

	<b>STANDARD OPERATING PROCEDURE</b> State Form 39870(R)	Reference No. <b>HMR-007</b>
	Subject <b>Residency Requirements</b>	
	Special Instructions Replaces HMR-007 dated June 26, 2017	Effective Date <b>February 6, 2024</b>

## **I. PURPOSE**

Establish residency guidelines for ISP police personnel following appointment and initial assignment or subsequent reassignment.

## **II. POLICY**

ISP police employees shall establish residency based upon their work assignment. Personnel assigned to conduct criminal investigations will be assigned to a Division, Section, Area, District or general headquarters as the position requires.

## **III. RESIDENCY REQUIREMENTS**

A. ISP police employees assigned a particular geographical work area must reside within the following geographical boundaries served by the assignment:

1. Personnel assigned to a District shall live within the District or an adjoining county in which the District facility is located. EXAMPLE: District #52 headquarters is located in Marion County. ISP police employees living outside of District #52 in Morgan County, which adjoins Marion County, would meet the residency requirements; and
2. District Commanders may require District enforcement personnel to reside in a specific county to meet the needs of the Department when the affected employee is:
  - a. Newly assigned (new hire or transfer\*) to the District; or
  - b. When an employee requests an inter-district transfer\*.

\*Note: When notified about a possible transfer, the district commander shall make the requesting employee aware of any specific residency requirements related to the proposed transfer prior to its approval.

3. Personnel assigned to a field investigative Area shall live within that Area.
4. Corporals assigned to a Regional Dispatch Center (RDC) shall:
  - a. Reside within the District where the RDC is located; or
  - b. Reside within a 60 air-mile radius of the RDC facility.

B. ISP police employees assigned to the Toll Road District must reside within a county or an adjoining county where the Toll Road traverses their zone of assigned patrol or responsibility.

C. There are no residency requirements for ISP personnel assigned to GHQ or Capitol Police Section Officers (CPS) other than to reside within the State of Indiana. However, GHQ personnel with field assignments, shall meet the residency requirements as established in the job vacancy announcements, as approved by the chairperson of the Personnel Board.

D. ISP police employees who are approved to relocate from their established residence, voluntarily change assignments that require a change in established residence, or are reassigned for the good of the Department that necessitates a change in the established residence, must meet the applicable residency requirements within one year of the date of the new assignment.

E. ISP police employees on temporary assignment away from their normal assigned work area may not change residency without approval.

F. Whenever geographical or residency boundaries of a Section, Area or District are changed by the Department, those affected ISP police employees, that have residency established shall not be required to move in order to retain their present rank or position. However, an employee:

1. May be required to serve out of a different Section, Area or District installation; and
2. Upon a voluntary change of residence, an employee shall be required to comply with all current residency requirements.

G. The implementation of this procedure shall not require any ISP police employee who was exempted from any previously established residency requirements to relocate from their current established residence. However, any relocation, for any reason, after the effective date of this procedure shall meet the applicable residency requirements.

H. For the purposes of this procedure:

1. When an employee declares a particular place of residence for the official records of the Department, that place is presumed to be where the employee resides. Resides means:

- a. Spends the majority of personal time;
- b. Lives with no immediate intention to move;
- c. Can reasonably be expected to be located when off-duty; or
- d. Goes to sleep and wakes up under normal daily circumstances.

2. When an employee is required to reside within a particular geographic boundary, the employee's county of residence shall be ascertained by reference to the county where the employee:

- a. Declares residence for state and county income tax withholding;
- b. Registers a personal vehicle(s), if any, and
- c. Has an established mailing address.

## **I. WAIVER**

1. Enforcement personnel may apply to the Superintendent, in writing through channels, for a waiver to the residency requirement policy. Requests for waivers will be rarely granted and only considered under exceptional circumstances.

a. Enforcement personnel shall provide the following information to the Superintendent for his consideration of their waiver request:

- i. How the change of residency will not affect the operational efficiency of the Department;
- ii. The proximity of the assignment location to the requested change of residence;
- iii. The unique and unusual circumstances of the request; and
- iv. How the denial of the request would cause a substantial hardship for the employee.

b. An employee who changes residency without prior approval of the waiver shall be considered in violation of this policy and subject to Department discipline. In such a case, the waiver will not be considered by the Superintendent.

c. Approval or denial of the waiver is at the sole discretion of the Superintendent and is not subject to review.

2. Enforcement personnel who reside in violation of this policy shall be subject to Department discipline and required to establish residency in compliance with this policy.

## **J. DRIVE TIME**

1. It shall be up to the discretion of the District Commander to determine and convey to an employee living outside of their assigned District or (within their assigned District but) outside their assigned patrol zone a discernible boundary (District or patrol zone) or location (home, roadway, etc.) where the employee will be required to report on/off duty (10-41/10-42).

2. Enforcement personnel living outside their assigned District or patrol zone will be required to remain in their assigned area for the duration of their shift unless directed or permitted to leave during or prior to the end of the shift.

K. This procedure is to be used in conjunction with all relevant Department regulations, rules, policies, and procedures.