in lieu or revocation or as a condition of supervision**

### **In Lieu**

In lieu of revocation in accordance with Article 895 (B)(3) the defendant is ordered to serve up to 12 months in the Intensive Incarceration Program without diminution of sentence.

### **As a Condition of Supervision**

The Court sentenced the defendant to be confined in the custody of the Department of Corrections, for a period of 6 years at hard labor. The Court suspended the execution of the sentence and placed the defendant on active, supervised probation for a period of 5 years. In addition to the general terms and conditions of probation provided in Article 895 of the Code of Criminal Procedure, the Court imposed as a special condition of probation that the defendant (1) The Court orders that the defendant be committed to the custody of the Department of Corrections and be required to serve not more than twelve months in the Intensive Incarceration Program pursuant to the provisions of La. R.S. 15:574.4.4 without diminution of sentence. Upon successful completion of the Intensive Incarceration Program, the defendant shall begin active supervised probation with the following special conditions...

### **As an added Condition of Supervision**

The Court adds a special condition of probation, that the defendant be committed to the custody of the Department of Corrections to serve not more than 12 months in the Intensive Incarceration Program pursuant to the provisions of La. R.S. 15:574.4.4 without diminution of sentence.

With all of these options please indicate where the defendant is to return once they complete the program. Directly to supervision, Back to a local facility, etc.