



**JUSTICE REINVESTMENT
ADVISORY COUNCIL**

**Indiana Criminal Justice Institute
Annual Evaluation of Indiana's Criminal
Code Reform**

December 1, 2019

ANNUAL EVALUATION OF INDIANA'S CRIMINAL CODE REFORM

PREPARED FOR:

GOVERNOR

ERIC J. HOLCOMB

CHIEF JUSTICE

LORETTA H. RUSH

THE INDIANA GENERAL ASSEMBLY

LEGISLATIVE COUNCIL

PREPARED BY:

THE INDIANA CRIMINAL JUSTICE INSTITUTE

EXECUTIVE DIRECTOR

DEVON MCDONALD

CHIEF OF STAFF

JADE PALIN

RESEARCH DIVISION

CHRISTINE REYNOLDS, RESEARCH DIVISION DIRECTOR

MEAGAN BRANT, RESEARCH ASSOCIATE

KAITLYN CHRISTIAN, RESEARCH ASSOCIATE

ELIZABETH FARRINGTON, RESEARCH MANAGER

JUSTICE REINVESTMENT ADVISORY COUNCIL

JUSTIN FORKNER, CHAIR AND CHIEF ADMINISTRATIVE OFFICER, OFFICE
OF JUDICIAL ADMINISTRATION

JENNIFER BAUER, STAFF ATTORNEY, INDIANA OFFICE OF COURT
SERVICES





STATE OF INDIANA



Eric J. Holcomb, Governor
Devon McDonald, Executive Director

December 1, 2019

It is with great pleasure that the Indiana Criminal Justice Institute, in collaboration with the Justice Reinvestment Advisory Council, submit the 2019 Annual Criminal Code Reform Evaluation pursuant to IC 5-2-6-24.

This is the fifth year of the Annual Criminal Code Reform Evaluation, which is the culmination of countless hours of quantitative and qualitative data analysis, focus group discussion, and collaborations with state and local partners. As in the past, the 2019 report builds on the analyses from the previous years, and provides additional insight into Indiana's current and ever-changing criminal justice landscape.

Comprehensively, this report covers many topics, ranging from the drug crisis to jail overcrowding to behavioral and mental health services. Arguably, these are some of the most challenging issues facing our state, nation and world today. The purpose of this report is to shed light on many of these areas so that Indiana's policymakers and stakeholders can develop forward-thinking strategies based on sound data and meaningful analysis.

Although there are no easy solutions to any of these challenges, our hope is that this report would serve as the foundation, as Indiana continues to evaluate and adjust its strategy to create the fairest, most effective and most efficient criminal justice system in the nation.

I would like to commend all of the individuals and organizations that contributed to this report, as well as the professionals who work in, or are involved with, taking our justice system to the next level. Their passion, dedication and hard work truly sets Indiana apart.

If you have questions about this report, please don't hesitate to contact ICJI at 317-232-1233.

Respectfully,

Devon McDonald
Executive Director

Justice Reinvestment Advisory Council Members

Justin Forkner, Chair
Chief Administrative Officer
Office of Judicial Administration

Bernice Corley
Executive Director
Indiana Public Defender Council

David Powell¹
Executive Director
Indiana Prosecuting Attorneys
Council

Jay Chaudhary
Director
Division of Mental Health and
Addiction

Dave Wedding
President
Indiana Sheriffs Association

Robert Carter
Commissioner
Indiana Department of Correction

Devon McDonald
Executive Director
Indiana Criminal Justice Institute

Ralph Watson
President
Indiana Association of
Community Corrections Act
Counties

Adam McQueen
President
Probation Officers Professional
Association of Indiana

¹ Christopher Naylor will replace David Powell as Executive Director of the Indiana Prosecuting Attorneys Council after the publication of this report.

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The Indiana Department of Correction

Community Corrections

Angela Estes, Research Director

Research and Technology Division

Aaron Garner, Executive Director

Sheriff and County Jail Operations

Kenneth Whipker, Executive Liaison

Indiana Office of Court Services

Mary Kay Hudson, Executive Director

Indiana Supreme Court

Office of Judicial Administration

Dave Williams, Project Manager for Trial Court Technology

Lisa Thompson, Project Manager for Trial Court Technology

Indiana Prosecuting Attorneys Council

JT Parker, Deputy Director, Administrative and Civil Law

Monroe Circuit Court

Probation Department

Troy Hatfield, Deputy Chief Probation Officer

Indiana Criminal Justice Institute

Research Division

Allison Cardona, Temporary Employee

Indiana Sheriff's Association

Stephen Luce, Executive Director

Indiana Family and Social Services

Administration

Department of Mental Health and Addictions

Jay Chaudhary, Executive Director

Rebecca Buhner, Deputy Director

Indiana Council of Community Mental Health Centers

Matt Brooks, President and CEO

Denise Wade, Director of Administration and Events

County Focus Group Assistance

Bevin Van Wassenhove, Executive Director of Drug Free Dearborn County

Scott Brown, Director of Wabash Valley Regional Community Corrections

Linda Brady, Chief Probation Officer

Rebecca Calhoun, Executive Director for Drug Free Noble County

Wendy Elam and Linda Molenda, Co-Directors for Drug and Tobacco Free Starke County

Lindsey Ogden, Office Manager and

Emergency Preparedness Director

Tracey Reginer, Community Corrections

John Plasse, Vigo County Sheriff

Andrew Abney-Brotz, Wayne County Sheriff

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Executive Summary

House Enrolled Act 1006 (HEA 1006; July 1, 2014), also known as Public Law 168, mandates that the Indiana Criminal Justice Institute (ICJI) provide a comprehensive annual report of HEA 1006's impact on the Indiana criminal justice system, as laid out in IC 5-2-6-24 below:

IC 5-2-6-24 Duty of institute to monitor criminal code reform

Sec. 24.

- (a) As used in this section, "criminal code reform" refers to statutory provisions relating to criminal law enacted by P.L.158-2013 and HEA 1006-2014.
- (b) The institute shall monitor and evaluate criminal code reform as described in this section.
- (c) The institute shall annually gather data and analyze the impact of criminal code reform on:
 - (1) local units of government;
 - (2) the department of correction; and
 - (3) the office of judicial administration.
- (d) The institute shall prepare an annual report, in conjunction with the justice reinvestment advisory council (established by IC 33-38-9.5-2), containing the results of its analysis before December 1 of each year. The report shall be provided to the governor, the chief justice, and the legislative council. The report provided to the legislative council must be in an electronic format under IC 5-14-6.
- (e) The report required under this section must:
 - (1) Include an analysis of:
 - (A) the effect of criminal code reform on:
 - (i) county jails;
 - (ii) community corrections programs;
 - (iii) probation departments; and
 - (iv) courts;
 - (B) recidivism rates;
 - (C) reentry court programs; and
 - (D) data relevant to the availability and effectiveness of mental health and addiction programs for persons who are at risk of entering the criminal justice system, who are in the criminal justice system, and who have left the criminal justice system;
 - (2) track the number of requests for sentence modification that are set for hearing by the court, including the relief granted by the court, if any. The report must include whether the grant or denial of a request for sentence modification was discretionary or mandatory, and whether the prosecuting attorney opposed the request for sentence modification, agreed to the request for sentence modification, or took no position on the request for sentence modification;
 - (3) track, by age and offense, the number of juveniles under the jurisdiction of an adult court due to:
 - (A) lack of jurisdiction under IC 31-30-1-4; or
 - (B) waiver of jurisdiction under IC 31-30-3-2 through IC 31-30-3-6;
 - (4) track the number of juveniles under the jurisdiction of adult court due to a juvenile court not having jurisdiction of the cases in accordance with IC 31-30-1-4, by:
 - (A) age;
 - (B) sex;
 - (C) race;
 - (D) county of prosecution;

- (E) offenses charged;
 - (F) convictions received; and
 - (G) sentences received; and
- (5) track the number of waivers of juvenile court jurisdiction granted under IC 31-30-3-2 through IC 31-30-3-6 by:
- (A) age;
 - (B) sex;
 - (C) race;
 - (D) charges filed in juvenile court in which a waiver was sought;
 - (E) charges filed in adult court following the waiver of juvenile court jurisdiction;
 - (F) county of prosecution;
 - (G) convictions received; and
 - (H) sentences received.
- (f) All local units of government and local elected officials, including sheriffs, prosecuting attorneys, judges, and county fiscal bodies, shall cooperate with the institute by providing data as requested by the institute.
- (g) State agencies, including the department of correction, the Indiana prosecuting attorneys council, the Indiana public defender council, and the office of judicial administration, shall assist the institute by providing requested data in a timely manner.
- (h) Based on their analysis, the institute and the justice reinvestment advisory council shall include recommendations to improve the criminal justice system in Indiana, with particular emphasis being placed on recommendations that relate to sentencing policies and reform.
- (i) The institute and the justice reinvestment advisory council shall include research data relevant to their analysis and recommendations in the report.
- (j) The institute shall:
- (1) make the data collected under subsection (e)(4) and (e)(5) available to the public in an annual report, by fiscal year, due by October 30 of each year;
 - (2) post the annual report required by subdivision (1) on the institute's Internet web site; and
 - (3) provide a copy of the annual report required by subdivision (1) to the commission on improving the status of children in Indiana established by IC 2-5-36-3.

This report has four main goals. First, the ICJI wanted to continue to build on the body of knowledge created by the previous reports. This report will provide information on preliminary trends over the 5-year period. Second, the ICJI sought to provide information gleaned from criminal justice stakeholders by engaging criminal justice practitioners working at every stage of the criminal process. These stakeholders include, but are not limited to, sheriff's departments and county jails, the Indiana Department of Correction, community corrections, county probation departments, prosecutors, public defenders, judges, Family and Social Services Administration (FSSA) Department of Mental Health and Addiction (DMHA), and mental health and addictions service providers. Third, this report aims to make recommendations for change through identifying key strengths and ongoing challenges from HEA 1006 felt at all levels of the criminal justice system. Finally, this report builds on previously documented limitations and identifies new limitations in evaluating criminal justice reform in Indiana. Below outlines the major findings in this report.

Courts

Abstract of Judgment

- Since HEA 1006 took effect, total abstracts have increased 39%, due in part to an increase in the number of revocation abstracts.

Sentence Modifications

- Sentence modifications have increased 88% since HEA 1006 took effect.

Placements

- There has been a 27% decline in the number of individuals sentenced to DOC since HEA 1006 was enacted. Whereas, sentences to jail have increased 368%.
- The most common sentence given since HEA 1006 is a combination of jail and probation.

New Filings

- New filings have increased 9.4% from 2015 to 2018. However, Level 6 felony filings have increased 32% since 2015.
- There are nearly 3 times more level 6 felony filings than all other felony levels combined, including murder.
- From 2015 to 2019, the top ten felony filings have all been level 6 felonies; four of those have consistently been substance abuse related offenses.

Probation

- Probation caseloads decreased to their lowest point in 2015. Probation caseloads have since increased. Based on the data, caseloads in 2019 are projected to surpass 2018 numbers.
- This was echoed in the probation officers' survey responses. Nearly 59% of respondents indicated that there were increases in their average caseloads in the past year.

The Indiana Department of Correction (IDOC) and Community Corrections

Overall IDOC and Community Corrections Populations

- Overall adult population under supervision has increased, starting in 2017, partially as a result of increases in community corrections participants and F6 diversions (offenders who are serving jail time and by statute may not go to IDOC) housed at the county jails.

IDOC Facilities

- The IDOC facilities offender populations initially decreased following HEA 1006 and then began to trend upward during the 1st half of 2017.
- The number of F6 diversions has increased each year since enactment of HEA 1006.

Admissions and Releases

- Admissions to IDOC are currently at their lowest level since HEA 1006.
- New commitments to IDOC made up 47% of all admissions from July 1, 2014, to June 30, 2019.
- Releases from IDOC are also at their lowest, having declined 41% since enactment of HEA 1006.

IDOC Facility Capacity

- All male adult facilities, excluding re-entry/work release, were over 91% capacity.
- All female adult facilities, excluding re-entry/minimum security, were over 94% capacity.

Offender Risk and Need

- With regard to criminogenic risk and need, the proportion of felons coming into the IDOC at all risk levels remained fairly consistent in the past few years.
- The focus groups stated they believe that F6 offenders are actually higher risk than what the IRAS scores determines. There is not data available from the jails that can either confirm or deny this assumption, but there has been an increase in probation revocations due to a violation.

IDOC Recidivism

- Recidivism has changed little in the two-years of data available. Of offenders released in 2014, about 33.9% were returned to the IDOC, and 33.8% of offenders released in 2015 returned to the IDOC.
- The focus groups discussed how they are seeing more technical violations and recidivism.

Average Time to Serve

- Due to changes in sentencing, including credit time changes, offenders in DOC are serving a more proportional amount of their sentence.
- The number of projected days to serve for new commitments in 2018 has surpassed the number of projected days to serve for 2014 new commitments, despite having 3,000 fewer new commitments.

Community Corrections

- Community corrections has increased its capacity since the effective date of HEA 1006. There has been a 19% increase in felony offenders and a 76% increase in pretrial offenders on community supervision.
- Nearly 46% of community corrections survey respondents experienced an increase in the average caseload in the past year.
- 56% of survey respondents reported an increase of offenders who are high risk based on IRAS scores.
- 83% of respondents saw an increase in the number of offenders who required services, such as substance abuse and mental health, in the past year.

Parole

- Caseloads for both adults and juvenile offenders have seen about a 33% decrease since enactment of HEA 1006.

Jails

- In 2019, 66% of jails exceeded 80% capacity, which is the National Institute of Corrections' definition of overcrowded.² 37% were over 100% capacity (based on ISA survey).
- In 2018, 64% of all jails did not have sufficient staff to provide adequate supervision of inmates.
- 29 counties are currently renovating or expanding their jail or are in planning stages to do so.
- Nearly 61% of jails have seen an increase in their average daily population since 2018 (based on ICJI survey with 21 responses to question).

² Martin, M., & Katsampes, P. (2007, January). *Sheriff's guide to effective jail operations* (NIC Accession Number 021925), p.23. Washington, DC: U.S. Department of Justice, National Institute of Corrections. Retrieved from <https://s3.amazonaws.com/static.nicic.gov/Library/021925.pdf>

- Most jails are able to provide substance abuse, mental health, and medical services. Most do not provide any reentry services.

Juveniles in Adult Court

- The number of juveniles under adult jurisdiction declined 29% from 2017 to 2018; however, it is projected that there will be a slight increase in totals for 2019.
- The most common reason for juveniles in adult court are armed robbery/robbery, making up over 44% of all juvenile cases in adult court for 2018 and 51% of all juvenile cases for the 1st half of 2019.
- In 2018, murder offenses made up 12% of all juveniles cases in adult court.

Justice Reinvestment Advisory Council (JRAC)

- \$68.8M was approved for:
 - community corrections agencies (\$54,389,516.03)
 - court recidivism reduction programs (\$6,221,868.94)
 - jail treatment services (\$2,456,034.30)
 - probation departments (\$5,226,457.86)
 - prosecutor diversion programs (\$578,719.60)

Recovery Works

- At the end of FY19, there were 13,492 unique participants enrolled in Recovery Works and \$19,777,789 expended for services to participants.
- Over 47,800 participants have been enrolled since inception, and \$63,058,615 has been expended for participant services.

Focus Groups

Themes in this year's focus group study were compared to those of years past, as well as analyzed independently. The following are reoccurring themes that criminal justice professionals have discussed in the last three years:

- drug use amongst criminal justice clients;
- the effects of sentence restructuring from HEA 1006;
- jail overcrowding and other changing jail operations in cohesion with increased responsibility;
- caseload and case type changes for involved stakeholders;
- increased intra- and inter-agency collaboration;
- availability and accessibility of local treatment; and
- thoughts concerning financial support from the state.

The remaining themes, while associated with the reoccurring themes, are those that professionals spent time discussing in the 2019 data collection:

- local utilization of the IDOC;
- recent reimbursement method from the IDOC;
- the effects of credit time changes on the IDOC;
- the effects of pretrial release from jail;
- treatment in the jail; and

- Recovery Works.

Themes include an operationalization of relevant terms utilizing professionals' language. This section will help the reader better understand the context of the data presented before it, as well as identify salient and often-discussed effects of the criminal code reform.

Service Providers

Information about the experiences of service providers, such as mental health and addictions providers, was collected through focus groups and the ICJI survey on local assessment of criminal code reform.

- 42% of service providers observed a significant increase in referrals from criminal justice agencies.
- The most common method to fund forensic programming was through the Department of Child Services, followed by Recovery Works.
- 45% of respondents observed an increase in the intensity of services required to treat criminal justice involved clients in the past year.
- Providers reported substance abuse treatment, mental health treatment, housing services, and transportation were difficult for many clients to obtain.
- All 8 focus group counties reported a need for more inpatient and outpatient services.

Definitions

Abstract of Judgment

Also referred to as abstract in this report; a living electronic document, completed by the court, associated with an offender sentenced with a felony who has received a commitment to the Indiana Department of Correction (IDOC).

The document must include, but is not limited to:

- (1) each offense the person is convicted of;
- (2) the sentence, including whether the sentence includes a suspended sentence, probation, or direct commitment to community corrections;
- (3) whether the person is a credit restricted felon; and,
- (4) specific reasons for revocation resulting commitment to the IDOC if probation, parole, or a community corrections placement has been revoked, if applicable (IC 35-38-1-31).

Appeal

A review by an appellate court, initiated by or on behalf of an offender, of trial court or administrative agency proceedings to determine if errors occurred during the proceedings. The court may affirm or reverse findings in previous proceedings; if reversed, the offender will be awarded some type of relief.

Bed

A permanently installed fixture used for sleeping that is elevated at least twelve (12) inches off the floor (210 IAC 3-1-1c).

Bench Disposition

Cases that are disposed by final judicial determination of an issue, but where no witnesses are sworn and no evidence is introduced.

Bench Trial

Cases are disposed in this category by the court after a trial without a jury in which a witness has been sworn in to testify and the court entered a judgment or the case was resolved prior to the announcement of a judgment.

Community Corrections

The programming aims to divert offenders from incarceration by providing offenders charged with a crime or act of delinquency with a number of different services. Program is typically administered at the county level and at least partially subsidized by the state (IC 11-12-1-1). Community corrections operates in every Indiana County in some capacity, except Benton, Franklin, and Newton counties.

Community Transition Program (CTP)

This program is intended to give an incarcerated offender a head start to reentry. Offenders committed to the IDOC may be assigned to their county community corrections program, probation, or court program for a period of time prior to their release date; the period is determined by the offender's offense level (IC 11-8-1-5.6).

Credit Time

The sum of a person's accrued time, good time credit, and educational credit.

Criminal Convictions

Post-1006

Felony Level	Example	Sentencing	
		Range	Advisory
Murder	Murder	45-65 yrs.	55 yrs.
1	Sex crimes, attempted murder, voluntary and involuntary manslaughter, reckless homicide, aggravated battery, kidnapping, battery, burglary	20-40 yrs.	30 yrs.
2	Sex crimes, attempted murder, voluntary and involuntary manslaughter, reckless homicide, aggravated battery, kidnapping, battery, burglary, robbery	10-30 yrs.	17.5 yrs.
3	Sex crimes, attempted murder, voluntary and involuntary manslaughter, reckless homicide, aggravated battery, kidnapping, battery, burglary, robbery, carjacking, arson, drug dealing (large quantities)	3-16 yrs.	9 yrs.
4	Battery, burglary, robbery, carjacking, arson, escape, drug dealings	2-12 yrs.	6 yrs.

5	Battery, burglary, robbery, carjacking, arson, assisting a criminal, escape, prostitution	1-6 yrs.	3 yrs.
6	Drug possession, false reporting, resisting arrest	6 mo-2.5 yrs.	1 yr.

Pre-1006 (enacted in 1976)

Felony Class	Example	Sentencing Range	Sentencing Advisory
Murder	Murder	45-65 yrs.	55 yrs.
A	Kidnapping, voluntary manslaughter with a deadly weapon, arson involving bodily injury	20-50 yrs.	30 yrs.
B	Aggravated battery, rape, child molesting, carjacking, armed robbery	6-20 yrs.	10 yrs.
C	Involuntary manslaughter, robbery, burglary, reckless homicide	2-8 yrs.	4 yrs.
D	Theft, receiving stolen property, computer tampering and fraud	6 mo-3 yrs.	1.5 yrs.

Day Reporting

A form of supervision in which person is required to report to a supervising agency at a designated time. Other conditions may apply, including curfew and home confinement.

Deferred/Diverted

Type of case disposal when a prosecutor and defendant agree to defer prosecution or placement in a diversion program.

Indiana Department of Correction (IDOC)

State agency created, organized, and operationalized by Indiana Code 11; responsible for serving the best interests of its committed offenders and society (IC 11-8-4-1). Per statute, the IDOC is responsible for managing a substantial amount of programs and services, including the Indiana sex and violent offender registry. The IDOC is also responsible for inspecting county jails annually to ensure jails are in compliance with jail operations standards.

Discharge

Termination of commitment to the IDOC (IC 11-8-1-8).

Dismissed

Case disposal resulting in the discharge of a case; this result comes from the court on its own motion, upon the motion of a party, or upon an agreed entry as the result of settlement between the parties.

Disposition

When a case comes to a close through one of many possible methods.

Diversion or Forensic Diversion

Program designed to provide an adult an opportunity to receive community treatment instead of or in addition to incarceration (IC 11-12-3.7-4).

Education Credit

Reduction in the term of imprisonment or confinement awarded for participation in an educational, vocational, rehabilitative, or other program (IC 35-50-6-0.5).

Electronic Monitoring

Community supervision using an electronic monitoring device (IC 35-38-2.5-3).

Failure to Appear (FTA)

Person fails to appear to court for summons (in lieu of an arrest warrant).

Family and Social Services Administration (FSSA), Department of Mental Health and Addictions (DMHA)

The division of FSSA responsible for setting the standards of care for mental health and addictions services in Indiana. DMHA is responsible for certifying all community mental health centers and addictions treatment providers in the state. The division also operates the state's six long-term psychiatric hospitals and provides funding support for mental health and addictions programs throughout Indiana.³

Guilty Plea/Admission

Cases in which the defendant pleads guilty to an offense or admits to the commission of an infraction or ordinance violation.

Habitual Offender (HO)

Has three or more prior unrelated felony convictions, and is alleged to have committed a prior unrelated level 5 or 6 felony or Class C or D felony; not more than ten years have elapsed since the person was released from prison, probation or parole for at least one of the prior unrelated felonies and the time the new offense was committed. (IC 35-50-2-8d).

HEA 1006

House Enrolled Act 1006, also known as Public Law 168, first took effect July 1, 2014. It is also referred to as HEA 1006 in this report.

Indiana Risk Assessment System (IRAS)

The IRAS is a suite of tools used in Indiana to evaluate an offender's risk for reoffending and need for services that can reduce reoffending.⁴

Jail Inspection Report

The report produced following an on-site visit to a jail by an inspector serving as an agent of the commissioner of Sheriff and Jail Operations under the Operations division of the IDOC. The report contents are based on the statewide jail standards for county jails (210 IAC 3).

³ For more information about FSSA DMHA, please go to <http://www.in.gov/fssa/dmha/4521.htm>

⁴ For more information about the IRAS, please visit <https://in.gov/judiciary/iocs/2762.htm>

Jail

A place for confinement of people arrested or convicted of a crime. In Indiana, there are 92 county jails in 91 counties; Marion County has two jails and Ohio County has no jail. Indiana jails are used primarily to:

- detain arrestees;
- hold individuals who have not yet been sentenced;
- house misdemeanants and felony level 6 diversion offenders who, per statute, may not go to the IDOC except under limited circumstances.

Judiciary

Also known as the judicial system or the court system.

Jury Trial

Cases where the jury is seated and sworn, the court has received evidence, and either the jury rendered a verdict or the case was resolved in some manner prior to the announcement of a verdict.

Juvenile in Adult Court

Also called waiver of jurisdiction, juvenile waiver, or waiver in this report. An order of the juvenile court, which waives the case to a court that would have jurisdiction had the act been committed by an adult. Waiver is for the offense charged and all included offenses (IC 31-30-3 or 31-30-1-4).

Mean

The average of all the values.

Median

A value lying at the midpoint of all the values.

Misdemeanor

A violation of a statute for which a person may be imprisoned for no more than one year, and is classified by levels A through D (IC 33-23-1-9).

Mode

The number that appears most often in a set of numbers.

New Commitment

A new criminal conviction resulting in a new sentence to be carried out at least in part with the IDOC.

Non-suspendible Sentence

A sentence or a part of a sentence for a felony or murder that the court may not suspend based on certain circumstances (IC 35-50-2-2.2).

Operational Capacity

The total bed capacity of a IDOC facility. The capacity of a facility is the number of beds authorized for safe and efficient operation of the facility.

Original Abstract

Contains details from the original sentencing.

Parole

The conditional release of a person convicted of a crime prior to the expiration of that person's term of imprisonment, subject to both the supervision of the correctional authorities during the remainder of the term and a resumption of the imprisonment upon violation of the conditions imposed.

Pretrial Release

An arrestee who has been released from jail prior to trial or sentencing. Release generally includes some type of pretrial supervision requirements.

Probation

The process by which a criminal sentence is suspended and the defendant is released into the community subject to conditions ordered by the court.

Problem-Solving Court

Started in 1990, these courts work with offenders that have specific needs and problems, which are not adequately addressed in traditional courts. They seek to benefit the offender, as well as the victim and society. Each court is developed to meet the needs of the locality it will serve, and courts can focus on—but are not limited to—drug use, mental illness, domestic violence, and veterans.⁵

Prosecution

Vested with the authority to institute legal proceedings against a person who has allegedly violated Indiana law within their respective jurisdictions; Prosecutors are elected by county. Dearborn and Ohio counties share a Prosecutor.⁶

Public Defender

An attorney engaged in the legal defense of an indigent defendant.

Recidivism

In this report, recidivism data was only discussed in the section about the IDOC. The IDOC defines recidivism as an offender's return to IDOC incarceration within three years of release from a state correctional institution.⁷

Recovery Works

⁵ For more information about Indiana's problem-solving courts, please go to <http://www.in.gov/judiciary/pscourts/2337.htm>

⁶ For more information about Indiana Prosecutors, please go to <https://www.in.gov/ipac/index.htm>

⁷ For more information about the IDOC's recidivism rates, visit <http://www.in.gov/idoc/2376.htm>

Provides vouchers to the DMHA program that certifies mental health and substance abuse providers in the community to treat individuals involved in the criminal justice system. The voucher program was designed to cover mental health and/or substance abuse treatment costs for participants without insurance or Medicaid. Participants must be over the age of 18, be a resident of Indiana, have a total household income equal to or less than 200% of the federal income poverty line, and have entered the criminal justice system with a current or prior felony conviction.⁸

Release

For the purposes of this report, this is when an offender leaves a correctional facility, not including a temporary absence.

Return

When an offender returns to lawful custody, such as jail or the IDOC, after either escaping custody or being discharged and receiving a new sentence.

Revocation

Termination of probation supervision, community corrections supervision, or parole supervision as a result of a violation of the supervision conditions.

Sentence Modification

Process by which the court may reduce or suspend a defendant's sentence and impose any sentence that the court could have given the defendant at the time of the original sentencing. Plea agreements cannot be modified without the consent of the prosecuting attorney. A defendant may only make one modification request per year and a total of two modification requests during the entire sentence (35-38-1-17).

Service Provider

A non-criminal justice agency that provides mental health and/or addictions services to justice-involved individuals.

Suspendible Sentence

The court may suspend any part of a sentence for felony levels 2-6, except under certain circumstances. The court may suspend the part of a sentence for a level 1 felony or murder if it is in excess of the minimum sentence for the respective conviction (IC 35-50-2-2.2).

Technical Violation

Misbehavior by an offender under some type of community supervision (e.g. probation, parole, community corrections) that is not by itself a criminal offense and generally does not result in arrest. Example: failing a urine drug screen.

Violation of Parole/Probation (VOP)

Disobeying terms of parole or probation either by breaking a technical rule (see "Technical Violation"), such as abusing substances, or through the commission of a new crime.

⁸ For more information about Recovery Works, please visit <https://www.in.gov/fssa/dmha/2940.htm>

Violation-New Commitment

Violating the terms of community supervision by obtaining a new criminal conviction resulting in a new sentence to be carried out at least in part with the IDOC.

Work Release

An offender placement where the individual lives in a facility, and is permitted to leave the facility to work, seek employment, attend school, and receive medical attention. The offender may also earn passes to visit with family, or may be granted other passes for special circumstances. These facilities typically offer a number of programs in-house to aid in offender rehabilitation and reentry.

Introduction

In 2013, the Indiana General Assembly introduced HEA 1006. Indiana's legislative leaders sought to revise the criminal code that had been in place since 1976. Their goal was summarized by ten purposes identified in provisions enacted July 1st, 2014.

This title shall be construed in accordance with its general purposes, to:

- (1) secure simplicity in procedure;
- (2) insure fairness of administration including the elimination of unjustifiable delay;
- (3) insure the effective apprehension and trial of persons accused of offenses;
- (4) provide for the just determination of every criminal proceeding by a fair and impartial trial and adequate review;
- (5) reduce crime by promoting the use of evidence based best practices for rehabilitation of offenders in a community setting;
- (6) keep dangerous offenders in prison by avoiding the use of scarce prison space for nonviolent offenders;
- (7) give judges maximum discretion to impose sentences based on a consideration of all the circumstances related to the offense;
- (8) maintain proportionality of penalties across the criminal code, with like sentences for like crimes;
- (9) make the lengths of sentences served by offenders more certain for victims; and
- (10) preserve the public welfare and secure the fundamental rights of individuals.

Ind. Code 35-32-1-1 (as amended by Public Law 168-2014, Section 52).

Annual reports concerning the effects of the criminal code reform were completed by the Sagamore Institute in 2015 and 2016. In 2017, the ICJI conducted its first evaluation.⁹ Pursuant to legislation, and beginning in 2018, the ICJI must prepare the annual report in conjunction with the Justice Reinvestment Advisory Council (JRAC). This report represents the fifth year of HEA 1006 evaluation and will provide data from July 1, 2014, to June 30, 2019.

The ICJI collected facts and figures from several state-level agencies including the Indiana Supreme Court, the IDOC, and the Indiana Prosecuting Attorneys Council (IPAC). The ICJI also interviewed criminal justice, mental health, and addictions practitioners in eight counties as well as surveyed individuals from jails, probation departments, community corrections agencies,

⁹ Previous reports can be accessed at <https://www.in.gov/cji/2370.htm>

courts, parole, prosecuting attorneys, defense attorneys, and mental health and addictions providers to provide context to the facts and figures.

This report seeks to evaluate the effects of the criminal code reform on the entirety of the Indiana criminal justice system; it will present an interpretation of the quantitative and qualitative data. In doing so, it illustrates the hardwork of the individuals and public and private agencies that work within and intersect with all levels of the Indiana criminal justice system. These organizations and individuals have demonstrated their tenacious efforts in pursuing the general purposes outlined above.

Legislative History

The legislative history in this report covers legislation passed during the 2019 session. The extensive legislative history and background regarding the enactment of HEA 1006 and the progress of criminal code reform up to June 30, 2018, is provided in previous years' reports completed by the ICJI and the Sagamore Institute.

There have been several laws enacted that directly impacted criminal code reform, changing how HEA 1006 impacts the criminal justice system in Indiana. Such pieces of legislation are related to:

- Creation of regional holding facilities to address jail overcrowding;
- Changes to commitment of level 6 offenders to IDOC;
- Expanding inpatient addiction treatment to provide Medicaid coverage inpatient detoxification, when medically necessary;
- Creating and expanding crimes related to drug offenses, including enhancing circumstances if offense is committed near drug treatment facility or in penal facility;
- Creation of a jail overcrowding taskforce; and
- A variety of other bills impacting sentencing, penalties for misdemeanors, and sentence enhancements.

As with the impact of HEA 1006, the effects of these changes will not be known in the immediate future.

Sources and Methods

The ICJI partnered with local, county, and state agencies to collect quantitative and qualitative data in an effort to evaluate offender and agency outcomes representative of the Indiana criminal justice system following the enactment of HEA 1006.

The ICJI used three methods for evaluating the impact of HEA 1006, including analyzing offender and agency outcome data, distributing a survey, and conducting focus groups. First, the Indiana Supreme Court, Office of Judicial Services provided all court data, including filings, sentences, placements and dispositions. The IDOC supplied data related to the commitment of felons to the IDOC. The IDOC also furnished county jail data. The IDOC Community Corrections Division provided all data related to the offenders supervised and methods used to supervise their offenders. IPAC provided information on juveniles under adult court jurisdiction.

Next, the ICJI facilitated eight focus groups held in the following counties: Dearborn, Knox, Monroe, Noble, Stark, Tipton, Vigo and Wayne. These groups were composed of a variety of the following local stakeholders: jail commanders, sheriffs, probation officers, community corrections professionals, prosecutors, public defenders, judges, substance abuse/mental health providers, parole officers, and Local Coordinating Council coordinators. Counties were selected to represent various geographical areas of the state (North, South, Central, East, and West) and was comprised of small (less than 40,000 people), medium (between 40,001 and 100,000 people) and large (more than 100,000 people) counties. Additionally, a selection of pretrial pilot counties were selected (Monroe, Starke, and Tipton counties). The focus groups followed a semi-structured format where the same list of questions was utilized for each county,¹⁰ however a variety of probing questions were asked, influenced by the conversation flow. Conversations typically lasted about an hour. Participants were invited to express the strengths and challenges of HEA 1006 reforms, laid out thematically in the Focus Group section of this report.

Finally, a survey was sent to criminal justice agencies. The survey was administered to staff from Indiana jails, probation departments, community corrections agencies, courts, parole, prosecution, public defense, and community service providers. The Department of Mental Health and Addictions (DHMA; Family and Social Services Administration) and the Indiana Council for Community Mental Health Centers (ICCHMC) provided emails for community mental health centers and addictions providers in the state. The Indiana Sheriffs' Association, Indiana Prosecuting Attorneys Council, Indiana Public Defender Council, and Indiana Office of Court Services assisted the ICJI in distributing the survey link via email to representatives of each agency.

Court Data

To assess how the courts have been affected by HEA 1006, the ICJI received numerous data files from the Indiana Supreme Court, Office of Judicial Administration (OJA). Data included the number of abstracts of judgment, new filings, case dispositions, suspendible and non-suspendible sentences, problem-solving courts, sentencing placement including the IDOC, Jail, Probation (Prob), and Community Corrections (CC), and days sentenced to the IDOC, from July 1, 2014, to June 30, 2019. The Indiana OJA provided an analysis of days sentenced to jail for this report. A majority of court data was analyzed by calendar year halves, to make comparisons easier to follow.

Abstract of judgment counts, including original abstracts, appeals, revocations, and sentence modifications showed an upward trend. The sentence modification section gives insight into the number of motions and those being granted or denied. Placement data illustrated where offenders were placed following sentencing. One goal of HEA 1006 was to decrease the number of low level offenders being sent to the IDOC; thus, it was expected and observed that the number being sentenced to the IDOC would decrease. The new filings section provided insight into the number of filings for each felony level. This is important to note because HEA 1006 created six felony levels. New filings showed how many offenders were being charged at each level. Days sentenced to the IDOC and jail displayed the impact of the new sentencing structure.

¹⁰ See Appendix C for the County Focus Group Questions.

The probation section displayed the number of offenders on probation, offense type, and the number released. The results were expected to show an increase, since more offenders are now being placed on probation. Problem-solving courts includes a map of what type and where problem solving courts are located in Indiana as well as a table showing how many problem solving courts have been started in the state. The final section compared the number of suspendible and non-suspendible sentences. HEA 1006 allowed for more suspendible sentences, so it was expected that the number of suspendible sentences would increase and non-suspendible sentences would decrease. These sections provided a full scope view of the impact HEA 1006 had on the functions of the court.

Abstract of Judgment Counts

An abstract of judgment is completed for convicted felons with a sentence involving a commitment to the IDOC. *Figure 1* below shows the total number of abstracts for the first and second half of each year from July 1, 2014, to June 30, 2019. Once the requirements of the bill were implemented, there was a decline in the number of abstracts that occurred within the first six months. Abstracts began to increase in the second half of 2015, and have continued to increase over the years. By the first half of 2019, total abstracts had increased by over 9,000 or 39% since the second half of 2014.

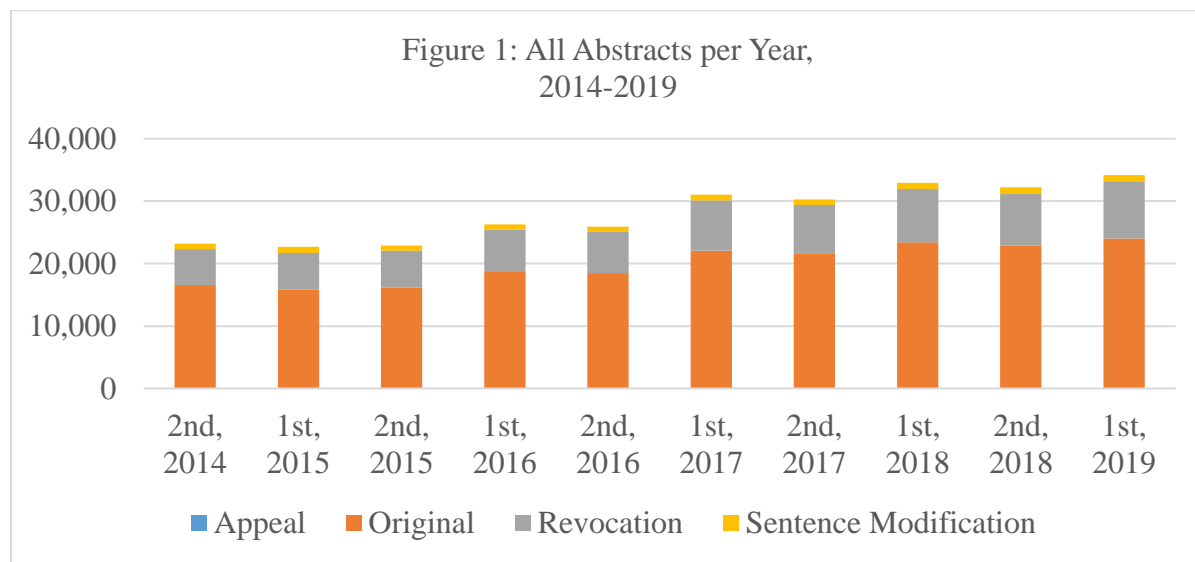


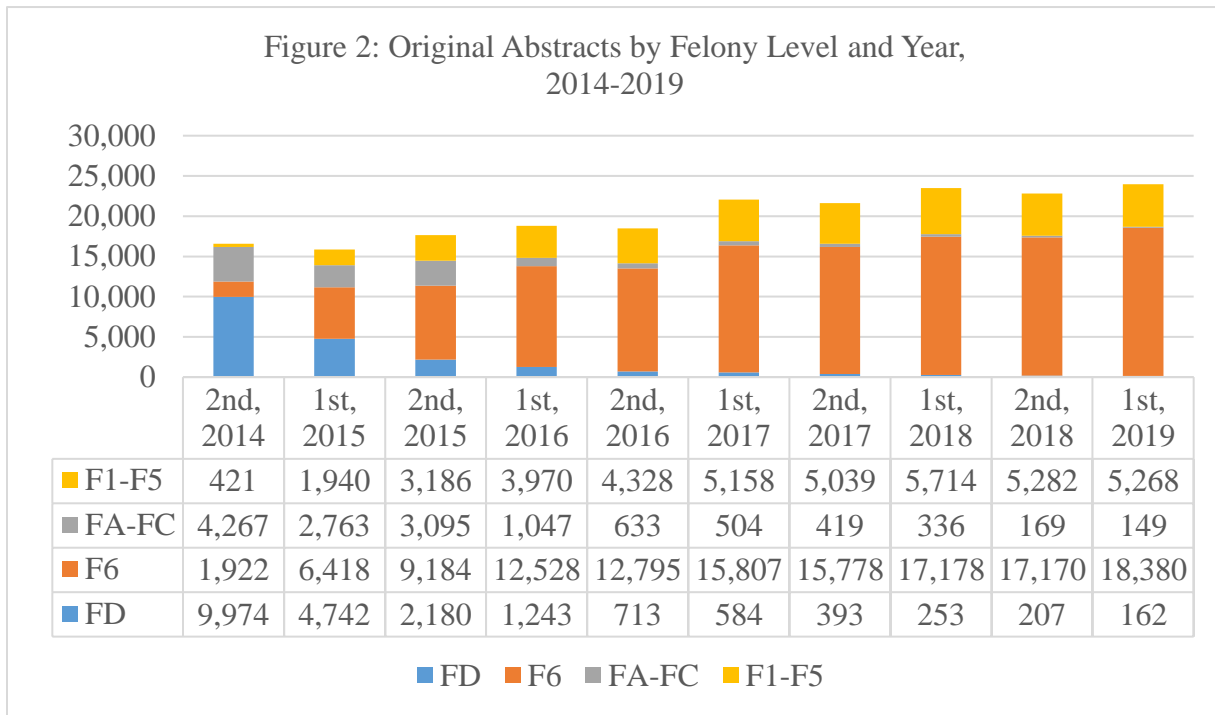
Table 1 below shows the percentage breakdown for each type of abstract per year. There has not been an increase in percent breakdown for original abstracts since the enactment of HEA 1006, but revocations have increased slightly. Original abstracts represent between 70-72% of all abstracts. Revocations had an upward trend from 2014-2015 and have since hovered around 25-27% since 2015. Since 2016, sentence modifications represent about 3% of a full year’s abstracts. The total number of abstracts per year is increasing, but every abstract type is increasing at a rate that keeps the percentages stable across the years.

Table 1: Percentage of Abstracts per Year, 2014-2019

Year	Appeal	Original	Revocation	Sentence Modification
2014	0.08%	71.76%	24.41%	3.75%

2015	0.09%	70.27%	25.78%	3.87%
2016	0.06%	71.41%	25.57%	2.96%
2017	0.05%	71.10%	25.96%	2.90%
2018	0.04%	71.05%	25.82%	3.09%
2019	0.04%	70.33%	26.90%	2.73%

Figure 2 shows the total number of original abstracts by felony level for the first and second half of the year since enactment of HEA 1006. There was an immediate decrease within the first six months, and then an upward trend began. Over time, the number of original abstracts with a felony charge of A-D has decreased and the new felony levels 1-6 have increased. By 2019, only 1.2% of original abstracts have an A-D conviction. Though a direct comparison cannot be made, in 2019 there have been more F6 original abstracts (76%) than similar FD abstracts (71%). If the trend persists, F6 abstracts will likely continue to increase.



Sentence Modification Data

A sentence modification motion is a request to the court to change the sentence of an offender that has already been found guilty. The change can be applied to time or placement. Post-1006, an average of 725 sentence modifications are filed semiannually. On average, 156 motions are granted (22%) and 226 are denied (31%), as shown in Figure 3. The rest of the motions are pending. For 2019, the percentage of modifications granted was 20% and 28% were denied. These numbers are slightly lower than the average percentages post-HEA 1006. Since the first half of 2016, sentence modifications have increased, nearly doubling; see Table 2.

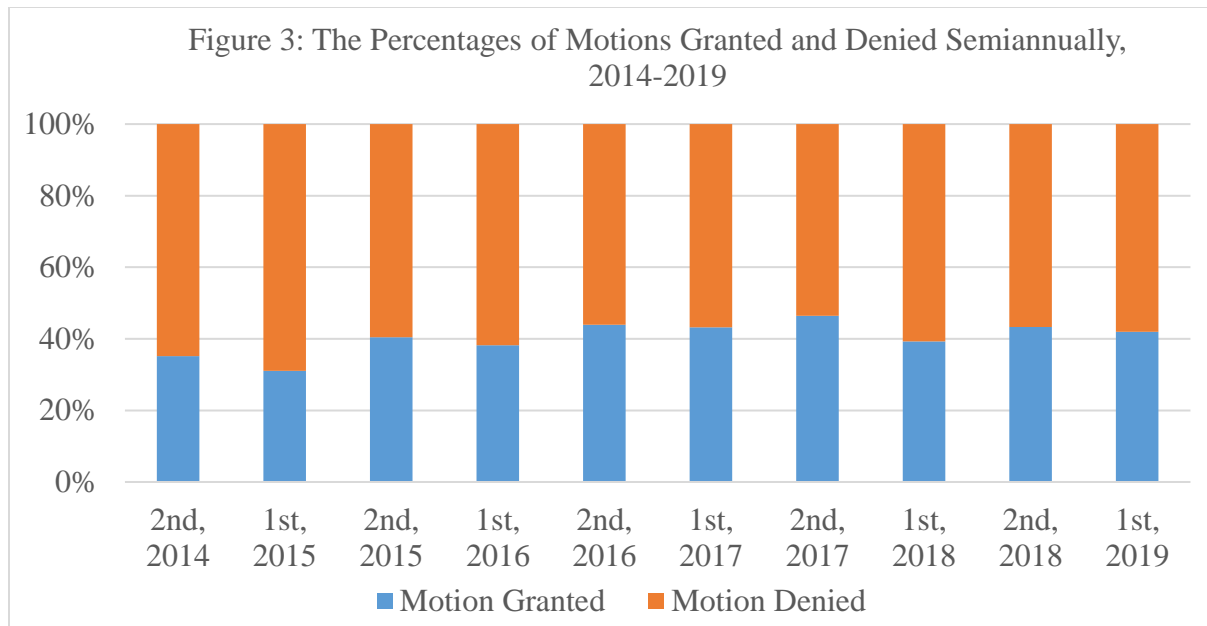


Table 2: Total Number of Sentence Modifications and Resolutions, 2014-2019

Half and Year	Motions Filed	Motion Granted	Motion Denied
2nd, 2014	1,120	213	393
1st, 2015	915	147	327
2nd, 2015	940	211	311
1st, 2016	1,095	253	409
2nd, 2016	1,304	306	391
1st, 2017	1,467	295	388
2nd, 2017	1,346	354	408
1st, 2018	1,677	381	590
2nd, 2018	1,806	379	496
1st, 2019	2,108	426	590
Total	14,467	3090	4,524

Placement Data

Table 3 below shows that great progress has been and continues to be made toward HEA 1006’s goal of reducing the number of offenders sentenced to the IDOC. To date, there has been a 27% decline in those sentenced only to the IDOC since HEA 1006 was enacted. The table below provides insight into how many offenders are being sentenced and where they are being placed. The table clearly shows that there has been a large increase in the total number of offenders being sentenced, despite the fact that the first six months post-HEA 1006 saw fewer offenders being sentenced overall. Since the first half of 2017, the amount of offenders sentenced to the IDOC only placements has been between 4,000 to 4,823 since. Jail only sentences have seen a drastic increase of 368% since enactment of HEA 1006, which is to be expected given the nature of the statute.

Post-HEA 1006, the sentence that is most frequently imposed is jail and probation (19.2%), and the second most common sentence is the IDOC only (18.8%). The least given sentence is the IDOC and community corrections (less than 1%). In 2019, jail was the most frequently imposed sentence (23.8%), and the second most common sentence consisted of jail and probation (20.8%). Only 14.6% of offenders have been sentenced to the IDOC only for the first half of 2019.

Table 3: Placement Type Semiannually, 2014-2019

Half and Year	CC and Prob	CC only	IDOC and CC	IDOC and Prob	IDOC	IDOC, CC, and Prob	Jail and CC	Jail and Prob	Jail	Jail, CC, and Prob	Prob	Total
2nd, 2014	2,252	2,504	290	3,129	6,607	374	129	2,822	1,669	306	2,228	22,310
1st, 2015	2,149	2,469	251	2,794	6,252	314	160	3,040	1,875	324	2,084	21,712
2nd, 2015	2,121	2,500	211	2,550	5,881	274	191	3,372	2,342	330	2,237	22,009
1st, 2016	2,238	2,876	174	1,677	4,488	263	254	5,325	4,633	462	3,008	25,398
2nd, 2016	2,233	2,746	153	1,487	4,053	237	237	5,324	5,029	375	3,198	25,072
1st, 2017	2,700	3,321	199	1,746	4,823	276	343	6,289	5,982	488	3,048	29,215
2nd, 2017	2,494	3,258	190	1,718	4,600	273	341	6,059	6,152	474	3,766	29,325
1st, 2018	2,631	3,409	182	1,839	4,814	320	441	6,666	6,866	527	4,197	31,892
2nd, 2018	2,368	3,520	208	1,690	4,627	319	436	6,403	7,030	452	4,310	31,363
1st, 2019	2,310	3,540	183	1,717	4,789	297	504	6,844	7,810	553	4,292	32,839
Total	23,496	30,143	2,041	20,347	50,934	2,947	3,036	52,144	49,388	4,291	32,368	271,135

Table 4 below shows where post-HEA 1006 FDs and F6s were placed following sentencing. These data demonstrate that F6s and post-HEA 1006 FDs are being sentenced to jail only, probation only, both, or community corrections only more than an IDOC only sentence. Less than 15.5% of F6/FD offenders are being sentenced to the IDOC. Between 20-25% of F6/FD offenders are being sentenced to jail and probation, which is the most common sentence for F6/FD offenders' post-HEA 1006.

Table 4: Placement Type by Pre-1006 and Post-1006 F6s and FDs

Placement Type	F6, Post 1006 FD
Community Corrections and Probation	15,162
Community Corrections only	24,319
IDOC and Community Corrections	354
IDOC and Probation	5,567
IDOC	24,016
IDOC, Community Corrections, and Probation	305

Jail and Community Corrections	2,674
Jail and Probation	47,522
Jail	46,563
Jail, Community Corrections, and Probation	3,622
Probation	28,938
Total	199,042

New Filings

Table 5 below shows the number of new filings by year for all felony types from January 1, 2015, to June 30, 2019, as well as projected 2019 filings. New filings increased from 2015 to 2017, then saw a decrease in 2018. Based on projections, new filings are likely to decrease for 2019 as well. There are nearly three times more F6 filings than all other felony levels combined, including murder. F6s made up 21.4% of all new filings in 2015 and nearly 26% of all new filings in 2018. There has been an increase of 32% in F6 filings from 2015 to 2018.

Table 5: Criminal Filings, 2015-2019

	2015	2016	2017	2018	2019 (Jan-June)	2019 (Projected)
Murder	232	243	223	261	120	240
F1	421	487	471	503	267	534
F2	1,261	1,467	1,716	1,848	979	1,958
F3	2,152	2,374	2,512	2,483	1,176	2,352
F4	3,162	3,592	3,555	3,521	1,631	3,262
F5	9,966	10,679	11,238	11,222	5,266	10,532
F6	43,868	50,581	56,511	57,942	28,042	56,084
Post-Conviction	1,035	1,068	1,000	961	467	934
A-D Felonies	2,520	1,192	780	469	163	326
Misdemeanors	140,161	144,136	148,641	144,831	69,827	139,654
Totals	204,778	215,819	226,647	224,041	107,938	215,876

Source: Table compiled by IPAC

Seeing that F6s make up the largest amount of felonies, it's not surprising that the top ten felony filings since 2015, based on prosecution data, have all been F6s; see Table 6. The number of felony filings has increased 22% from 2015 to 2018. Four of the top ten felony filings each year are substance abuse related (possession of meth, syringe possession, narcotics possession and common nuisance) and have seen the largest increases. From 2015 to 2016, filings for syringe possession increased 215% and was the top filing charge in 2016. Possession of meth has been the number one filing since 2017 and increased 177% from 2015 to 2018. Common nuisance filings increased 157% from 2016 to 2017. Narcotics possession filings increased 37% from 2015 to 2018.

Table 6: Top Ten Felony Filings, 2015-2019

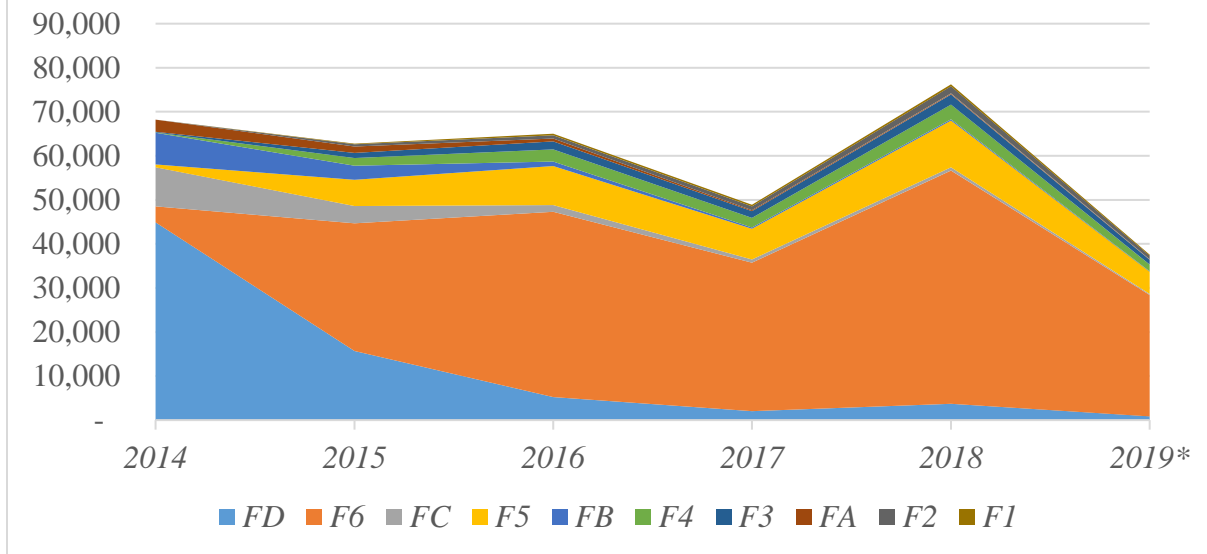
	2015	2016	2017	2018	2019 (Jan 1-July 31)
1	Theft with Prior 5,010	Syringe Possession 7,079	Possession of Meth 9,510	Possession of Meth 11,606	Possession of Meth 6,604
2	Possession of Meth 4,194	Possession of Meth 6,304	Syringe Possession 8,791	Syringe Possession 8,763	Syringe Possession 4,234
3	Theft, \$750-\$50k 3,933	Theft with Prior 5,292	Theft with Prior 5,247	Theft with Prior 5,211	Theft with Prior 2,718
4	Domestic Battery 3,394	Narcotics Possession 4,518	Common Nuisance 5,184	Narcotics Possession 4,641	Narcotics Possession 2,187
5	Narcotics Possession 3,374	Theft, \$750-\$50k 3,802	Narcotics Possession 4,817	Domestic Battery 4,435	Domestic Battery 2,109
6	Strangulation 2,488	Auto Theft 2,572	Dom. Battery, Child 3,847	Common Nuisance 4,174	Theft 1,683
7	Common Nuisance 2,275	Strangulation 2,454	Theft, \$750-\$50k 3,719	Theft, \$750-\$50k 3,787	Common Nuisance 1,386
8	Syringe Possession 2,250	Residential Entry 2,081	Auto Theft 2,743	Strangulation 2,842	Strangulation 1,330
9	Auto Theft 1,985	Common Nuisance 2,015	Resisting LE with Vehicle 2,117	Resisting LE with Vehicle 2,437	Resisting LE with Vehicle 1,316
10	Residential Entry 1,978	Resisting LE with Vehicle 1,924	Residential Entry 2,095	Residential Entry 2,119	Auto Theft 1,234

Source: IN Prosecutor Case Management System

Disposed Cases

Disposed cases are cases that have been closed through one of several methods: bench disposition, bench trial, deferred, dismissed, guilty plea, jury trial, and other. Over 90% of disposed cases are either dismissed (17%) or a guilty plea (75%). *Figure 4* below shows that disposal of cases had been on the decline until 2018. In 2018, there were 76,227 cases dismissed, which is the most post-HEA 1006.

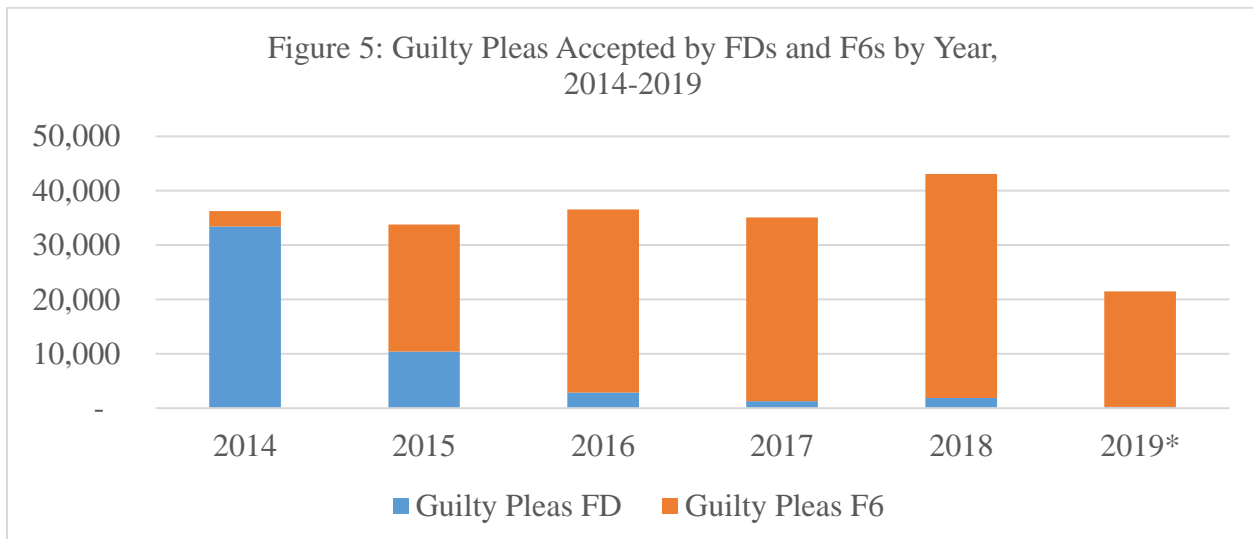
Figure 4: Disposed Cases for All Felony Levels by Year, 2014-2019



Guilty Plea

All felony levels had over 70% of their cases disposed as guilty pleas. Of all felony levels, F3 offenders accepted more guilty pleas (97%) than all other felony levels. All other new felony offenders are accepting guilty pleas at 75% or higher. Currently, 2019 is on track to have more guilty pleas for F6s than in 2018; this can be seen in *Figure 5*. In 2018, F6s accepted more guilty pleas than FDs in any pre-HEA 1006 years.

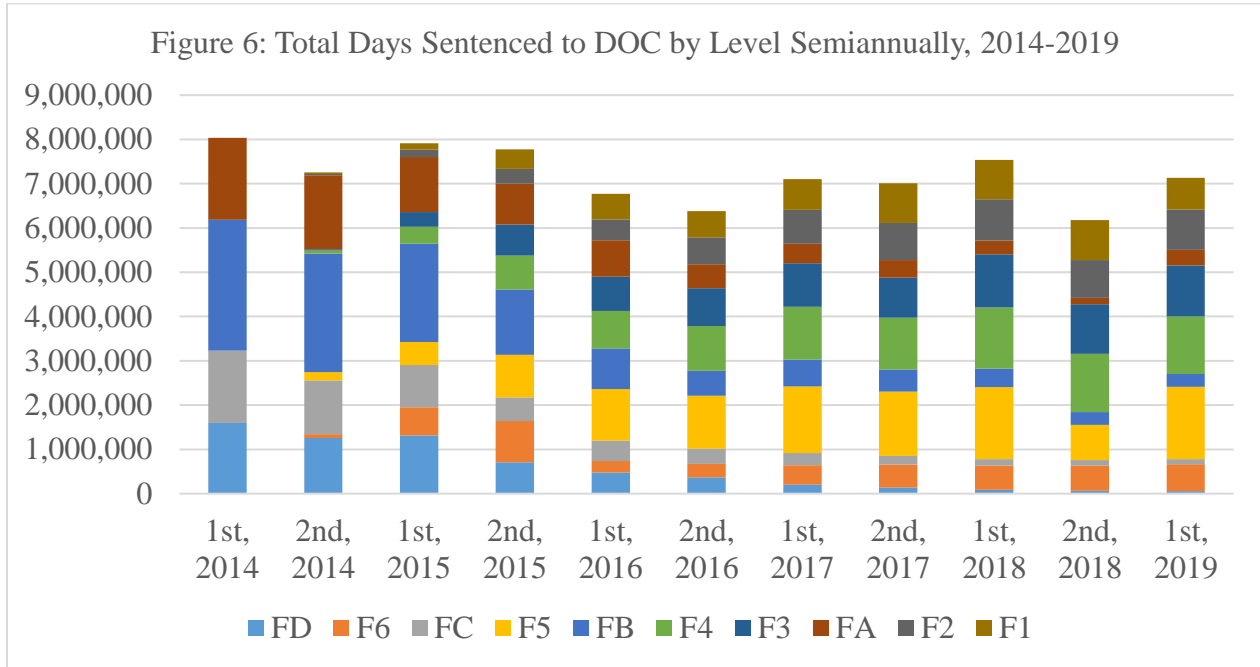
Figure 5: Guilty Pleas Accepted by FDs and F6s by Year, 2014-2019



Days Sentenced to the IDOC

Figure 6 below shows the total number of days each felony level is sentenced to the IDOC. FAs faced the longest sentence, but there were far fewer offenders getting an FA conviction than an

FB. After HEA 1006, F5s were sentenced to the most days, because there are more offenders with an F5 conviction than an F1-4 conviction. F6 offenders were still being sentenced to the IDOC in the first year and a half after HEA 1006, but on January 1, 2016 legislative changes went into effect regarding when F6s could be sentenced to the IDOC. Unless an F6 commits a new offense or is serving consecutive sentences, they are not sentenced to the IDOC.

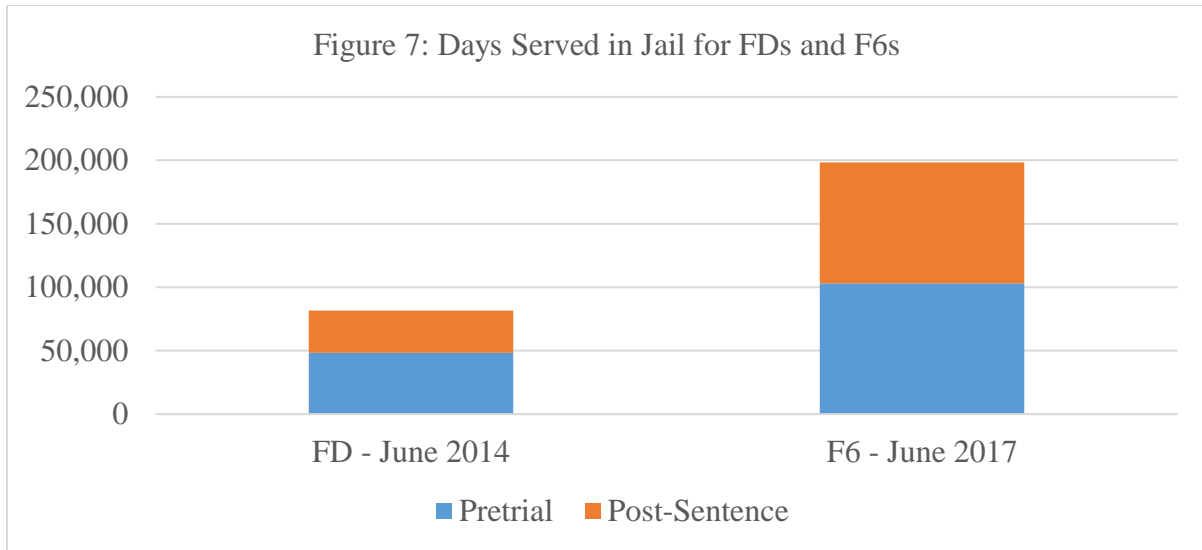


Days Sentenced to Jail

Before the enactment of HEA 1006, FDs were able to be sentenced to the IDOC. Now, F6s are rarely sentenced to the IDOC. Instead, F6s are more likely sentenced to jail, probation or community corrections. The courts provided an example of comparing pre-HEA 1006 FDs serving time in jail to F6s. The courts stated,

“In June 2014, FD felons were sentenced to a total of 81,683 days in county jails. 48,202 of those days were served in jail before their sentencing hearing, leaving 33,481 days to be executed post-sentence. In June 2017, F6 felons were sentenced to 198,260 days in county jails. However, 103,049 of those days were served pre-trial, leaving 95,211 days left to serve post-sentence. This is a 184% increase over the number of days ordered post-sentence for FD felons in June 2014.”

Only data from June of 2014 and June 2017 are shown in *Figure 7*. These two time periods were used for data reliability purposes.



The example from the courts and *Figure 7* above show that there was a large increase in the number of days sentenced to the county jails for F6s. This is expected because there are less F6s being sentenced to the IDOC. These two months were used to do the comparison, because June 2014 is the last month of the old felony system and June 2017 shows the change of HEA 1006 exactly three years later. The OJA receive this data from numerous jail management systems and compile the data.

Probation

Figure 8 below represents the average number of offenders on probation semiannually from 2014-2019. The number of offenders on probation had a downward trend from 2014 to 2015, but began to increase in 2016. In 2019, the number of offenders on probation is on track to continue this upward trend, likely above 38,000. There have been a total of 19,099 offenders put on probation for the 1st half of 2019. This is 1,459 more offenders than 2018’s average offenders semiannually. The total number of offenders on probation will likely continue to grow each year.

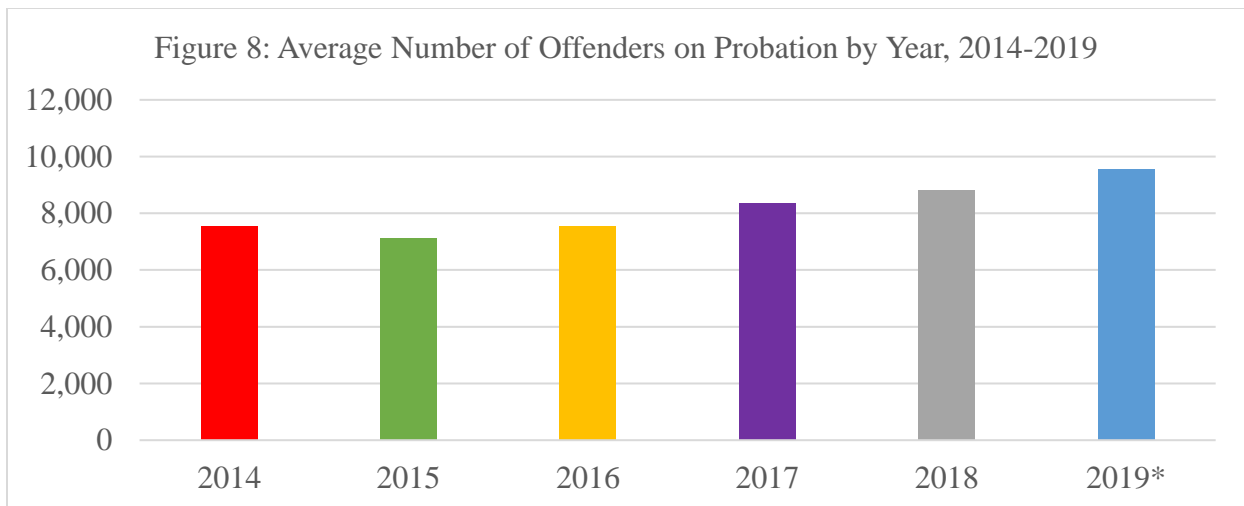


Figure 9 below shows the total number of offenders on probation by offense. In 2019, a majority (55%) of those on probation committed a crime other than a sex offense or a substance offense. Substance offenders make up about 44% of offenders on probation and sex offenders make up 1.4% of offenders. The number of sex offenders on probation has been between 600-800 offenders from 2014-2018, and likely will be the same range in 2019. Substance offenders dropped slightly in 2014 and 2015, but started to trend back up in 2016.

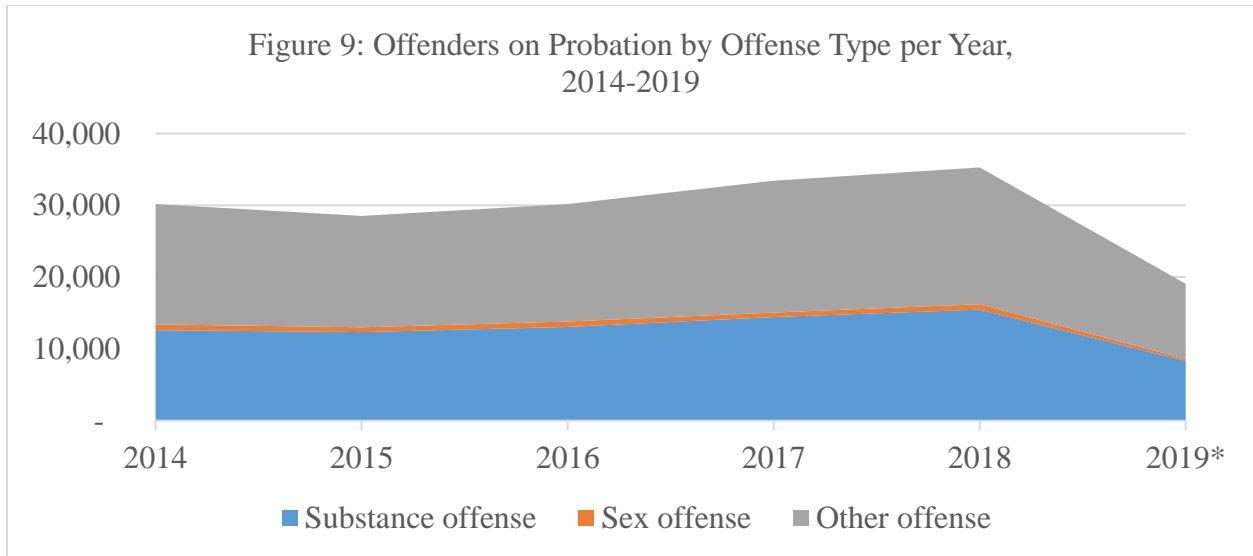
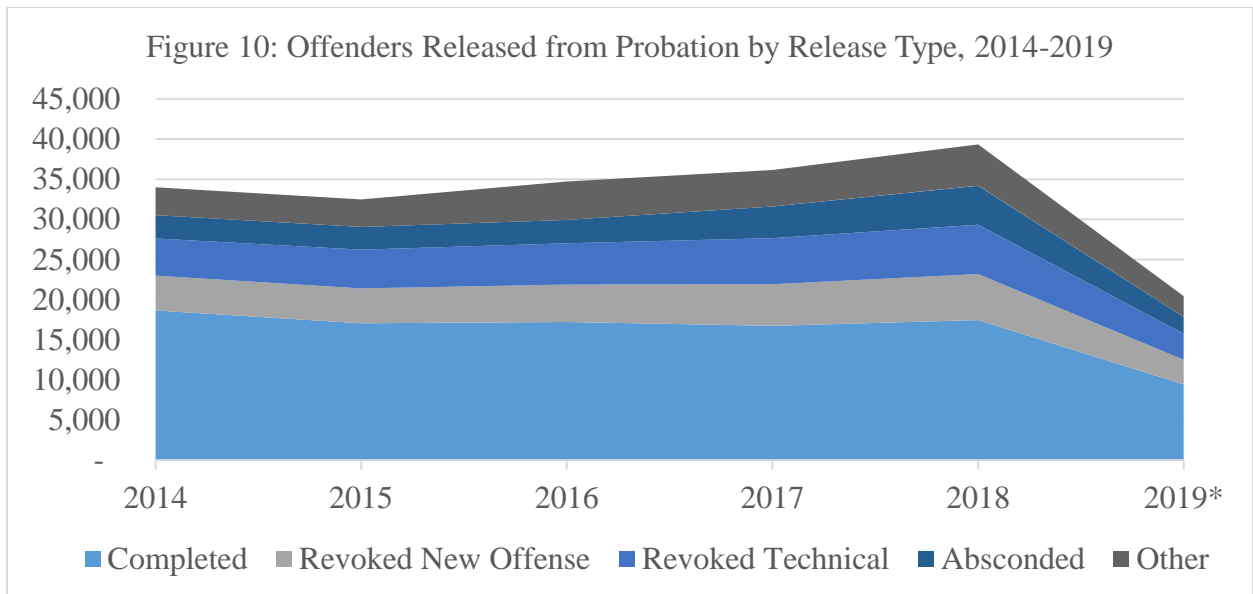


Figure 10 displays the number of offenders being released from probation, which also had a downward trend from 2014-2015. In 2016, the number of offenders released from probation began to increase. Currently, 2019 is on track to continue the upward trend. By June 30, 2019, 20,456 offenders have been released from probation. This means if offenders continue to be released at a similar rate in 2019, a total of 40,912 offenders will be released from probation.



There are different methods of release, including discharged (completed probation), revoked for new offense, revoked for a technical violation (e.g., positive drug test), absconded (whereabouts are currently unknown), and other. As shown in *Figure 11* below, a majority of offenders released from probation have completed their probation sentence.

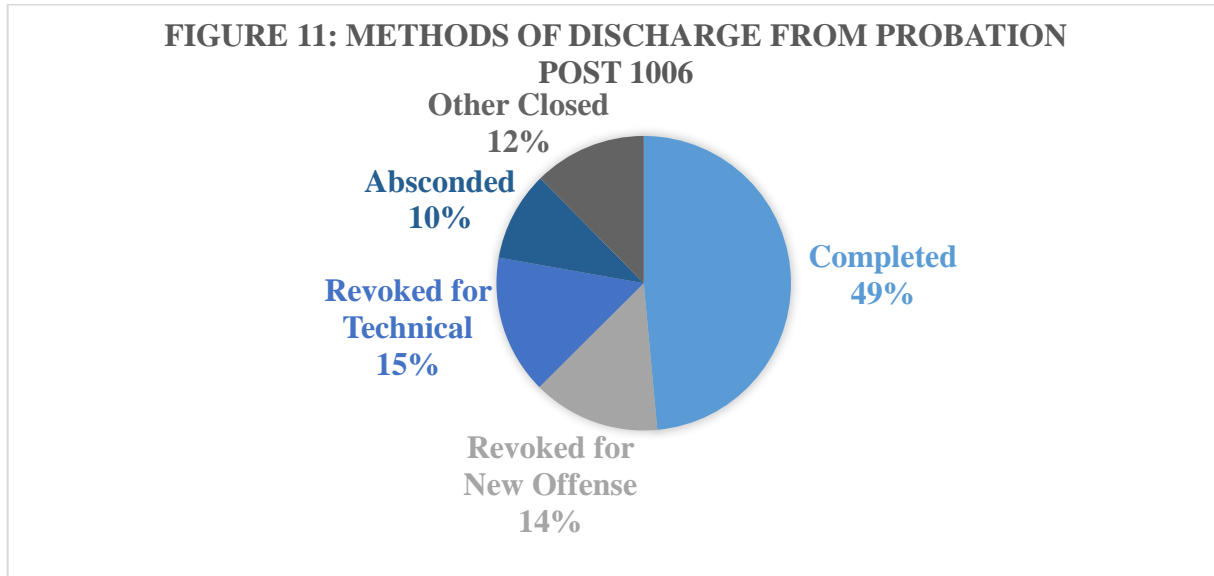


Table 7 shows the number of offenders released annually from probation by type of release. The number of offenders to complete probation has declined since 2014, but could potential see an increase in 2019. All other methods of release from probation have been increasing since 2014 and are on track to see further increases in 2019.

Table 5: Offenders Released from Probation by Type, 2014-2019

	Year Released from Probation					
	2014	2015	2016	2017	2018	2019*
Completed	18,647	17,055	17,196	16,717	17,431	9,446
Revoked New Offense	4,346	4,331	4,669	5,178	5,756	3,056
Revoked Technical	4,613	4,819	5,153	5,745	6,127	3,235
Absconded	2,921	2,827	2,909	3,952	4,857	2,118
Other	3,445	3,443	4,787	4,557	5,155	2,601
Total	33,972	32,475	34,714	36,149	39,326	20,456

Suspendible and Non-Suspendible

Another significant feature of HEA 1006 is that many offenses that were formerly non-suspendible may now be suspended. If an offense is non-suspendible, the court may suspend only that portion of the sentence that is in excess of the minimum. The court must sentence the offender to the minimum amount of executed time. HEA 1006 eliminated many situations in which an offense is non-suspendible.

Figure 12 below shows the total number of non-suspendible cases. As the data shows, post enactment of HEA 1006, there was a dramatic decrease in the number of non-suspendible sentences. The downward trend was evident from the 2nd half of 2014 to the first half of 2015, and has stayed fairly consistent since the 2nd half of 2016 through 2019.

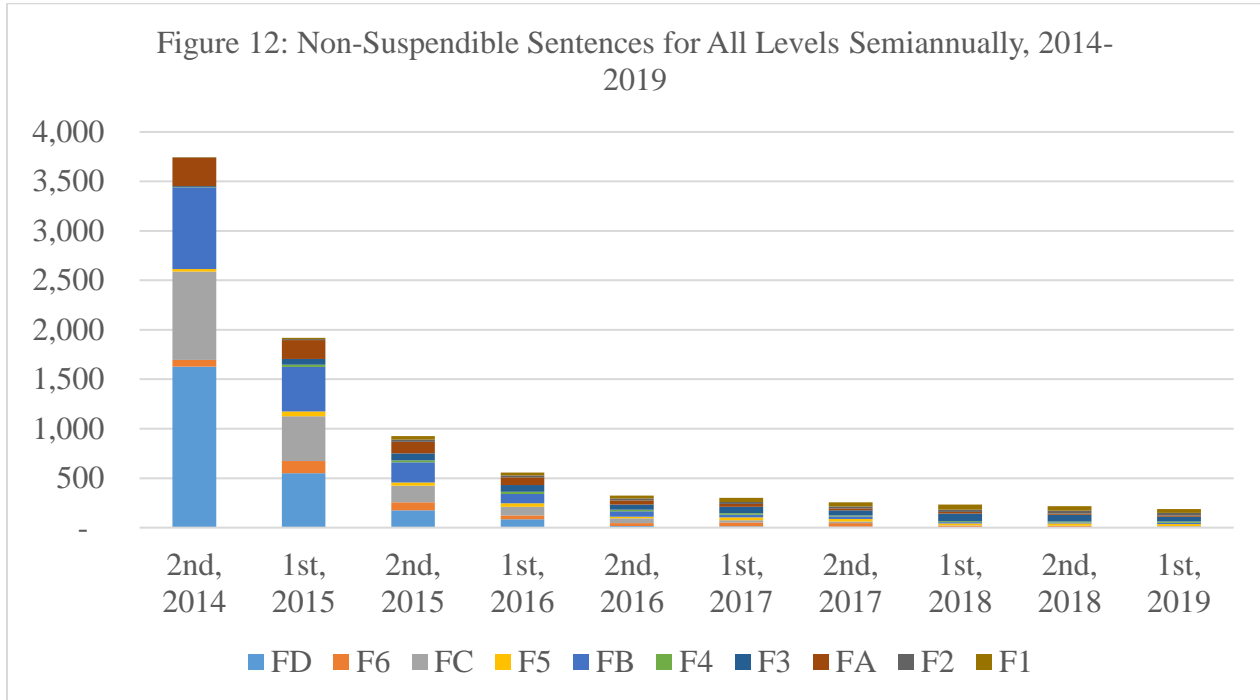


Figure 13 shows that suspendible cases have steadily increased since July 1, 2014, but there is a downward trend that started in 2018. The increase was anticipated due to the data above showing a decrease in the number of non-suspendible cases. The data also shows there has been some consistency between the various felonies. There are more suspendible cases for each level, which trends along with a rise in the number of suspendible sentences.

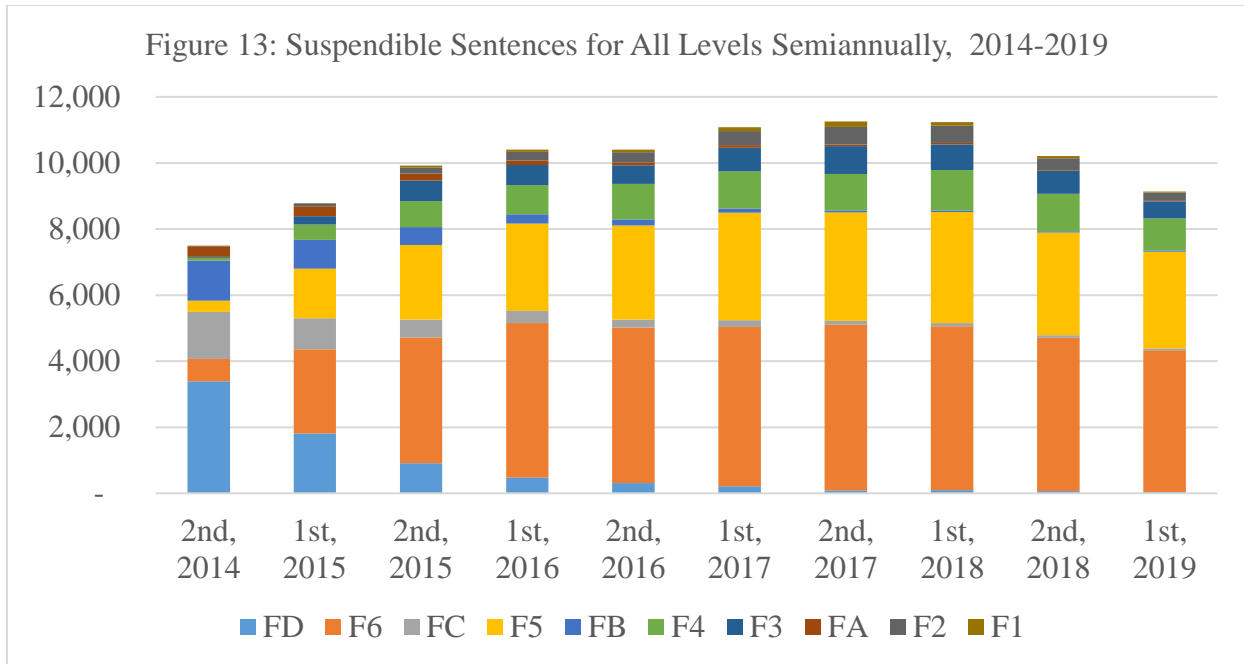
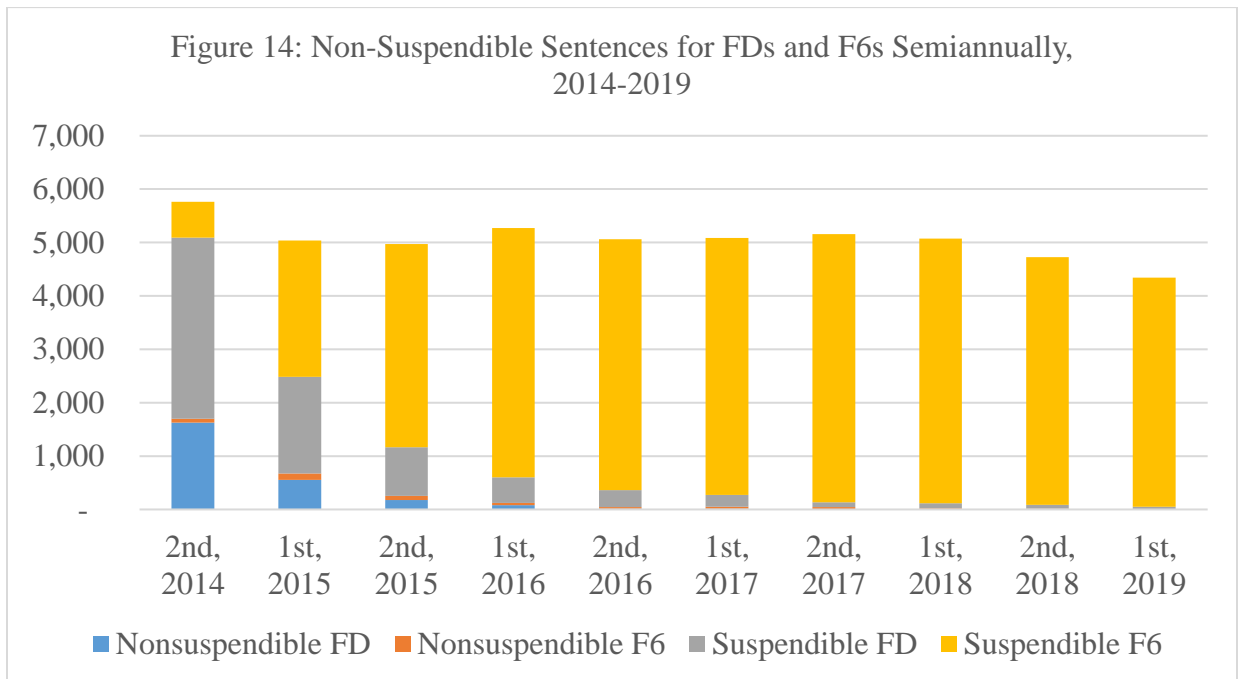


Figure 14 below displays two different analyses; it compares FDs and F6s, but also suspendible and non-suspendible sentences. There was a dramatic decrease in non-suspendible sentences within six months of the enactment of HEA 1006. By the end of 2015, there were few sentences at this level that were labeled as non-suspendible. Suspendible sentences for F6s will continue to increase and non-suspendible sentences will continue to decrease with time.



Problem Solving Courts

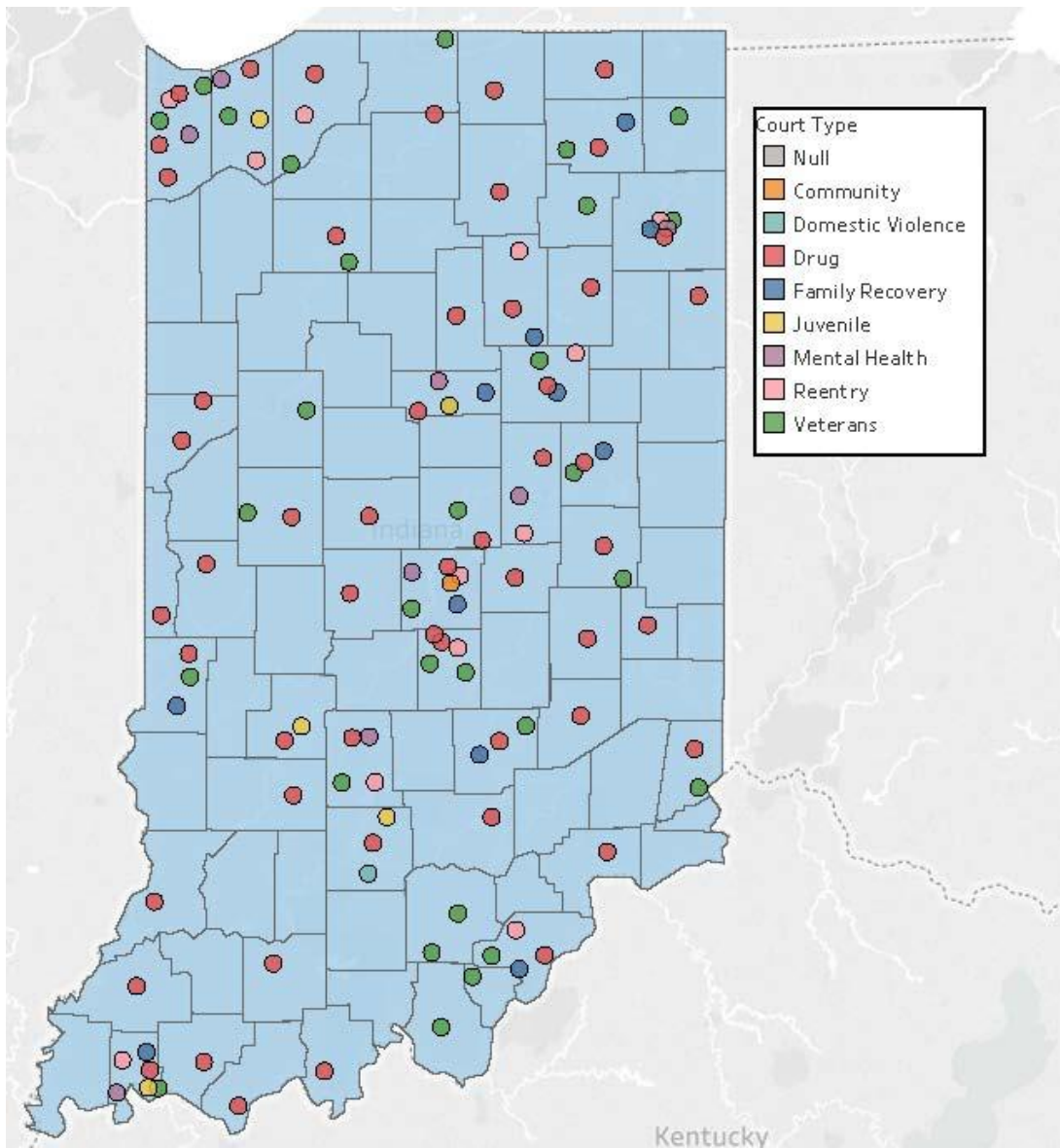
With the increase of new filings being submitted to the courts, many counties decided to implement problem solving courts to not only help with the caseloads and resolution of cases, but to provide alternative sentencing options to offenders. Problem solving courts address specific offenses and often, upon successful completion, the offender will have the conviction dropped to a misdemeanor or taken off their record. Offenders who complete a problem solving court program often have a lower rate of recidivism. Since the enactment of HEA 1006, drug courts have had the most growth statewide. Below is a table displaying the number of problem solving courts started each year.

Table 8: Problem Solving Courts Added Since the Enactment of HEA 1006

Type of Problem Solving Court	2nd Half 2014	2015	2016	2017	2018	2019
Community	0	0	0	0	0	0
Domestic Violence	0	1	0	0	0	0
Drug	0	2	2	4	2	0
Family Recovery	1	1	0	0	1	0
Juvenile	0	0	0	0	0	0
Mental Health	0	0	2	0	3	1
Reentry	0	1	0	0	3	0
Veterans	1	4	3	3	3	0

The map below displays problem solving courts information, including county and type of court. Lake County has the most problem solving courts in Indiana, with three drug courts. As the map and table show, drug courts are the most prevalent with Veterans courts following second. Although there are 122 problem solving courts in the state of Indiana as of June 30, 2019, only 55 counties have at least one problem solving court.

Figure 15: Problem Solving Courts Map



Department of Correction and Community Corrections Data

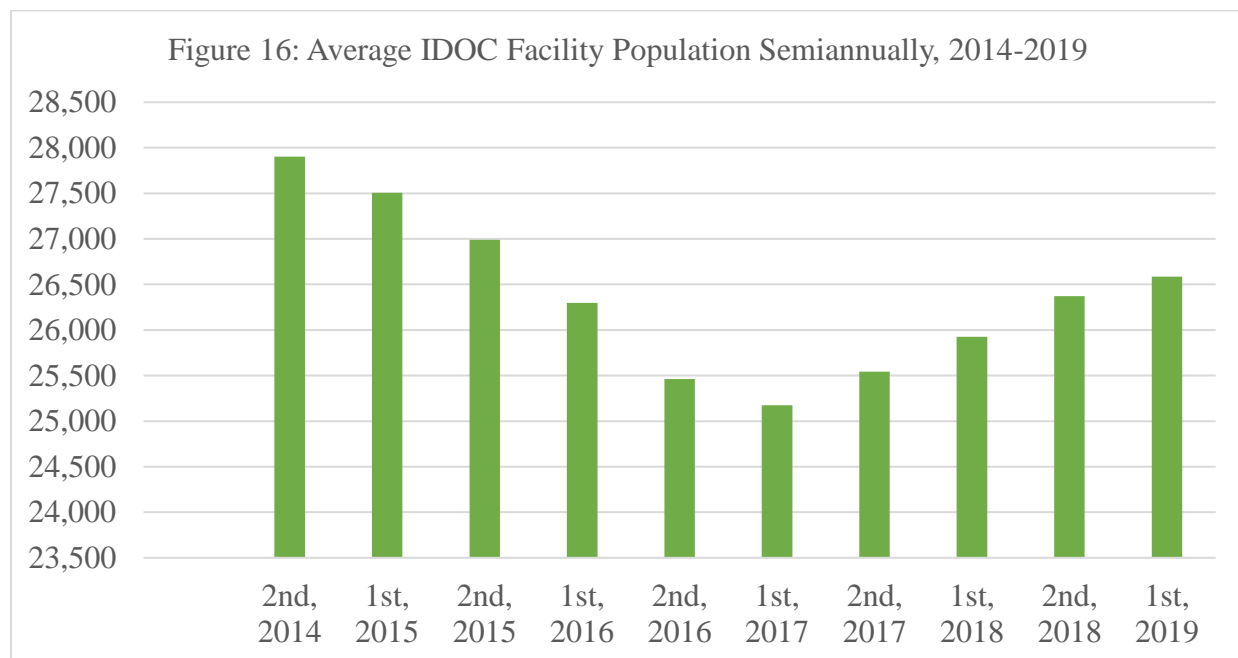
HEA 1006 impacted the IDOC offender population in these key ways:

- Credit time class: Offenders who are not a credit restricted felon and sentenced for Murder or F1 through F5 are eligible for Credit Classes B through D. Offenders may only earn back, at most, one day for every three days of appropriate behavior while incarcerated. Only F6 offenders are eligible for Credit Class A, allowing them to earn back one day for every one day of appropriate behavior.

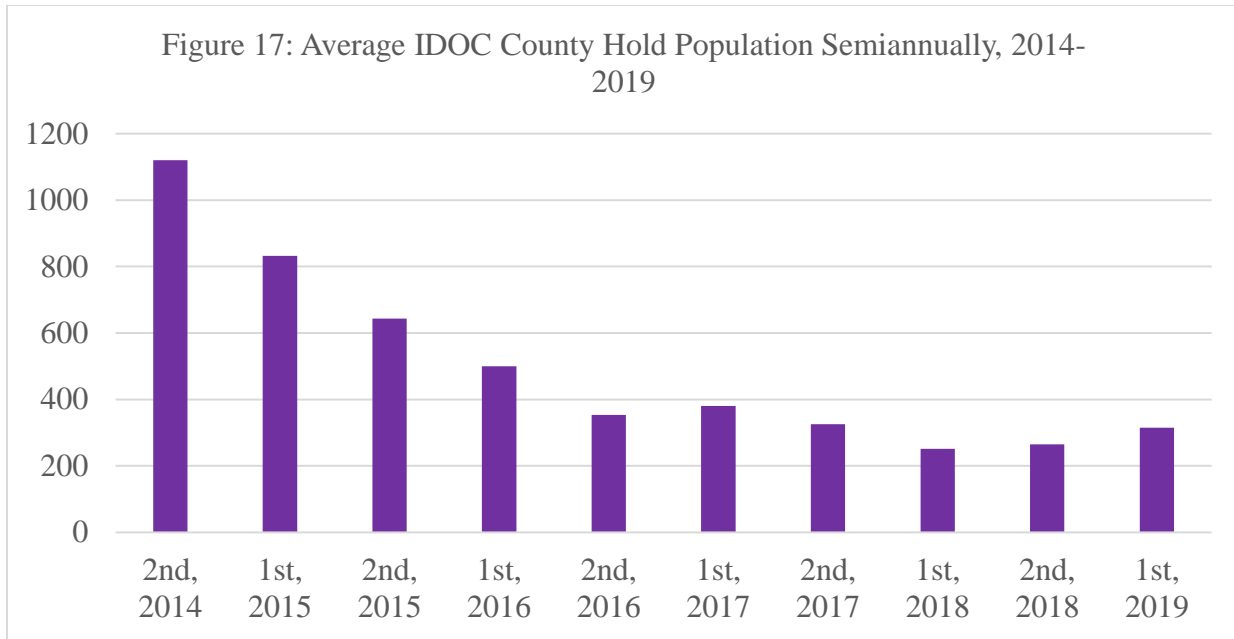
- Earned educational credit time: Felons sentenced to the IDOC under the new criminal code are eligible for up to two years or one-third of offender’s total sentence, whichever is less, in applicable credit time.
- A person convicted of a F6 may not be committed to the IDOC unless:
 - The offender has been committed due to violating a condition of probation, parole, or community corrections by committing a new offense; or
 - Is convicted of a level 6 felony and the sentence for that felony is ordered to be served consecutively to the sentence for another felony;
 - Is convicted of a F6 that is enhanced by an additional fixed term or has received an enhanced sentence; and
 - The person’s earliest release date is greater than 365 days; or
 - The commitment is due to an agreement made between the sheriff and the IDOC. (IC 35-38-3-3).

Total Adult Offenders Population

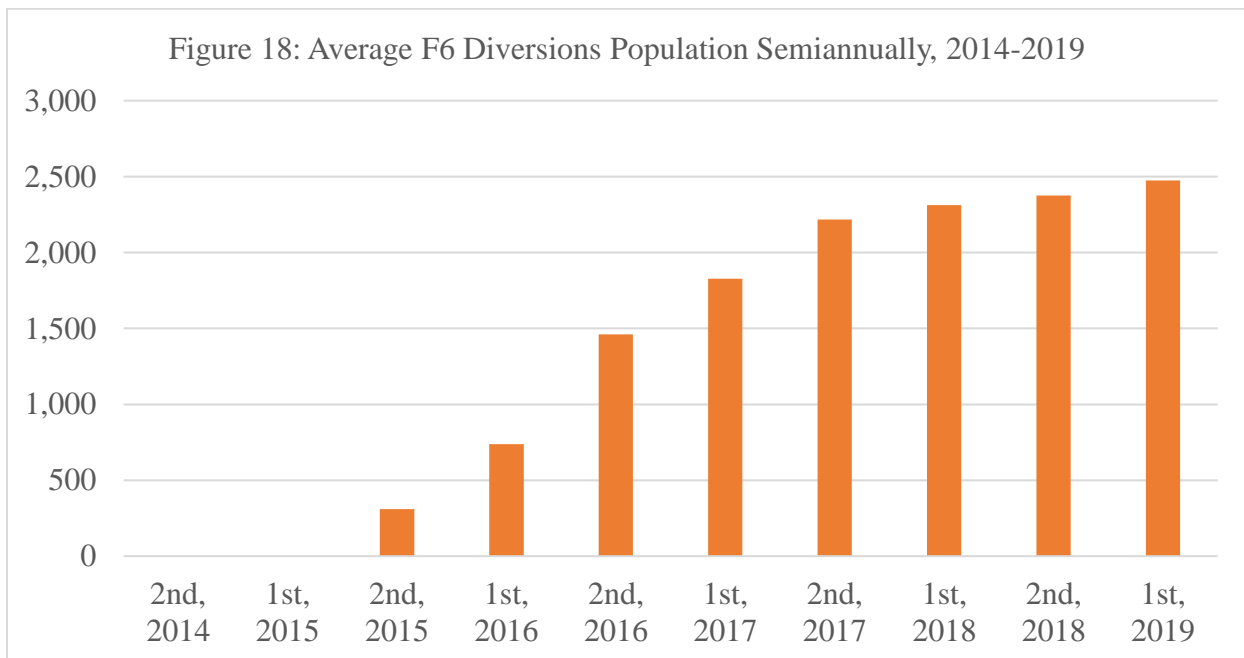
This section discusses the average number of adult offenders under any commitment to the IDOC, which includes the IDOC facilities (*Figure 16*), county hold jail beds (*Figure 17*), and F6 diversions (*Figure 18*). *Figure 16* demonstrates that the facility offender population had decreased following the enactment of HEA 1006 and then began to trend upward again starting in the second half of 2017. For the first half of 2019, the number of adults supervised by the IDOC exclusively averaged 29,376 offenders, including 26,586 in the IDOC facilities, 315 in county jails waiting to go to the IDOC, and 2,475 in jails as F6 diversions.



County hold jail beds are those offenders housed at the county jail awaiting transfer to an IDOC facility. County hold jail beds have decreased significantly from the second half of 2014 to the first half of 2017. Since the second half of 2017, county jail holds have fluctuated slightly and are averaging 308 holds.



F6 diversions are offenders convicted of a Level 6 felony who are serving time in a county jail because they cannot be sent to an IDOC facility to serve their time per statute. The number of F6 diversions has steadily increased, as expected since the majority of F6 offenders can no longer be housed in an IDOC facility.

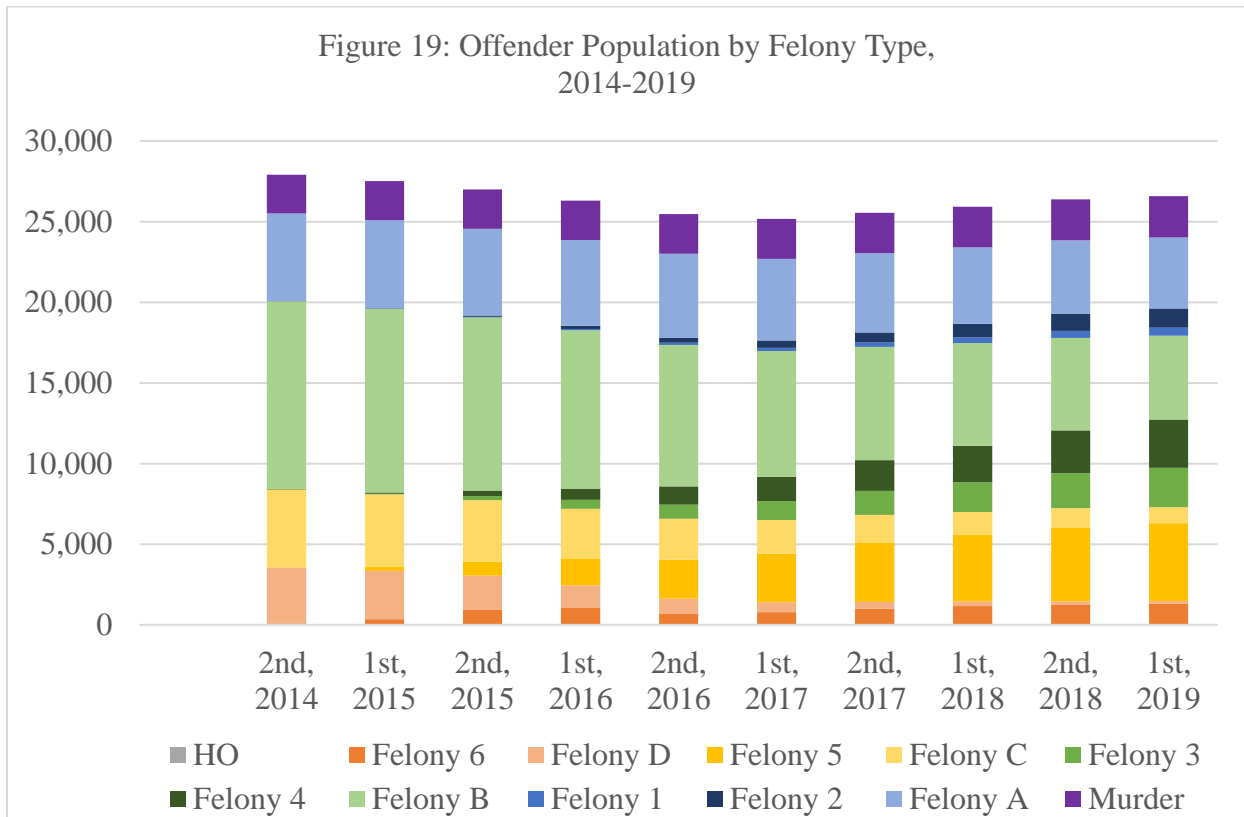


IDOC Facility Population

Figure 19 illustrates the IDOC population by felony type from July 1, 2014, to June 30, 2019. This figure represents the semiannual average of adult male and female offenders who are housed in reentry and work release facilities; inside minimum, medium, and maximum security

facilities; and in contracted facilities. These numbers do not include county holds awaiting transfer to the IDOC or F6 diversions located in county jails.

Following the enactment of HEA 1006, there was an observable decrease in the number of offenders. The population was lowest during the first half of 2017, with an average of 25,174 offenders. Since that time, there has been an increase in offenders, with the population averaging 26,586 in the first half of 2019.



To compare the effects of HEA 1006 on the IDOC population, a determination was made that certain felony types were roughly equivalent as follows:

- A Felony: Felony 1 and Felony 2
- B Felony: Felony 3 and Felony 4
- C Felony: Felony 5
- D Felony: Felony 6

Admissions and Releases

Figure 20 compares total semiannual adult admissions and total semiannual releases for prisons and IDOC contracted facilities. An admission is when an offender enters the custody or jurisdiction of the IDOC. A release is when an offender leaves the custody or jurisdiction of the IDOC. From 2014 through 2016, total admissions decreased 39%. Admissions increased from 2017 to the first half of 2018, and since then admissions have once again decreased to currently the lowest level in the 5-year period. Releases have been decreasing since the enactment of HEA

1006, with a 41% decline over the 5-year period. The post-1006 admissions median through June 30, 2019, is 6,260 semiannually and the median released is currently 6,752 semiannually.

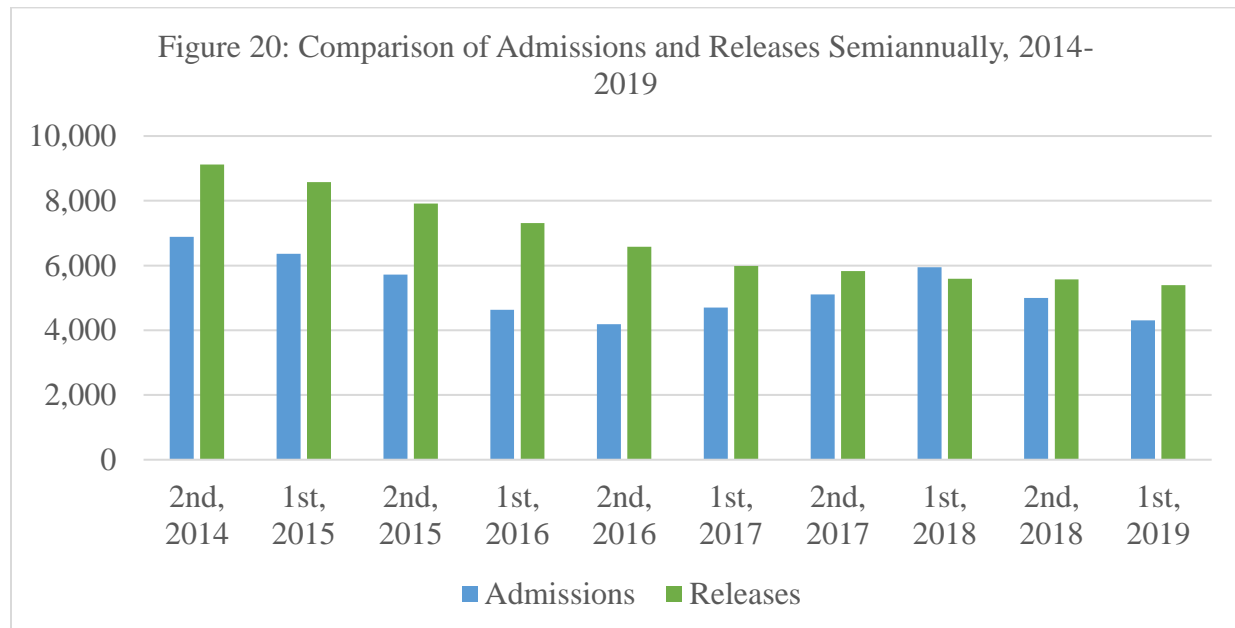


Figure 21 displays the average semiannual admissions by commitment type post-1006. The admissions were calculated by finding the average for each half year of admissions from July 2014 to June 2019. Admissions were further broken down into the type of commitment. New commitments are offenders who are being committed to the IDOC on a new sentence. Violation-new commitment are those offenders who were under community supervision including probation, parole, and community transitions programs (CTP) and violate the terms of their community supervision by committing a new offense. These individuals are returning to the IDOC to serve a new sentence and may also have concurrent and/or consecutive sentences to serve. Technical violations show the offenders who were returned to the IDOC for violating the terms of community supervision, including probation, parole, or CTP. New commitments made up 47% of all admissions. Overall, new commitments have decreased 43%, violation-new commitments have decreased 25% and technical violations have decreased 24% since July 1, 2014.

Caution is advised when making inferences about the IDOC facility space even though overall admissions are down. Data was unavailable for intake by facility type (the IDOC facility or county hold jail bed). The data suggests that the IDOC may be using county hold jail beds because their facilities do not have the capacity to hold all the offenders committed to the IDOC.

FIGURE 21: AVERAGE SEMIANNUAL ADMISSION BY COMMITMENT TYPE

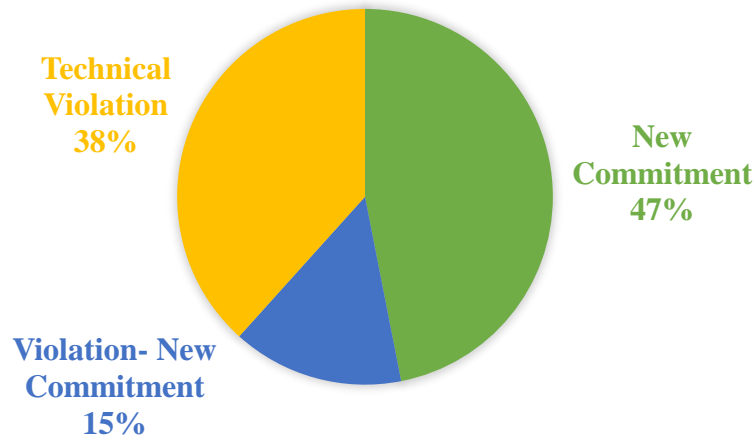
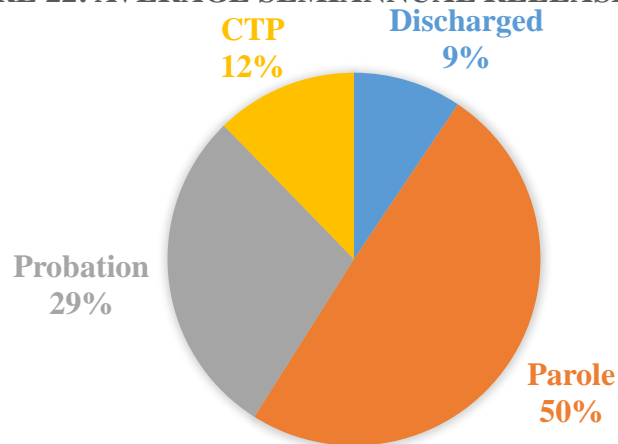


Figure 22 shows the average semiannual releases by release type from the IDOC, post-HEA 1006. The post-HEA 1006 releases were calculated by finding the average for all semiannual releases from July 2014 to June 2019. Releases were further broken down into the type of release. The discharged category represents offenders released from the IDOC without any further commitment or supervision on any sentence. Parole, probation, and CTP show offenders who are being released from an IDOC facility to community supervision as part of their release agreement. Parole made up 50% of all releases from the IDOC. Overall, fewer offenders are being released from the IDOC post-HEA 1006, which was expected due to less offenders being admitted.

FIGURE 22: AVERAGE SEMIANNUAL RELEASES BY TYPE



Risk for Reoffending Upon Intake

The Indiana Risk Assessment System (IRAS) is a suite of tools used in Indiana to evaluate an offender’s risk for reoffending and need for services that can reduce reoffending. This section discusses only scores from the IRAS Prison Intake Tool (IRAS PIT). The IRAS PIT is designed to aid in decision making at intake, develop individualized case plans based on needs, and measure the likelihood of an offender committing a new offense while in prison.

Figure 23 shows the percentage of IRAS PIT level from 2014 through 2019. IRAS levels included in the figure are from the IDOC admissions in the respective year conducted on the date of admission or up to 75 days after admission. Proportionally within each year, low-risk offenders were increasing until 2017 when there was a 9% decline from 2016. The number of high-risk and very high-risk offenders was declining until 2017 when it increased by 5 percent. For all risk levels, the percentages of offenders that reoffend were roughly the same for both 2017 and 2018. Moderate-risk offenders have stayed about the same throughout the time frame.

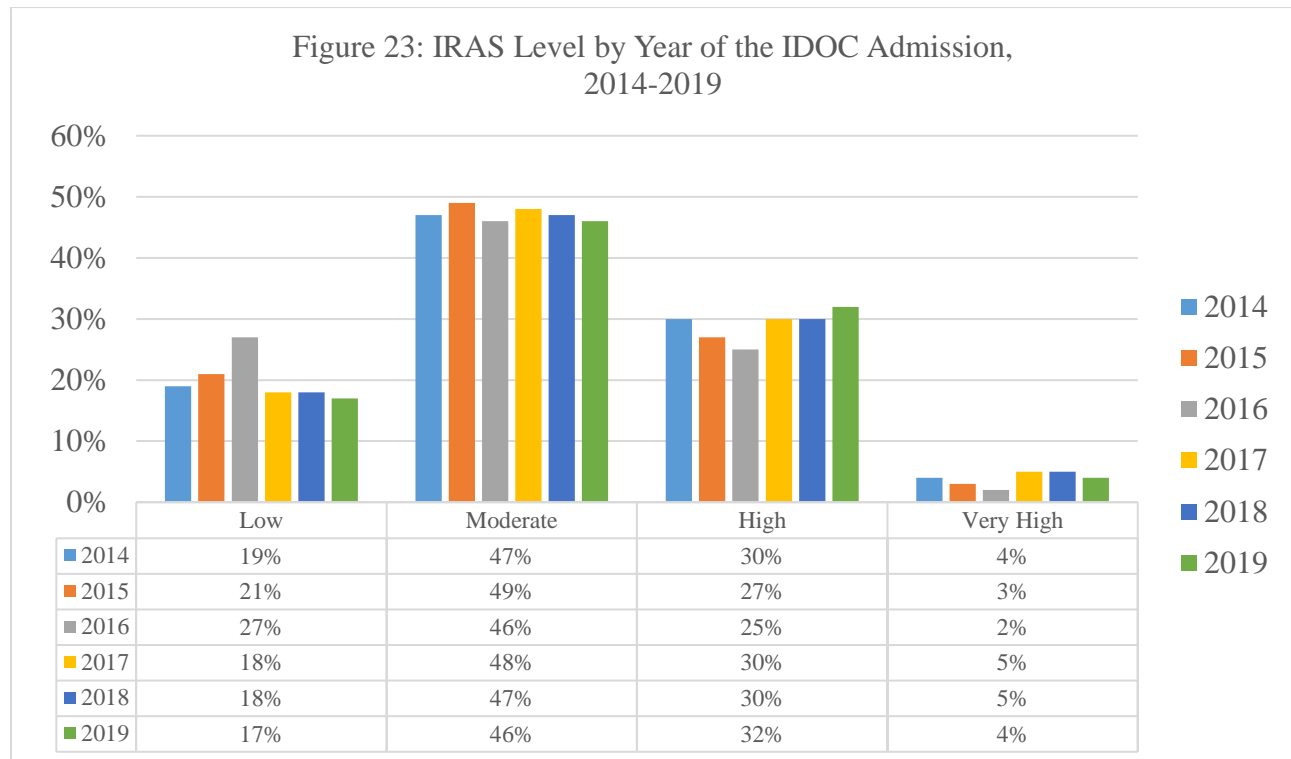
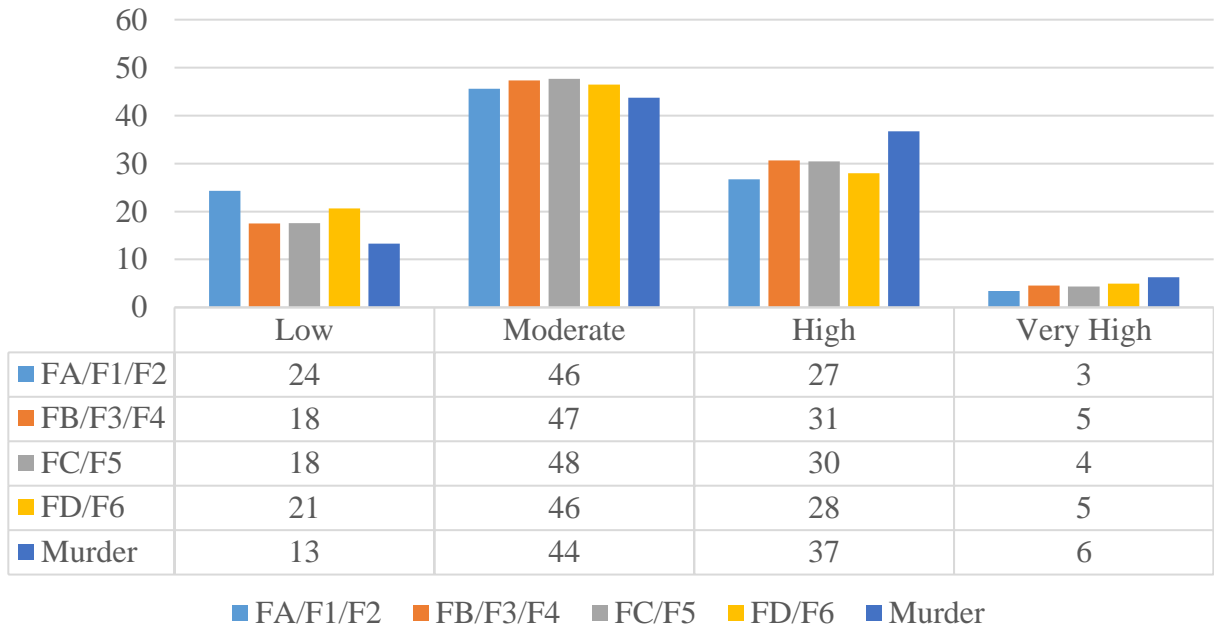


Figure 24 illustrates the proportion of IRAS PIT level (low, moderate, high, very high) by felony level for years 2014-2019. The data shows little variation between felony levels and risk category, except for the low-risk category. For the low-risk level, 24% of FA/F1/F2s fell into this category, while 18 -21% of the remaining felony levels (excluding murder) scored low-risk. Most offenders across all felony levels are classified in the moderate-risk category. The majority of murderers had a moderate- or high-risk level while 13% received a low-risk score. For the FD/F6 offenders, 5% are very high-risk and 28% are high-risk.

Figure 24: Proportion of IRAS Level at Admission and Offense Type, 2014-2019



Recidivism

The IDOC defines recidivism as any offender who returns to IDOC custody within three years of release. *Table 9* below compares 2014 recidivism numbers to those in 2015. For 2014, Felony C offenders had the highest recidivism rate followed closely by Felony B offenders. For 2015, F4s had the highest recidivism rate followed by F3s. The recidivism rate has not decreased from 2014 to 2015. The recidivism rate for the new felony levels are increasing with an average rate of 31%. If F6s are excluded from that number the recidivism rate would be at 41% for F1-5 felons.

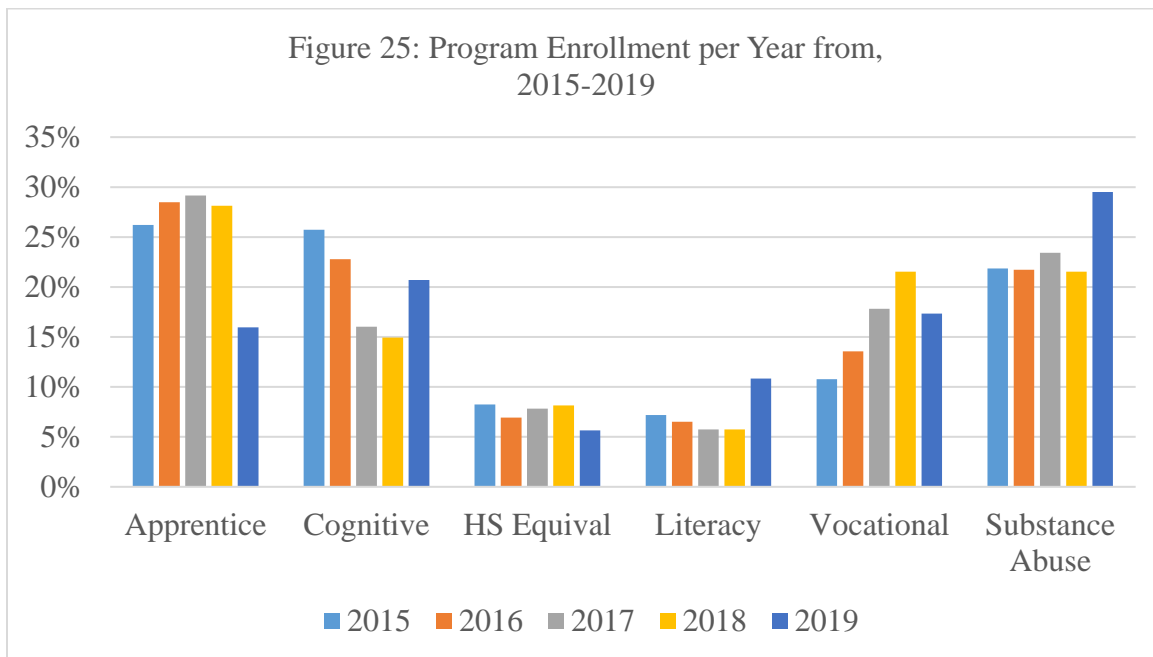
Table 9: Recidivism by Offense Level, 2014 and 2015 Releases

Recidivism by Offense Level 2014				Recidivism by Offense Level 2015			
Offense Level	Number Released	Number of Recidivists	Recidivism Rate	Offense Level	Number Released	Number of Recidivists	Recidivism Rate
Murder	42	3	7.1%	Murder	56	5	8.9%
Felony A	464	113	24.4%	Felony A	502	151	30.1%
Felony B	4,670	1,762	37.7%	Felony B	4,646	1,835	39.5%
Felony C	4,513	1,758	39.0%	Felony C	3,896	1,516	38.9%
Felony D	8,028	2,368	29.5%	Felony D	5,567	1,473	26.5%
Felony 1	0	0	0.0%	Felony 1	0	0	0.0%
Felony 2	0	0	0.0%	Felony 2	5	0	0.0%
Felony 3	0	0	0.0%	Felony 3	9	4	44.4%
Felony 4	0	0	0.0%	Felony 4	27	13	48.1%

Felony 5	3	1	33.3%	Felony 5	194	79	40.7%
Felony 6	11	2	18.2%	Felony 6	769	217	28.2%
Habitual	3	0	0.0%	Habitual	4	1	25.0%
Misd.	5	2	40.0%	Misd.	5	2	40.0%
Total	17,739	6,009	33.9%	Total	15,680	5,296	33.8%

The IDOC Program Enrollments

Figure 25 demonstrates the percentages of enrollments in each program from 2015-2019. The percentages represent the amount of offenders enrolled in a program that year compared to all offenders enrolled in any programs for that year. An offender may be represented multiple times in this chart, because they can be in multiple programs. The apprentice program enrollments had been increasing from 2015-2017 and decreased slightly in 2018. Cognitive program enrollments had been declining from 2015-2018, but increased in 2019. The high school equivalency program enrollments has stayed between 5-9% of offenders enrolled in programs. Literacy enrollment stayed between 5-8% and spiked to 11% in 2019. Vocational programs had been increasing through 2018 and decreased a little in 2019. Substance abuse enrollments had been increasing consistently from 2015-2018 and spiked to 30% in 2019.



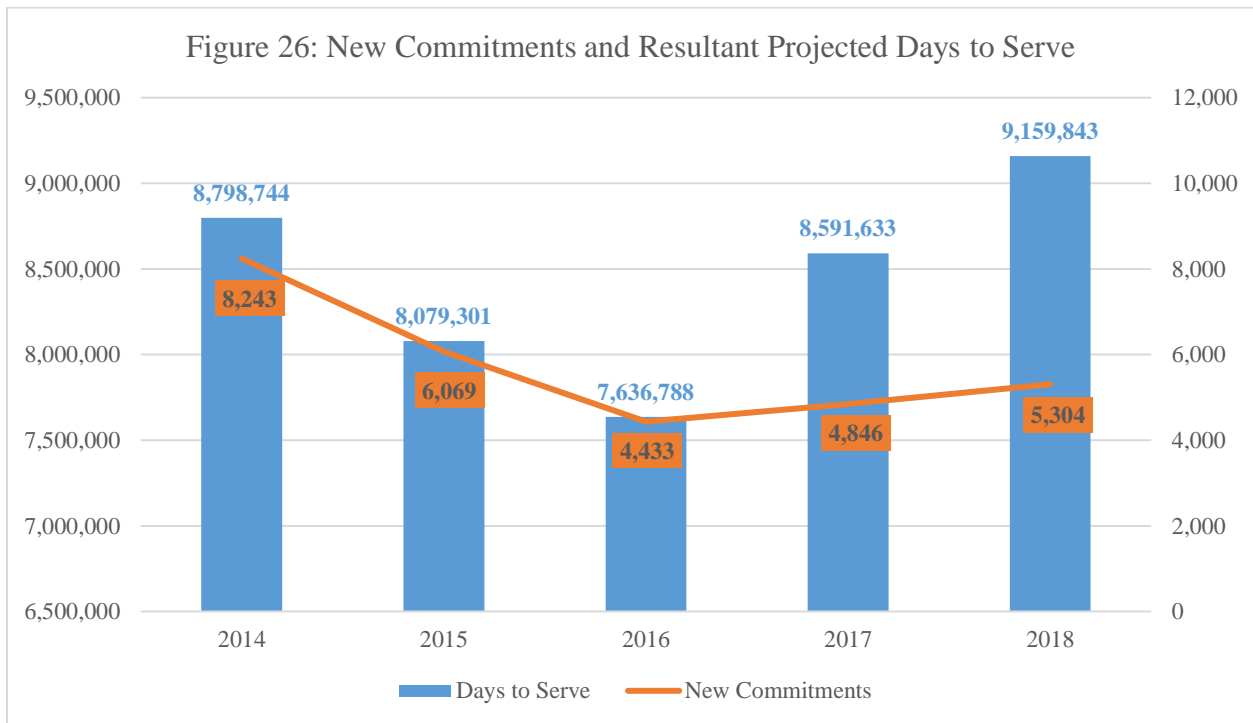
*Offender may be represented multiple times

Average Time to Serve

Figure 26 shows projected length of stay for the offenders admitted in years 2014 to 2018.¹¹ This figure depicts the total number of new commitments (no parole violators or court supervision violators) and estimates the total number of bed days associated with each of those new commitments. This calculation is based on total fixed term of incarceration with the IDOC,

¹¹ 2019 is not yet available.

multiplied appropriately by either 50% or 75% to reflect credit time, depending on the most serious felony level. Under the new credit time rules, offenders convicted of a F6 may have the ability to serve only 50% of their sentence. However, offenders convicted of a F1-5 offenses must serve at least 75% of their sentence. Since this is just an estimate, no jail time credit or earned program time is factored in here. The IDOC completed the calculations and provided the figure depicted below. New commitments and projected days to serve decreased from 2014 to 2016. Starting in 2017, both began to increase. However, the projected days to serve in 2018 has surpassed the total for 2014, despite having nearly 3,000 fewer new commitments. It is evident that F1 through F5 offenders are staying in the IDOC longer than prior to the enactment of HEA 1006 and are serving a more proportional amount of their sentence, which was an explicit goal of HEA 1006.



The time to serve for all felonies is indicated as a total average for each year from 2014-2018 in *Table 10*. Average years to serve has increased. This is a result of changes to the sentencing lengths and credit time changes, requiring level 1-5 felonies to serve at least 75% of their sentence. Further, as a result of sentence restructuring, F6s (approximately equivalent to FDs) are no longer committed to the IDOC, except under limited circumstances.

There is an observable difference in sentencing practices for the old felony code comparing it to the new felony code, which took effect as part of HEA 1006. For instance, under the old felony sentencing code, FA offenders received, on average, 14-19 years. When comparing a FA to its counterparts under the new sentencing code, F1s averaged 28.4 years in 2018 where F2s averaged 10 years. Under the old sentencing code, FBs averaged 4.4 years in 2014, compared to F3s with 6.3 years in 2014 and F4s with 3.8 years.

Sentencing practices for F1 through F6 appear to be stabilizing, with little variation in average years since 2015. Of note, beginning in 2016, F6 commitments to the IDOC (excluding the F6s in county jails) and F5s are serving similar lengths of sentences. F6s averaged 3.1 years whereas F5 commitments average 2.4 years. This trend of F6s in the IDOC averaging more time served than F5s has continued through 2018. This could be due to the factors that allow for F6s to be sentenced to the IDOC, which involve multiple felony convictions and sentence time exceeding 365 days.

Table 10: Average Time in Years to Serve by Level and Commitment Year, 2014-2018

Felony Level		2014	2015	2016	2017	2018
New Code	F1	17.3	26.4	26.3	25.7	28.4
	F2	3.7	8.3	10.6	9.7	10.0
	F3	6.3	5.9	6.1	5.9	6.0
	F4	3.8	4.1	4.5	4.5	4.4
	F5	2.2	2.3	2.4	2.4	2.4
	F6	1.1	1.4	3.1	2.9	3.0
Old Code	FA	14.8	17.1	16.8	19.9	17.0
	FB	4.4	4.7	4.6	4.6	3.1
	FC	2.1	2.2	2.4	2.1	2.0
	FD	0.8	0.8	1.0	1.1	0.8

Facility Capacity

Figure 27 shows the adult male operational availability for June of each year. Operational availability was calculated by dividing the June count (total number of offenders housed at each security level) by the adjusted operational capacity of the respective security level (total beds available to be filled, excluding intake, inoperable, held, segregation, and infirmary beds). The figure demonstrates the percent of capacity for each facility type. Reception Diagnostic Center (RDC) is classified as either a medium or maximum security facility depending on the year. Due to the size of its operational capacity, RDC has been separated from the other facilities. RDC operates solely as the intake facility for men entering the IDOC.

Male medium security facilities consistently have been operating at or over 90% capacity for each year. Male maximum security and RDC (except in 2015 and 2016) facilities operate around and even slightly above capacity. In June of 2019, maximum security was at 95.6% capacity and RDC was at around 95% capacity. RDC had a significant drop in 2015 (78.8%) and 2016 (67.7%). Male minimum security facilities have not stayed at a consistent percentage of capacity. It has fluctuated from a low in 2017 at 75.6% to a high in 2019 of 96.5%. Reentry/work release was over capacity in 2014 (117.5%). Since then, reentry/work release has had a capacity between 66.4-73.9%, with an increase to 80.5% in 2019. All male facilities in 2019 have had a slight increase from the previous year.

Figure 27: IDOC Adult Male Facility Operational Capacity by Year and Security Level, 2014-2019

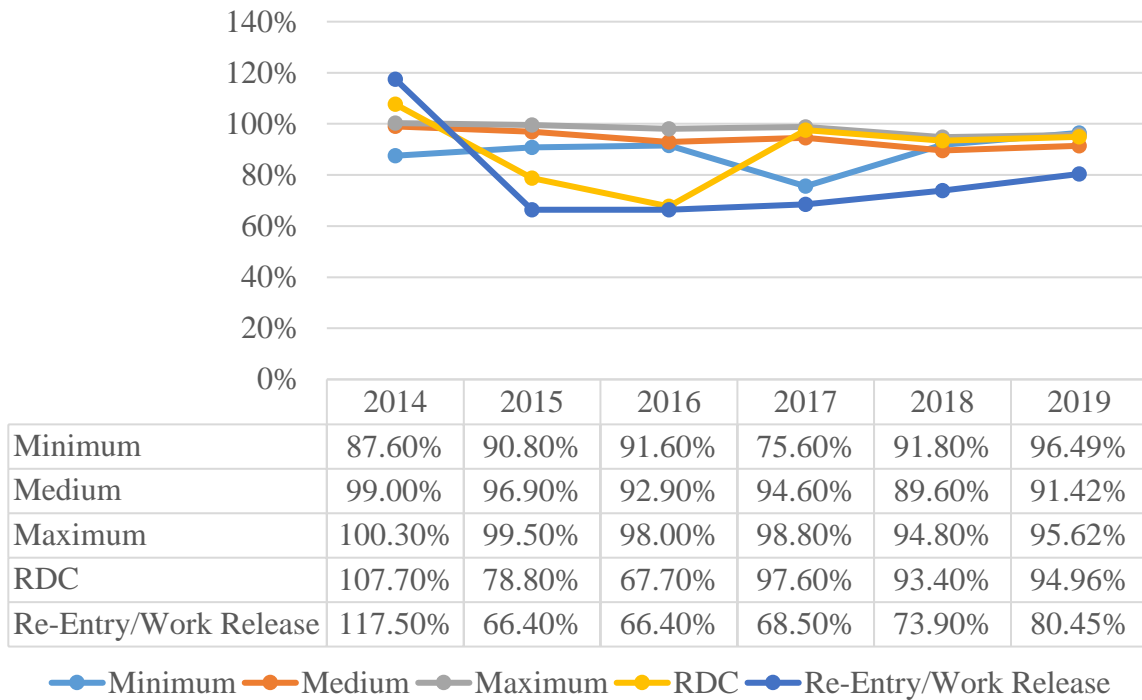
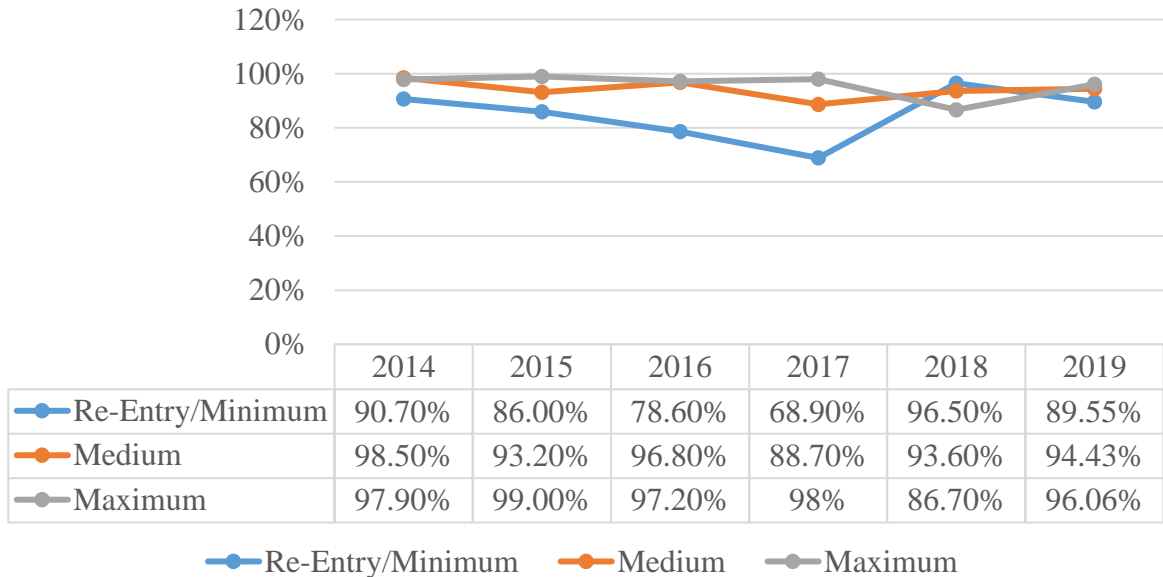


Figure 28 shows the adult female operational availability on June 30th of each year. Operational availability was calculated by dividing the June count (total number of offenders housed at each security level) by the adjusted operational capacity of the respective security level (total beds available to be filled, excluding intake, inoperable, held, segregation, and infirmary beds). The figure demonstrates the percent of capacity for each facility type. Female maximum security facilities had consistently operated very close to full capacity, except for 2018 when it declined to 86.7%. Medium security facilities have fluctuated over the years from a low of 88.7% in 2017 and a high of 98.5% in 2014. In 2018, re-entry and work release facilities operated at 96.5%, which is a large increase from 2017 (68.9% of capacity) and in 2019 decreased to about 90% of capacity.

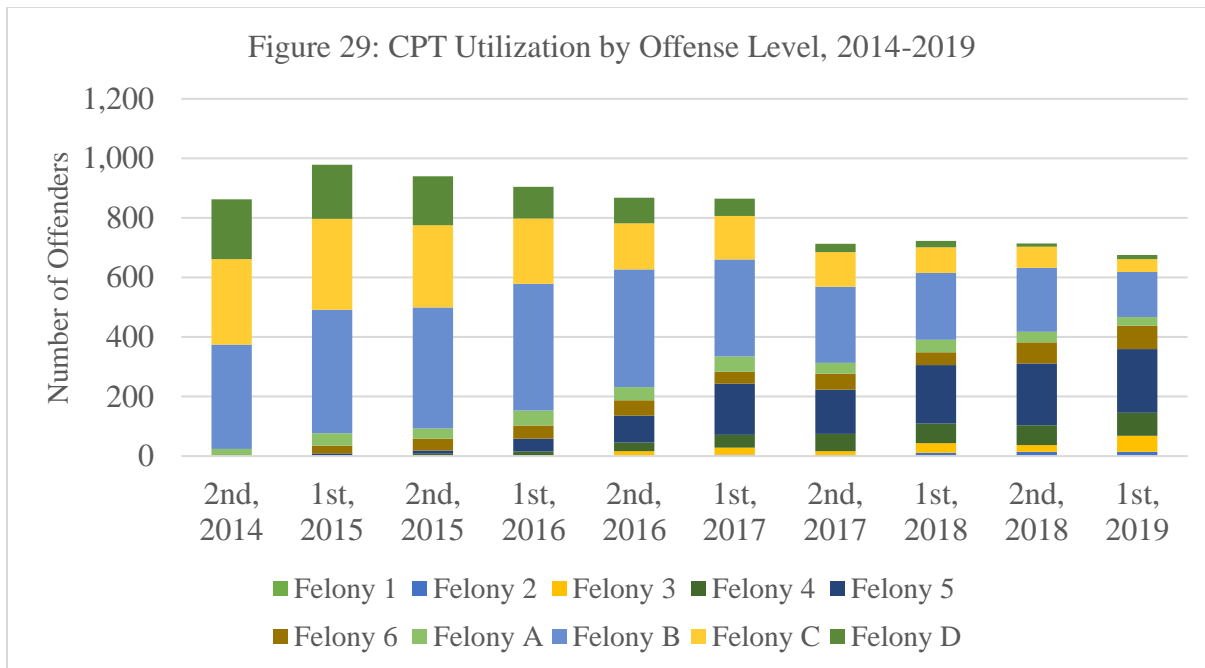
Figure 28: IDOC Adult Female Facility Operational Capacity by Year and Security Level, 2014-2019



Community Transition Program

The Community Transition Program (CTP) is intended to give an incarcerated offender a head start to reentry. Offenders committed to the IDOC may be assigned to their county’s community corrections program, probation, or court program for a period of time, determined by the offense committed (IC 11-8-1-5.6), prior to their release date. From 2014–2018, on average, about 28.5% of eligible offenders are released to CTP. Eligibility for CTP is determined by statute. Whether an offender is released to CTP is determined by the court in the offender’s county of conviction.

Figure 29 shows CTP utilization by offense level at six-month intervals. As total admissions and releases from the IDOC have decreased, CTP utilization has also decreased. Since enactment of HEA 1006, CTP utilization has decreased nearly 27%. Roughly 40.5% of eligible F1 through F6 offenders are released to CTP. F5 offenders have the most that are eligible for CTP and have a utilization rate of 43.8%. The F2 offenders are the most likely to use CTP, if eligible, at 79.6%. The F6 offenders are utilizing CTP at a rate of 28.4%.



Community Corrections

Community-based correctional programming was first established in 1979. Community corrections sought to divert felons from the Department of Correction and reduce the number of low- to medium-risk offenders as a front-end diversion that would be subsidized, at least in part, by the state (IC-11-12-1-1). The evidence-based programming aims to divert offenders from incarceration by providing those charged with a crime or act of delinquency with a number of different services. The county’s established advisory boards approve a Community Corrections Plan to prioritize the needs and services applicable to their communities. Community corrections operates, in some capacity, in every Indiana county,¹² except Benton, Franklin, and Newton counties.

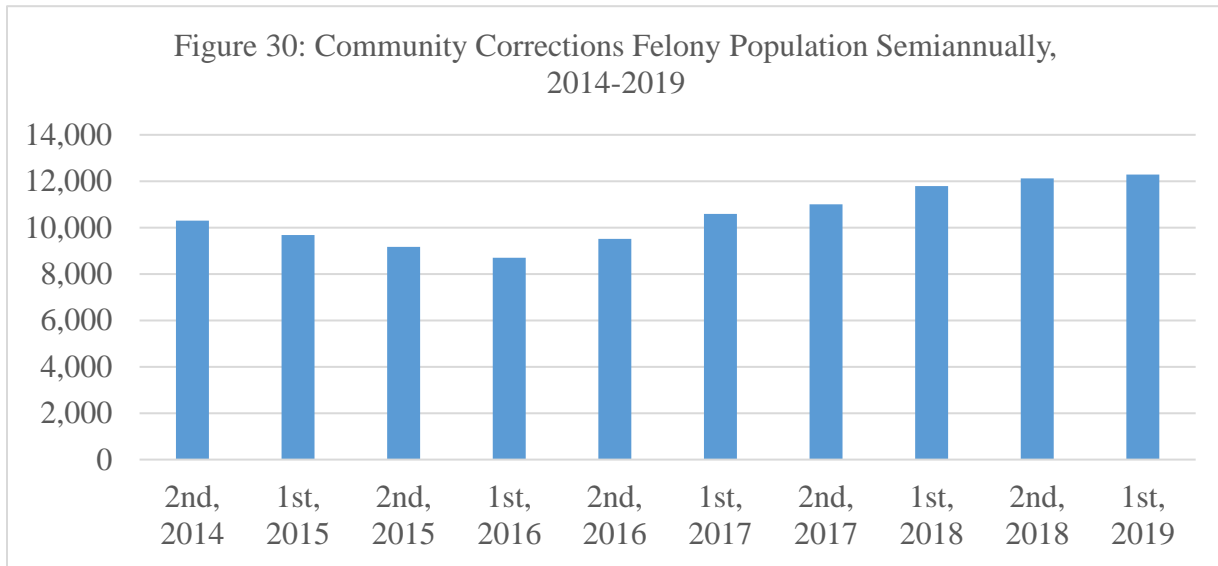
In 2015, a new revision of Indiana’s criminal code provided additional funds available as grants to encourage counties to develop a coordinated, local criminal justice system as an alternative to imprisonment (IC 11-12-2-1). In addition to community corrections programs, the funding expanded to eligible local criminal justice agencies that demonstrated county collaboration (IC 11-12-2-4). These new entities are probation, prosecutor diversion, jail treatment, and court recidivism reduction programs.

The community corrections population is composed of offenders with felony (*Figure 30*) and misdemeanor (*Figure 31*) convictions, in addition to individuals who are in pretrial programming (*Figure 32*). Pretrial individuals have yet to be convicted or sentenced for the crime for which they are supervised. The figures below illustrate the average community corrections population by felony, misdemeanor, and pretrial at six month intervals. The community corrections population has increased from a six month average of 15,688 offenders in the second half of

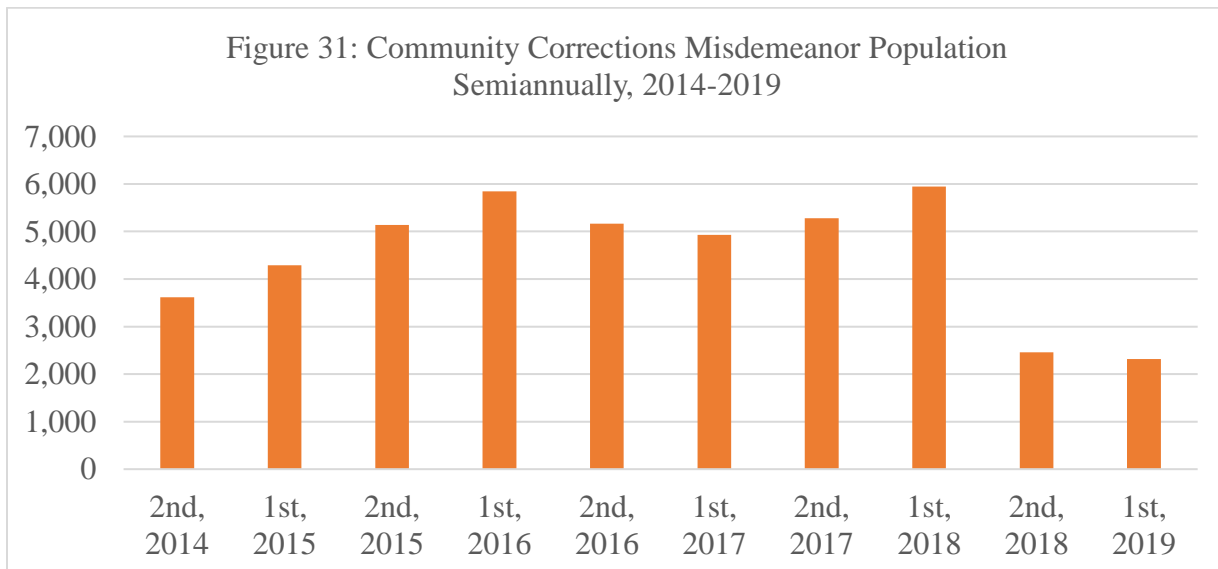
¹² For more a detailed map about community corrections in Indiana visit <https://secure.in.gov/idoc/2320.htm>.

2014 to an average of 17,710 in the first half of 2019. This is due to a 76% increase for individuals on pretrial supervision and 19% increase in felony offenders.

The felony population started to decline after the HEA 1006 was enacted and was the lowest in the first half of 2016. Starting in the second half of 2016, the felony population has trended upwards to an average of 12,284 offenders for the first half of 2019. There was a 19% increase in the average number of felony offenders under community corrections supervision since the second half of 2014.



The misdemeanor population has fluctuated since the enactment of HEA 1006. The misdemeanor population increased through the first half of 2016, with an average of 5,844 offenders. The misdemeanor population declined through the first half of 2017 and peaked at an average of 5,945 offenders for the first half of 2018. The misdemeanor population then dropped 59% in the second half of 2018 and has continued to decline.



The community corrections pretrial population held fairly stable until the latter half 2016, then began to increase steadily to a high of 3,458 participants in the second half of 2017. Since then, the number of participants has gone up and down. The overall average number of participants is 2,454 in a six month period, for the 5 year span. Since enactment of HEA 1006, pretrial participants have increased 76%. This is most likely due to more counties implementing pretrial release programs as Criminal Rule 26 becomes effective for all courts January 1, 2020.

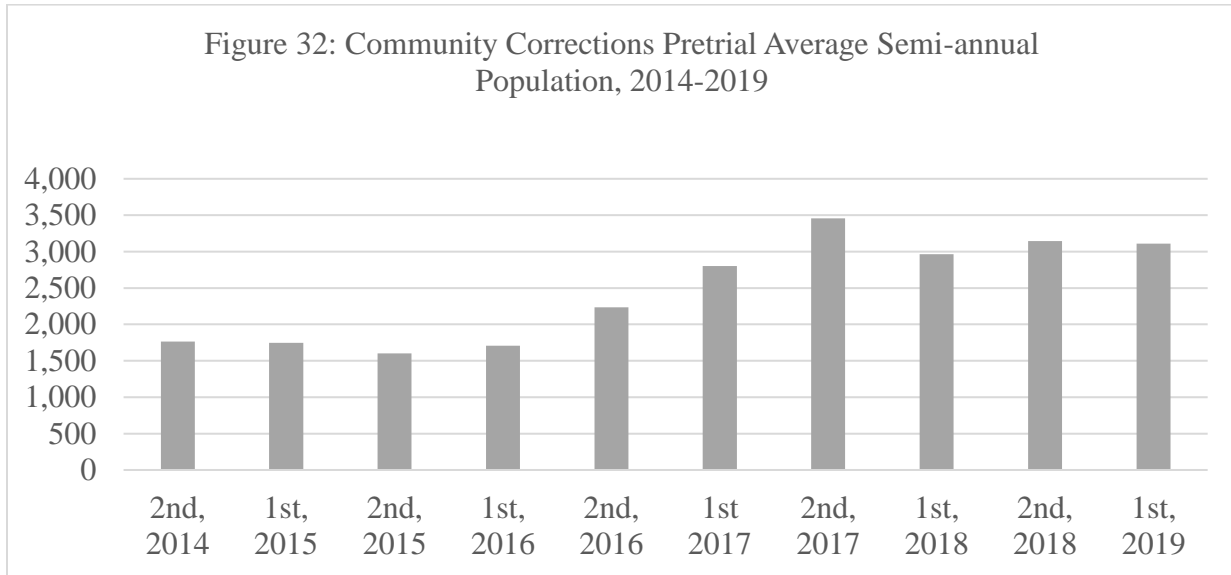
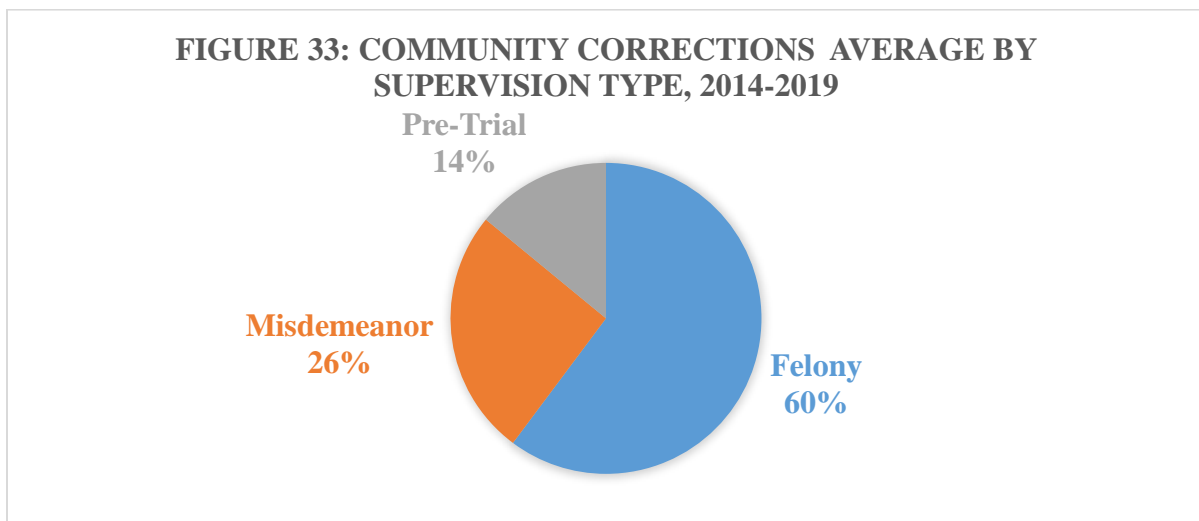


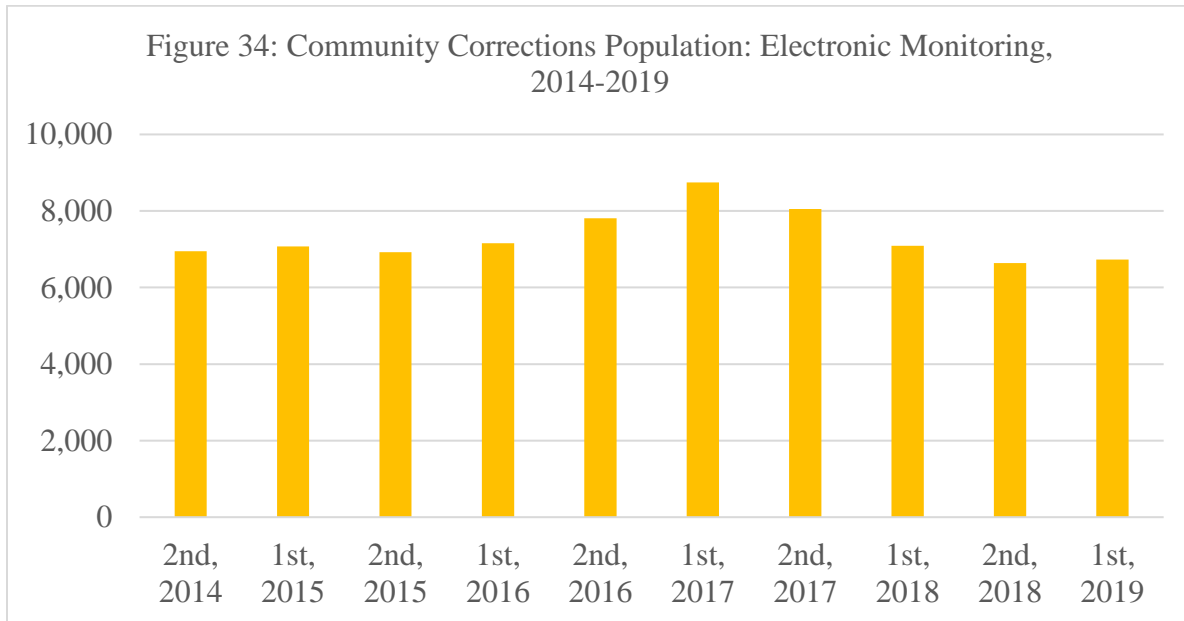
Figure 33 shows the average quarterly composition of the participants served by community corrections. On average, the majority of the community corrections population are felony offenders, followed by misdemeanor and pretrial participants.



Community corrections uses many tools to supervise their offenders. The figures below show the average number of participants enrolled in each program type for each half from the first half of 2014 to the first half of 2019 (January 2014 to June 2019), including electronic monitoring (Figure 34), community service (Figure 35), work release (Figure 36), day reporting (Figure

37), forensic diversion (*Figure 38*), and problem-solving courts (*Figure 39*).

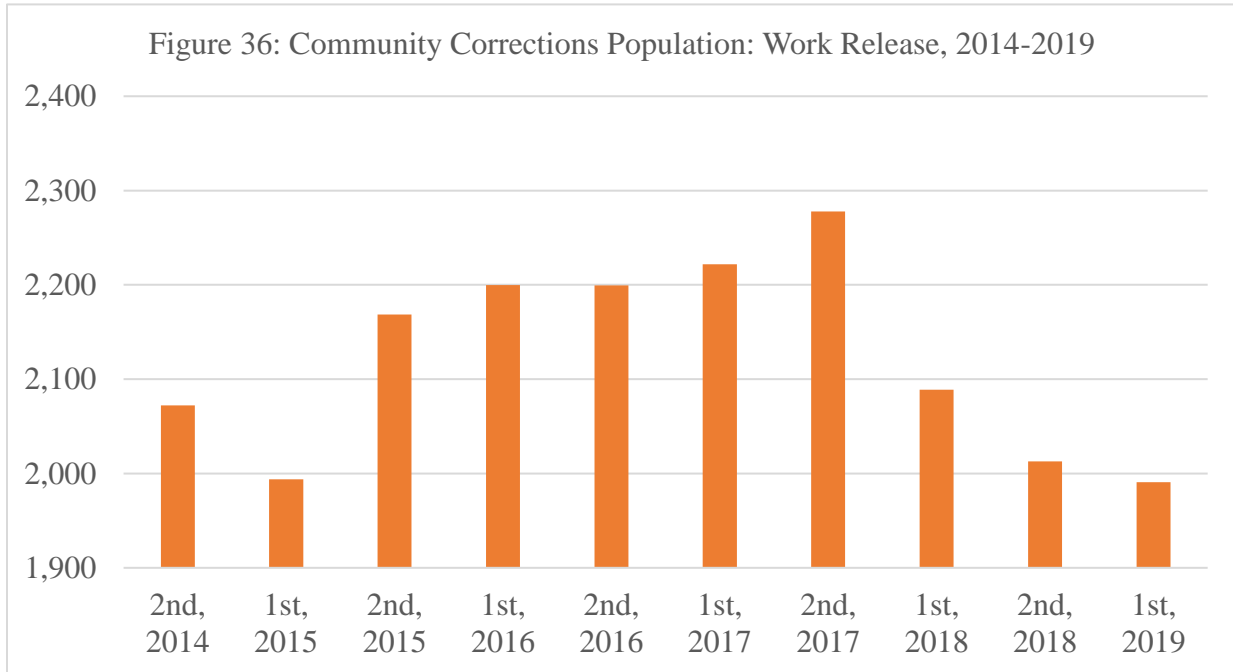
Figure 34 depicts a gradual increase in electronic monitoring from 2014 to 2017. Though, after a drop of nearly 400 in the first half of 2017, electronic monitoring steadily declines beginning in the second half of 2017 into 2018.



As shown in *Figure 35*, community service supervision trends upwards, reaching a peak of 4,574 in the second half of 2017, before dropping by nearly half throughout the end of 2018 and the beginning of 2019.



As reflected in *Figure 36*, in the first half of 2019, work release supervision fell below 2,000 for the first time since 2015.



Day reporting measures show gradual increases from 2014 to the first half of 2017, followed by a consistent decline from the second half of 2017 into 2019.

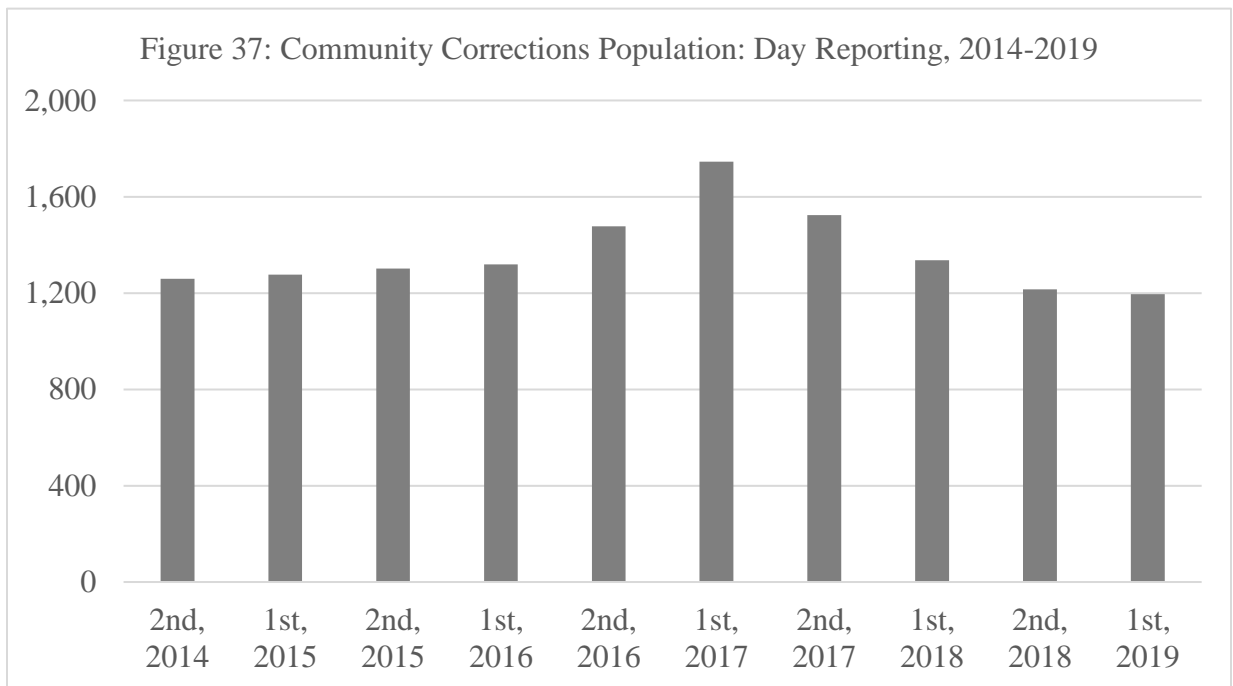
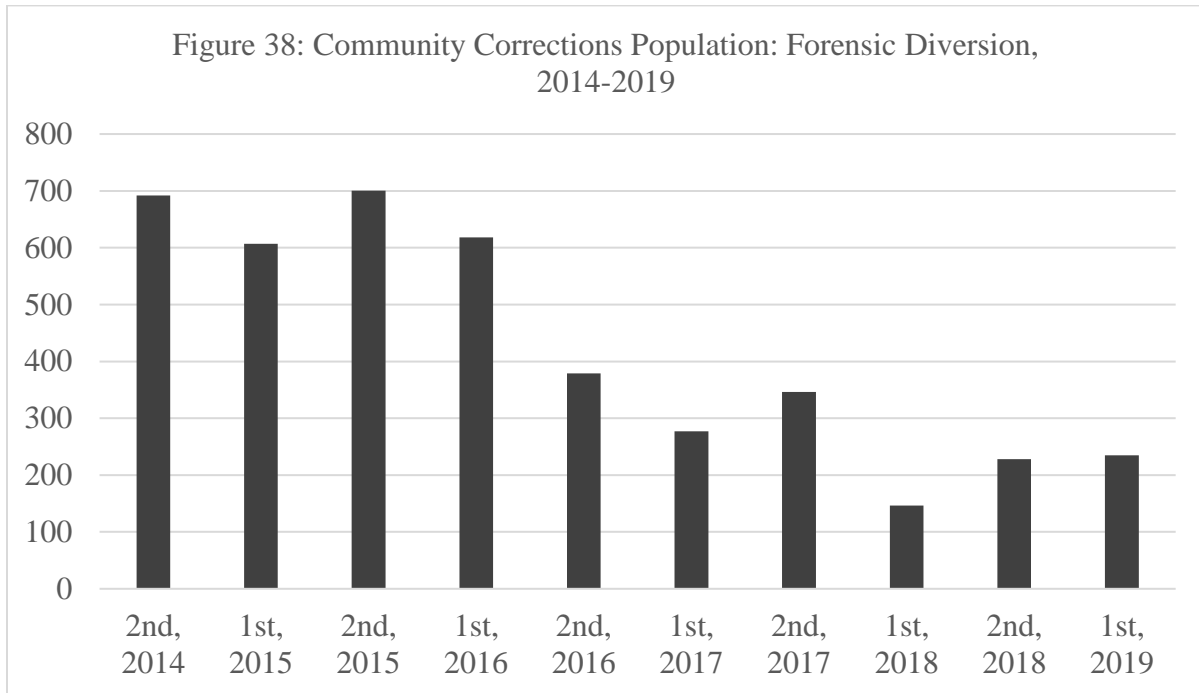
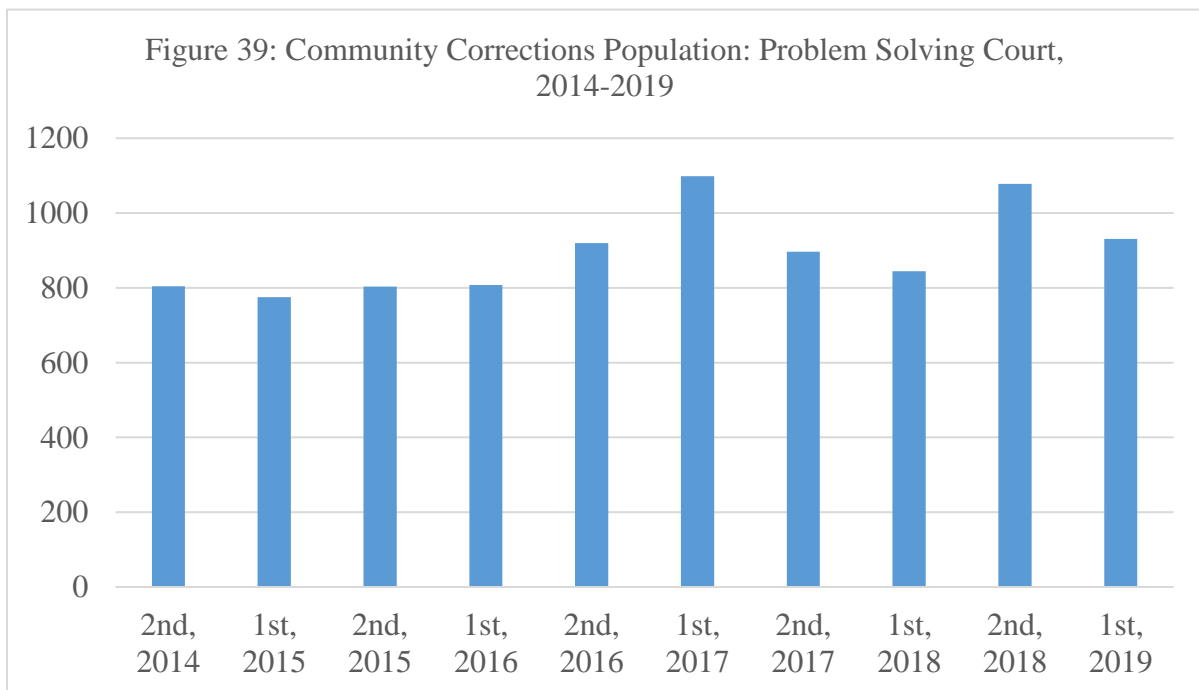


Figure 38 shows greatly varying measures for forensic diversion, moving from nearly 700 in 2014 to just over 200 in 2019.

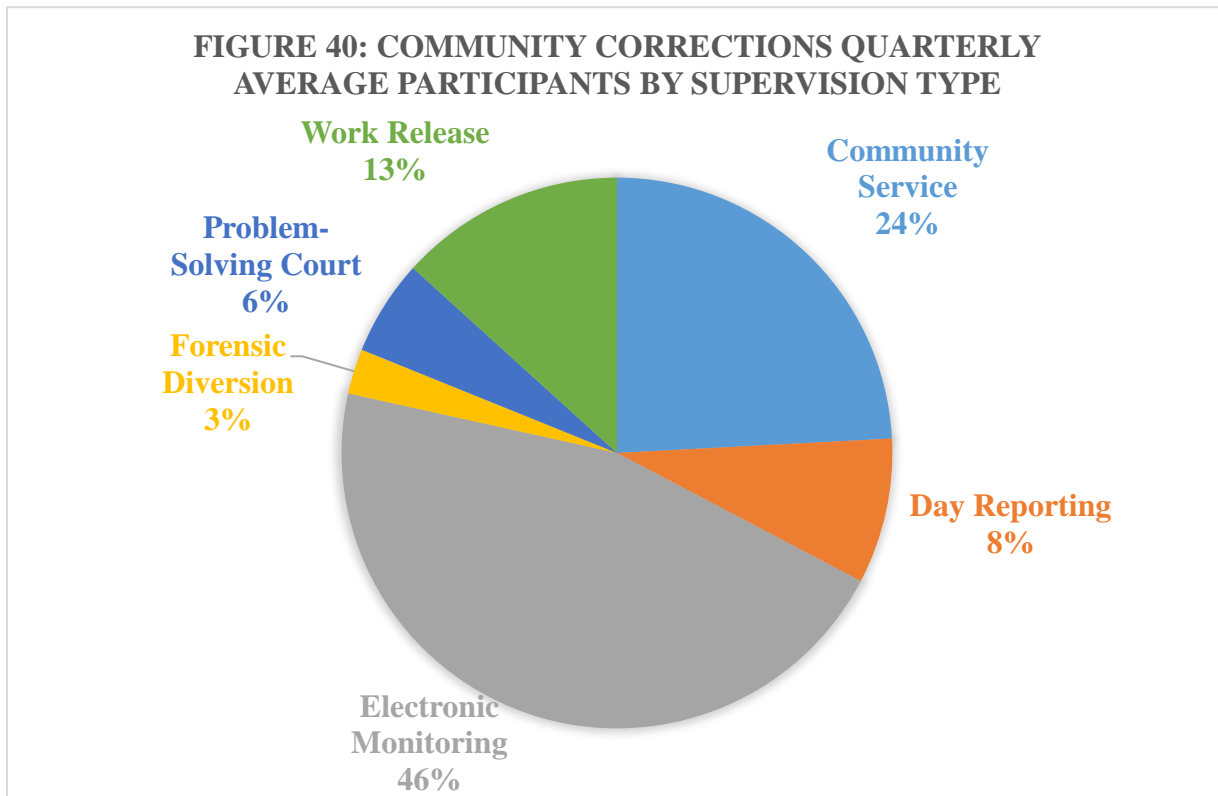


The data show the highest rates of supervision occurring in 2017 for all methods, with the exception of forensic diversion.



The most common form of supervision used by community corrections is Electronic Monitoring

(46%). In an average half of a year, 24% of all participants are involved in community service supervision. A little over 13% are in work release and 8% are supervised through day reporting, as seen in *Figure 40*.



Parole

According to the Bureau of Justice Statistics (BJS), parole refers to “criminal offenders who are conditionally released from prison to serve the remaining portion of their sentence in the community.”¹³ Further, the IDOC Division of Parole Services claims that placing offenders in parole services “enhance[s] public safety by providing community based supervision and services for offenders through the use of evidence based practices as they transition from a Correctional Facility to Community Supervision.”¹⁴ Data was obtained from the IDOC public facing reports about offenders concerning parole caseloads.

Parole cases, including both adults and juveniles, have seen about a 33% decrease since the enactment of HEA 1006. The enactment of HEA 1006 was a factor in the decrease considering the lesser number of F6 offenders on any one parolee’s caseload. This could also be due to offenders receiving a longer sentence, not earning as much credit time, or fewer offenders being paroled.

¹³ Definition retrieved from <https://www.bjs.gov/index.cfm?ty=qa&iid=324>

¹⁴ Definition retrieved from <https://www.in.gov/idoc/2330.htm>

Figure 41 demonstrates the number of parolees tracked semiannually from 2014-2019. It is evident that adult parole caseloads are decreasing. The data also shows that juvenile parole cases are substantially lower than their adult counterparts. Of the 490,000 counts of parolees from 2014-2019, over 99% of parolees are adults displayed in Table 11. Additionally, male parolees are represented at a larger volume than their female counterparts, 89.53% compared to 10.47%. Adult males are the bulk of the total parolees throughout this time span, followed by adult female parolees, and then juvenile parolees.

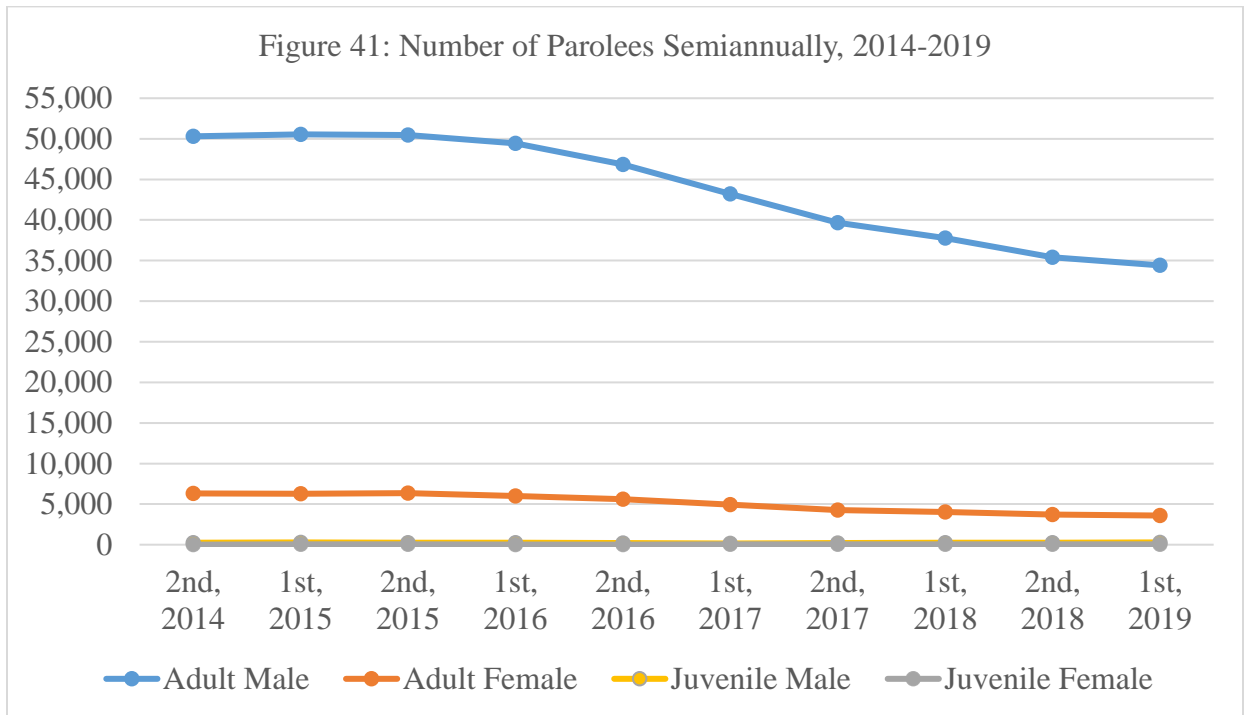
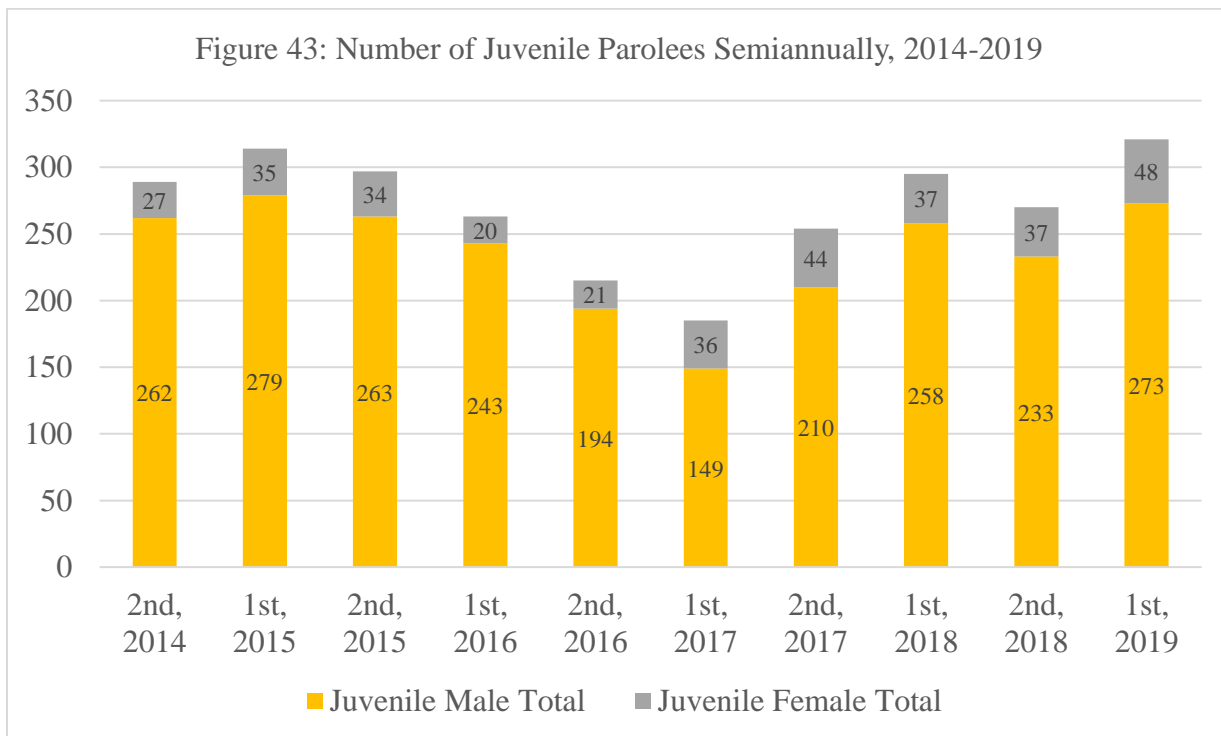
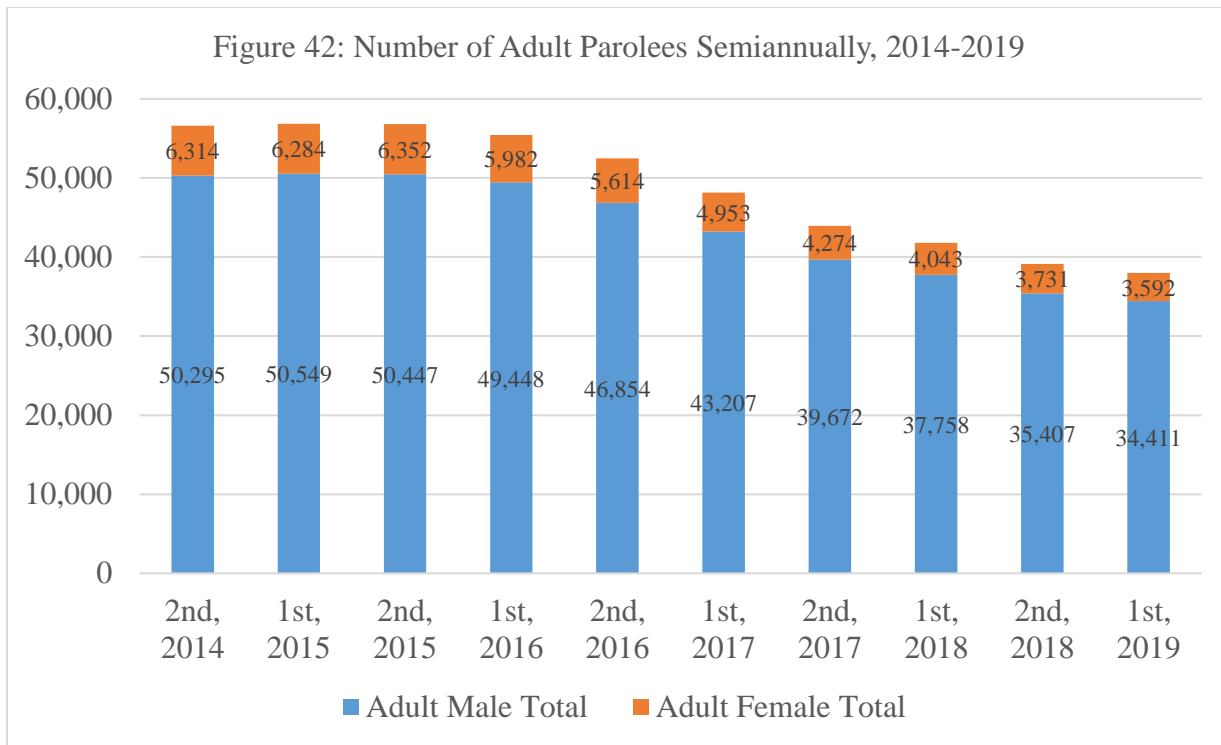


Table 11: Median Percentage of Total Parolee Population by Category, 2014-2019

Parolee Category	Median Percentage of Total
Adult Male	89.05%
Adult Female	10.40%
Juvenile Male	0.48%
Juvenile Female	0.07%

*Percentages will not add to 100%, as they were the median of all quarters for an individual category.

Figure 42 and Figure 43 break out the parolees by adult and juvenile categories. The number of adult parolees has been steadily declining since the first half of 2015 (33% decrease from the 1st half of 2015 to the 1st half of 2019). The period of steepest decline occurred in 2017, where 16% (8,522) of the total decline in parolees during this time period can be attributed to the change that occurred in 2017. The number of juvenile parolees has fluctuated more frequently. The second half of 2016 saw the largest decrease (18%) from the previous half year. An upward trend began in the first half of 2017; interestingly, this is the opposite trend of the adult parolees.



When adult and juvenile parolees are broken out by gender, both male and female populations are decreasing as seen in *Figure 44* and *Figure 45*. Interestingly, when looking at juvenile female populations, the number in the first half of 2019 is the largest it has been in this time frame.

Figure 44: Number of Male Parolees Semiannually 2014-2019

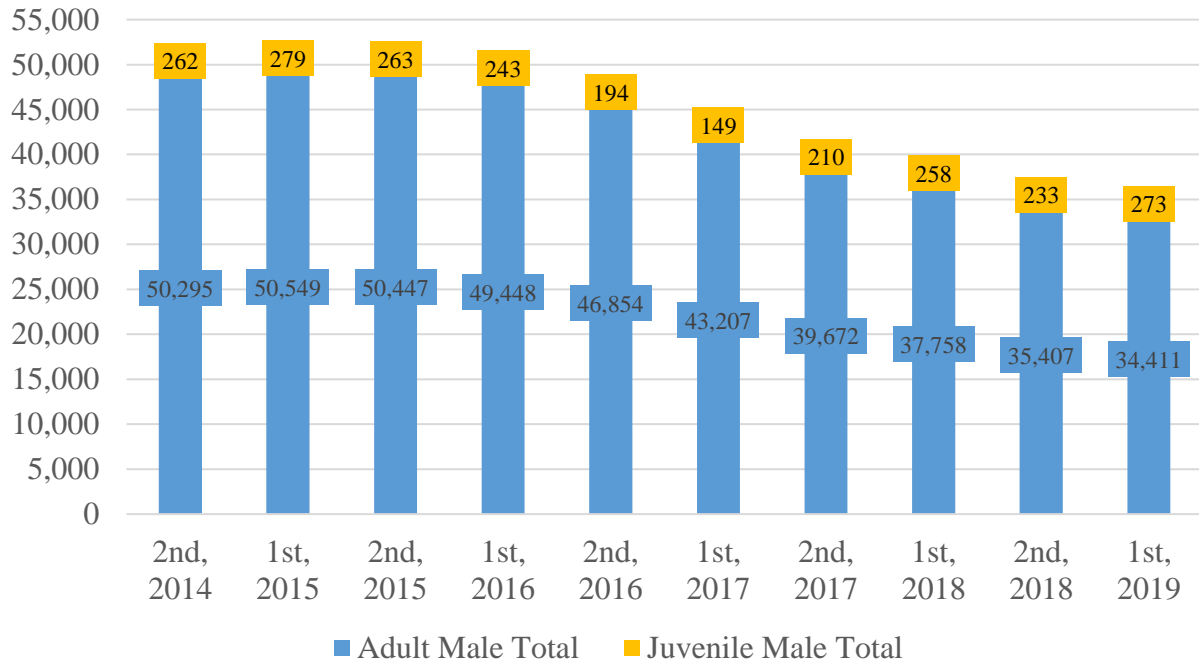
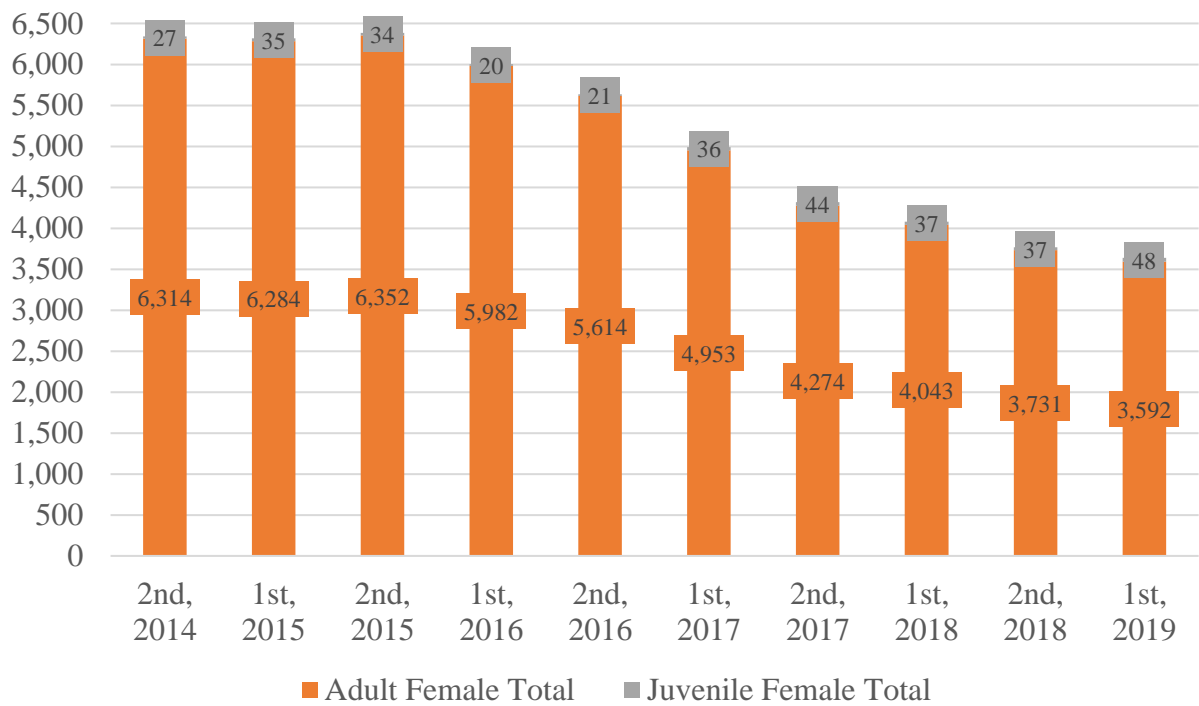


Figure 45: Number of Female Parolees Semiannually 2014-2019



Jail Data

Currently, there are over 20 different jail management systems used by Indiana jails. In order to analyze jail capacity and inmate populations, as a centralized statewide system does not exist, data for this report was gathered using the following methods: jail inspection reports and a survey to the sheriffs.

Jail Inspection Reports

In order to assess the capacity of county jails and the effects of HEA 1006, the ICJI received Jail Inspection Reports for each jail in the state from 2014-2018. There are 92 jails in 91 counties; Ohio County does not have a jail and Marion County has two. Inmates from Ohio County are mostly housed in Switzerland County. The IDOC conducts annual jail inspections for each jail. The inspection includes the number of operational beds, the inmate population count on the day of the inspection, the number being held and/or transferred to the IDOC, number of inmates held for the federal government, demographic information, adequate staffing level, and services provided such as GED and substance abuse counseling. From the inspection reports, the ICJI was able to determine the rate of capacity and adequate staffing levels for each jail. It should be noted that jail inspection reports capture the number of incarcerated inmates on the day of the inspection only; it does not give an average daily population nor a range. The jail population is ever changing and it is plausible for jails to fluctuate from being over capacity to under capacity several times throughout the year.

The National Institute of Corrections defines crowding as “when the jail population consistently exceeds design, or *rated*, capacity. However, symptoms of crowding may be apparent much earlier once the jail reaches approximately 80% of rated capacity. At that level, properly housing and managing the diverse jail population begins to become much more difficult because compromises in the jail’s classification system occur.”¹⁵ Furthermore, overcrowding may lead to increases in violence, increase in the availability of contraband, and a break down in security, maintenance, and other areas. These conditions increase a jail’s liability and may jeopardize the safety and well-being of inmates and staff.¹⁶ The Indiana jail inspector has established that a jail should never exceed 80% of its available bed capacity to effectively allow for changes in inmate demographic and characteristics. Jails that exceed 80% of rated capacity could face liability issues and may be classified as non-compliant with Indiana Jail Standards. Jails that exceed 100% of its available bed capacity are considered over capacity.

For the 2014-2018 inspection reports, the ICJI chose 11 variables in conducting our analysis of the status of the county jails. These variables were: county, inmate population, jail capacity, overcrowded (yes or no), number of inmates sentenced to serve county time, number of beds for the IDOC holding, number of inmates being held for the IDOC, number of sentenced inmates awaiting transfer to the IDOC, number of inmates for US Marshal/ICE, and adequate jail staffing levels (yes or no). The county breakdown for each year can be found in Appendix A.

¹⁵ Martin, M., & Katsampes, P. (2007, January). *Sheriff's guide to effective jail operations* (NIC Accession Number 021925), p.23. Washington, DC: U.S. Department of Justice, National Institute of Corrections. Retrieved from <https://s3.amazonaws.com/static.nic.gov/Library/021925.pdf>

¹⁶ Ibid

Table 12 below provides a summary profile of the county jails from 2014-2018 based on data from the jail inspection reports. The jail population has increased each year following the implementation of HEA 1006. The largest increase occurred from 2015 to 2016, showing a 10.5% increase. In 2018, the jail population exceeded 20,000 for the first time in the 5-year period. From 2015 to 2018, there was an increase of 24.5% in the total jail population. To help alleviate crowding, jails have added more than 1,300 beds from 2014 to 2018.

The number of jails that exceeded 80% capacity remained relatively consistent from 2014-2015. In 2016, 57 jails exceeded 80% capacity, representing a 27% increase from 2015. The total number of jails that exceeded 80% capacity in 2017 changed slightly from 2016, 57 to 58 respectively. However, in 2017, a total of 36 jails exceeded 100% capacity, the highest level in the 5-year period. When looking at jails that are over 80% capacity, 2018 recorded the highest number with 63 jails. From 2014 to 2018 the number of jails over 100% capacity increased from 19 to 32 or 68%. In 2018, the total inmate population for the state also reached the highest level in the 5-year period at 20,101 with an overall capacity rate of 92%.

The number of jails assessed as understaffed in 2018 was 59, the lowest level in the 5-year period. While staffing numbers have begun to improve, 64% of the jails still do not have enough staff to adequately run their jails. A staffing analysis is required for each jail to determine the appropriate number of staff needed. Many factors are considered when determining staffing needs of the jail including the inmate population, characteristics (risk level, mental health, medical, etc.), physical layout of jail, method of inmate supervision, security functions, services provided and state standards.¹⁷ Several jails need 10 or more staff in order to be within the acceptable standards. Adequate staffing is essential to maintaining a safe and secure jail. Staffing inadequacy could lead to liability issues and compromise the safety of staff and inmates. Jails without the proper staffing levels also have a more difficult time providing programs and services to inmates.¹⁸

Table 12: Summary Profile of County Jails based on Jail Inspection Reports

	2014		2015		2016		2017		2018	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Nearing capacity (80% -99.9%)	27	29.3%	26	28.3%	29	31.5%	20	21.7%	31	33.7%
Over 100% capacity	19	20.7%	19	20.7%	28	30.4%	36	39.1%	32	34.8%
Total over 80% capacity	46	50.0%	45	49.0%	57	61.9%	58	63.0%	63	68.0%
Staffing inadequate	63	69%	71	78%	77	85%	75	82%	59	64%
Total Inmate Population and Capacity Rate	16,708	82%	16,133	78%	17,833	85%	19,400	91%	20,101	92%
Number of beds	20,501	--	20,807	--	21,050	--	21,353	--	21,824	--
	Low	High	Low	High	Low	High	Low	High	Low	High
Utilization Rate Lowest to Highest	29%	159%	14%	170%	25%	150%	32%	158%	37%	197%

¹⁷ Ibid.

¹⁸ Martin, M., & Katsampes, P. (2007, January). *Sheriff's guide to effective jail operations* (NIC Accession Number 021925), p.23. Washington, DC: U.S. Department of Justice, National Institute of Corrections. Retrieved from <https://s3.amazonaws.com/static.nic.gov/Library/021925.pdf>

Jail Surveys

The jail inspection reports show the number of inmates sentenced to county time and the number being held for the IDOC and the Federal government, but they do not identify classification levels of the inmates. To get an overview of the current jail population, by classification type, the Indiana Sheriff’s Association (ISA) distributed a survey to all of the sheriffs over the summer of 2017 and again in the summer of 2018. The survey asked jails to report the total bed capacity, the count of the inmate population by felony level or misdemeanor (Murder, F1-5, F6, Misdemeanor, Civil) and type of hold (Federal, IDOC, Sentenced to Jail, Pretrial, Violation, Failure to Appear, Other). The Indiana Supreme Court, Office of Judicial Administration (OJA) compiled and analyzed the results for the 2017 survey and the ICJI compiled the results the following year. These numbers represent a snap-shot of one day, and while all counties responded to the survey, not all provided all of the requested data. Additionally, several counties’ total for each category did not add up to the total inmate population reported.¹⁹ In 2019, ISA once again sent a survey to all of the sheriffs. The survey tool changed, therefore, the only data from 2019 that can be compared to the previous years’ survey is jail capacity. Two counties did not complete the survey.

The total jail population for the state in 2018 was 21,187 with a capacity rate of 97%, which is similar to the capacity rate of 99% reported in the 2017 survey. In 2019, the total inmate population decreased and total capacity was 94.4%. Taking into account the missing data from the two counties that did not complete the survey, the total population would still have decreased in 2019. The total number of jails over 100% capacity was 33 for 2019, a decrease from 42 in 2018 and 45 in 2017. The number of jails to be over 80% capacity but less than 100% capacity has been fairly consistent each year. However, the overall total number of jails to exceed 80% capacity was 59 in 2019, the lowest number for the three-year period. In order to address overcrowding issues, 29 jails indicated they are in the process or planning to expand or build a new jail.

The survey data and data from the inspection report differs in regards to jail population. As both data sources look at a one day snap shot, this indicates how it can be difficult to accurately analyze jail capacity levels. A centralized data collection system is needed in order to better track jail data statewide and to be able to see trends on a daily, monthly, quarterly and yearly basis. (See *Table 13* for a comparison of 2017-2019 jail survey numbers).

Table 13: Summary Profile of County Jails from Survey

	2017		2018		2019*	
	Number	Percent	Number	Percent	Number	Percent
Nearing capacity (80% - 99.9%)	23	25.3%	28	30.8%	26	29.2%
Over 100% capacity	45	49.5%	42	46.2%	33	37.0%
Total over 80% capacity	68	74.7%	70	77.0%	59	66.3%
Number of beds	21,478	--	21,808	--	21,834	--

¹⁹ Reasons included issues with the JMS, such as the system cannot run reports on classification type and would need to look up all individuals or track by hand.

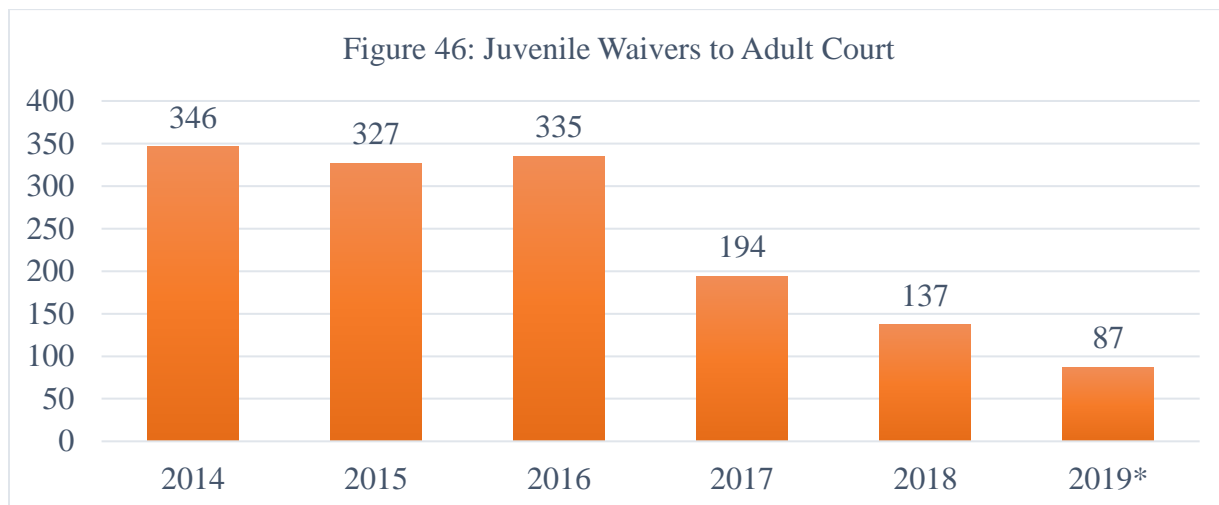
Total Inmate Population and Capacity Rate	21,305	99.2%	21,187	97.0%	20,613	94.4%
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*Only 89 counties completed survey

Juveniles in Adult Court

There are two possible channels for a juvenile to be under the jurisdiction of an adult court; lack of jurisdiction and waiver of jurisdiction. The juvenile court lacks jurisdiction over individuals at least 16 years old, who have committed certain violent felonies as listed in IC 31-30-1-4. The juvenile court may choose to waive jurisdiction to an adult court that would have jurisdiction had the act been committed by an adult under IC 31-30-3-2 through IC 31-30-3-6. Data on juveniles in adult court was provided by the Indiana Prosecuting Attorneys Council for all counties using the Indiana Prosecutor Case Management System. Allen and Elkhart counties do not use the case management system. Allen County is included in the 2018 data only and Elkhart County data is included in the years 2018 and 2019 only.

The following information reflects the total number of cases and not the total number of individual juveniles. A juvenile may have multiple cases held in adult court. The number of juvenile cases in adult court remained fairly consistent from 2014 to 2016, averaging about 336 a year. In 2017, juvenile cases saw a significant drop of 42% from the previous year and there was a 29% decrease from 2017 to 2018. For the first half of 2019, there were 87 juvenile cases in adult court. If the number of juvenile cases in 2019 doubles by the end of the year, then there will be an increase from 2018 in the number in adult court.



*2019 data is from January 1, 2019 – June 30, 2019

For purposes of analysis, juvenile offenses were grouped into eight categories: Armed Robbery/Robbery, Battery, Burglary, Drug, Murder/Manslaughter/Attempted Murder, Rape/Sex Crime, Weapon and Other. The Other category includes crimes such as auto theft, kidnapping, property crimes, escape, and fraud. Armed robbery/robbery was the number one crime committed by juveniles under the jurisdiction of an adult court for each year. Armed robbery/robbery has increased noticeably from 2014 to 2019 when taking the percent of all cases into consideration. In 2014, armed robbery made up 35% of all the crimes committed by juveniles in an adult court

and increased to 44% in 2018. For the first half of 2019, armed robbery/robbery offenses consisted of 51% of all juvenile cases in adult court. Murder offenses, based on total percentage of cases, has increased to the highest level in 2018 at 12%. So far for 2019, murder makes up 13% of all cases. In 2018, weapon offenses made up 15% of all offenses, the highest over the timeframe. Battery offenses have fluctuated from year to year. Drug offenses, burglary, and other crimes have declined to the lowest levels, whereas battery, and rape/sex crimes have remained fairly consistent each year. The table below shows the number and percent of total juvenile cases in adult court by offense category.

Table 14: Number of Juvenile Cases in Adult Court by Offense Type, 2014-2019

Offense Type	2014		2015		2016		2017		2018		2019*	
	Num	Per	Num	Per	Num	Per	Num	Per	Num	Per	Num	Per
Armed Robbery/Robbery	120	35%	136	42%	137	41%	88	45%	60	44%	44	51%
Battery	17	5%	15	5%	21	6%	8	4%	9	7%	3	3%
Burglary	43	12%	33	10%	39	12%	18	9%	10	7%	6	7%
Drug	16	5%	19	6%	15	4%	10	5%	2	1%	1	1%
Murder/Manslaughter/Attempted Murder	23	7%	26	8%	18	5%	12	6%	16	12%	11	13%
Rape/Sex Crime	25	7%	19	6%	12	4%	8	4%	6	4%	5	6%
Weapon	24	7%	17	5%	24	7%	24	12%	20	15%	9	10%
Other (includes property crimes, theft, fraud, etc.)	78	23%	62	19%	69	21%	26	13%	14	10%	8	9%
Total	346	100	327	100	335	100	194	100	137	100	87	100

*Jan 1 - June 30

Table 15 displays the age of the juvenile under the jurisdiction of an adult court from 2014-2019. The demographics were analyzed by individual and not by waivers in order to avoid duplication of demographics for individuals with multiple cases. Age represents the age of the individual at the time the offense was committed. Over the 5 ½ year period, the ages ranged from 13 to 17 years, with the majority of individuals aged 17. From 2014 to 2016, the percent breakdown for 16 and 17 years old remained fairly consistent, with the majority of individuals aged 17 years old. In 2017, the percent of 17 years old under the jurisdiction of an adult court decreased compared to other years and the number of 16 years old increased from the previous two years, making the percentage a more even split.

Table 15: Age of Juvenile under Adult Court Jurisdiction, 2014-2019

Age	2014		2015		2016		2017		2018		2019**	
	Num	Per	Num	Per	Num	Per	Num	Per	Num	Per	Num	Per
13	2	1%	0	0%	0	0%	0	0%	0	0%	0	0%
14	4	1%	2	1%	0	0%	2	1%	0	0%	0	0%
15	13	4%	1	0%	5	2%	1	1%	4	3%	1	1%
16	87	29%	80	28%	87	30%	78	43%	63	49%	34	42%
17	193	64%	204	71%	201	69%	99	55%	61	48%	46	57%
Unknown	4	1%	1	0%	0	0%	0	0%	0	0%	0	0%
Total*	303	100	288	100	293	100	180	100	128	100	81	100

*Total for age does not match number of waivers as some individuals have multiple cases in adult court.

**Jan.1 - June 30

Justice Reinvestment Advisory Council (JRAC)

The Indiana General Assembly established the Justice Reinvestment Advisory Council (JRAC) during the 2015 legislative session. The JRAC organizational model consists of nine statutory members, a chairperson, and two standing committees (data and legislation). The council consists of leadership from both the executive and judicial branches of state and local government. The purpose of the Advisory Council is to conduct a state level review and evaluation of (1) local corrections programs, including community corrections, county jails, and probation services, and (2) the processes used by the Department of Correction and the Division of Mental Health and Addiction (DMHA) in awarding grants. The goal of JRAC is to develop incarceration alternatives and recidivism reduction programs at the county and community level. This is done by promoting the development of probation services; problem solving courts; mental health treatment; substance abuse treatment; community corrections; evidence-based recidivism reduction programs for currently incarcerated persons; and programs providing for court supervision, probation, or pretrial diversion. Between October 1, 2018, and September 30, 2019, JRAC reviewed and made funding recommendations for Indiana Department of Correction FY20 community supervision grants, reviewed the Division of Mental Health and Addiction's Recovery Works Program, drafted legislative proposals, and presented information to legislative committees.

With the passage of the HEA 1006 in 2016, as a result of Level 6 felons no longer being eligible for the IDOC, the Indiana Legislature appropriated an additional \$25 million to the Community Corrections Division grant funding. Grants are now eligible to additional local criminal justice entities included within the Community Corrections Advisory Board Collaboration Plan. These entities include Probation Departments, Court Recidivism Reduction Programs, Prosecutor's Diversion Programs, and Jail Treatment Programs in need of supplemental funding in order to address the influx of Level 6 felons. In addition to the awarded grant funding, the entities use other state, federal and local funds to support their operations.

Grant-funded entities must utilize evidence-based practices focused on reducing offender risk, which reduces the likelihood of new crime and improves public safety. This includes using cognitive behavioral programs, effective intervention strategies, and treatments that have been researched and are proven to have a positive impact on recidivism and reforming offenders.

FY20 Community Corrections & Justice Reinvestment Grant Summary

The IDOC will distribute a total of \$68.8M in grant funding for FY20, including \$3.2M in Series 100 (i.e. all personnel costs) and carry-over funds from FY19. The IDOC solicited grant applications to fund community corrections programs, probation departments, court recidivism reduction programs, and prosecutor diversion programs. The IDOC received applications requesting a total of \$84,279,555.47 in funding.

JRAC approved \$68.8M in funding for:

- community corrections agencies (\$54,389,516.03);
- court recidivism reduction programs (\$6,221,868.94);
- jail treatment services (\$2,456,034.30);

- probation departments (\$5,226,457.86); and
- prosecutor diversion programs (\$578,719.60).

FY20 community corrections and justice reinvestment grant funding keeps the previous year’s funding recommendations (\$25M in HEA 1006 funds) with an additional \$3.2M in unspent Series 100 available for cost of living adjustments. The grant cycle was changed to match local government’s use of a calendar year for fiscal purposes, with the FY20 grant cycle beginning on January 1, 2020. Payments from FY19 were extended for an additional 6 months to accommodate the new grant cycle and will expire on December 31, 2019. The time period for the FY20 grant cycle is January 1, 2020, through December 31, 2020. The IDOC Commissioner Carter approved the funding in October 2019. The full report on grant requests and funding can be found in Appendix B.

Recovery Works

HEA 1006 established the Forensic Treatment Services Grants through the Family and Social Service Administration’s Division of Mental Health and Addiction (DMHA). The grant program, known as Recovery Works, increases the availability of specialized mental health and addiction treatment and recovery services in the community for persons without insurance coverage who may otherwise face incarceration. DMHA officially launched the Recovery Works treatment program on November 1, 2015. Recovery Works is a voucher-based system that works with entities that are DMHA certified/licensed and demonstrate competency in the treatment of criminal justice populations. Recovery Works was funded at \$20M for FY 2019 and \$25M for FY 2020.

At the end of FY19, there were 13,492 unique participants enrolled in Recovery Works and \$19,777,789 expended for services to participants. The top 5 services provided to participants since program inception are recovery residency, individual skills training, group substance use disorder treatment, individual mental health treatment, and group skills training and development. The top 5 counties with participants enrolled in Recovery Works are currently Marion, Vanderburgh, Allen, Vigo, and Elkhart. In the first three months of FY20 (as of September 17, 2019), there were an additional 2,164 participants enrolled in Recovery Works, and an additional \$2,522,147 expended for direct service care to participants. Since inception, Recovery Works has served a total of 47,837 participants and expended \$63,058,615 for participant services. *Table 16* displays the total clients enrolled in Recovery Works since its inception.

Table 16: Annual Totals of Clients Enrolled in Recovery Works

Year	Clients
SFY16	3,153
SFY17	11,723
SFY18	16,189
SFY19	13,492
SFY20	2,164*
Total	47,837

*SFY20 is July 1, 2019 – September 17, 2019

Focus Groups

To add some context to the data surrounding the effects of the criminal code reform, the ICJI held focus groups to gather opinions from county-level criminal justice entities about the criminal code reform. As previously mentioned in the [Sources and Methods](#) section of this report, eight counties were asked to participate. Those invited to participate included a variety of local stakeholders. Representation varied across county focus groups, influencing the scope of the conversation. *Table 17* below represents county practitioners who were present by focus group location. At times, multiple representatives from each agency were present.²⁰ Across all focus groups, it is evident that substance abuse/mental health providers were the most represented, followed by probation and community corrections, then parole.

Table 17: Number and Type of Focus Group Participants

	Dearborn	Knox	Monroe	Noble	Starke	Tipton	Vigo	Wayne	Total
Jail Commander	1	0	0	0	0	1	1	1	4
Sheriff	0	0	0	1	1	1	1	0	4
Probation*	1	1	1		1	1	1	2	8
Community Corrections*	1	1	2	1	0	1	1	1	8
Prosecutor	0	0	0	0	1	1	0	0	2
Public Defender	1	1	0	1	0	1	1	0	5
Judge	1	0	1	3	1	1	0	0	7
Substance Abuse/Mental Health Provider	1	2	1	1	1	1	2	1	10
Parole		1	1	1	1		1	1	6
Local Coordinating Council	1	0	0	1	2	0	0	1	5
Other**		1	0	1	0	1	0	0	3
Total	6	7	6	10	8	8	7	7	62

*Probation and Community Corrections are a unified office in Dearborn and Vigo counties. Therefore, in the column totals, Probation and Community Corrections count for one representative, not two.

**From left to right: Drug Court, Chief of Police, and Workforce Development

Prior to conducting each focus group, participants were informed of the purpose of the study, that the conversation would be recorded for analysis purposes only, and that their responses would remain confidential. Therefore, names of participants and their corresponding agencies

²⁰ Representation refers to their physical presence in the room. Note that this is different from their voice being represented in the conversation.

have been removed to retain the integrity of the project. The focus groups followed a semi-structured format where the same list of questions was utilized for each county; however, a variety of probing questions were asked, influenced by the conversation flow. Conversations typically lasted about an hour.

After the completion of the data collection process, audio files were transcribed then analyzed against themes that emerged in the last two years of this study. Files were independently analyzed for new themes as well. The text analysis in this report will be separated into two main sections. The first section, “Reoccurring Themes,” provides a high level overview of the themes that have consistently emerged over the last three years. The “Expanded Themes” section paints a more detailed picture of the themes that counties spent an ample amount of time discussing during this year’s data collection period. From a data analysis prospective, the reoccurring themes, as well as the topics discussed within the expanded themes, are indicative of data saturation. Data saturation refers to the point at which researchers would find no new themes when asking the same research questions if they were to continue sampling. This means that, in the last three years, the ICJI has identified highly salient points of discussion that would only continue to be discussed if the project continued. **Therefore, it would be a worthy cause for decision makers to study these themes, as practitioners have continuously identified them as either important, problematic, or both.**

Reoccurring Themes

When comparing previous years’ focus group analyses, similar themes regularly appear. For a more detailed description of these themes, please review the 2017 and 2018 versions of the Annual Evaluation of HEA 1006. A high level overview of the theme will be discussed, then operationalized through data collected in 2019 via participant quotes (remaining anonymous). Incessant themes are as follows:

1. drug use amongst criminal justice clients;
2. the effects of sentence restructuring from HEA 1006;
3. availability and accessibility of local treatment;
4. jail overcrowding and other changing jail operations in cohesion with increased responsibility;
5. caseload and case type changes for involved stakeholders;
6. increased intra- and inter-agency collaboration; and
7. thoughts concerning financial support from the state.

Drug Use

Not unlike previous years, counties report substance use and misuse permeating their communities and local systems, affecting their ability to accurately attribute local changes or effects to only the criminal code reform. Counties argue that the drug epidemic must be considered as a factor. A sheriff and judge both spoke on this issue, claiming:

“I don’t know if it’s been since 1006, but somehow, if you could suck substance abuse out of our society (and we have three courts), we could probably get away with one court. There’d be a lot of people unemployed

because we're all here probably because of substance abuse. Substance abuse is the key to almost everything."

*"We have had a lot more problems over the last four or five years [that] may have **nothing to do with the change in the law. Maybe we just have more drugs.**"*

Many professionals claim that the majority of their caseloads look like substance use and misuse, with criminal activity associated with the use and/or addiction (e.g., stealing or robbing to feed a habit, possession or dealing of a drug, etc...). For example, many mental health and/or substance abuse providers reported that they are seeing more clients that have substance abuse disorder, that are using multiple substances, and/or are dually diagnosed. A mental health provider described this new client type as *"hardcore,"* where increased drug use with a higher severity of criminogenic thinking, increased risk, and a potential presence of a mental health issue defines the term. They indicate that this is much different than in the past. Many also discuss that the severity of the use of drugs by an individual has increased, often operationalized by drug use simply being more visible in the community, and the addiction hindering one's ability to function in society (e.g., unable to obtain and retain a job).

Participants often noted that the drug offenses were affected by the criminal code reform by way of reducing the level of the offense that they are ultimately charged with, especially compared to the past. This issue is discussed further in the [Sentence Restructuring](#) and [Treatment and Corresponding Barriers](#) sections.

Sentence Restructuring

When it comes to the new classifications of felonies, most professionals concur that the switch from four classes to six levels was positive. The increased degree of differentiation between crimes and their corresponding felony levels is seemingly more sensible. Professionals believe this is particularly true for higher level felonies. Counties identify a particular point of concern with the penalty for low-level felons, most of whom have a history with substance use and misuse and/or they have a drug-related charge. They understand that a strategic goal of the criminal code reform was to reduce crime by rehabilitating low-level, non-violent offenders in the community. However, their short sentence and increased (comparative to higher level felons) ability to receive good time credit do not serve this goal. This coupling is problematic, because the root issue (substance use disorder or other mental health concern) is not able to be adequately addressed by the local system. Then, criminogenic thinking continues post release, leading to a higher likelihood of reoffending. Additionally, the time they are sentenced to serve does not align with best practices of an offender's stay in a treatment program or service with the end goal being recovery. A community corrections officer said:

*"One big change that we had was the impact that 1006 had on the number of referrals to our problem solving courts. The lower level [felons have] the drug charges. So, **the carrot at the end of the stick is not necessarily there for them***

to say, 'okay I'm going to sign up for a program that is 24 to 36 months when I can do 60 days or 6 months on home detention.'"

A judge also spoke on this issue, indicating:

*"The number of people in our drug court has gone down tremendously because **people just want to do their six months in jail and be done**. It doesn't really solve what the underlying problem is, because a lot of these people have a very serious addiction and a lot of them have been in the DOC multiple times. I think that will be creating more work down the line."*

Many professionals believe that a lesser sentence time for low-level felons, especially with substance use disorders or drug-related charges, impedes their ability to receive treatment. This will be discussed in more depth in the [Treatment and Corresponding Barriers](#) section. However, they also believe that the idea of keeping low-level, non-violent offenders out of prison and within their local community is a positive, forward-thinking approach to working with offenders. A judge and prosecutor reflect on this:

*"We [used to] just DOC sentence people...then that changed, and it changed in a big way. That forced us to 1) deal with the problem as far as the [increased] numbers go and 2) come up with rehabilitation programs that we didn't have previously. And so from that standpoint, it's probably been good. **It's probably been good for some criminal defendants to stay here locally and go through their programs here locally than have to be sent to DOC**... I'm going to guess that if they were represented in this room, I think they'd say it was a very good thing that they didn't have to go to prison. That they could stay here locally with their families and their jobs, and they still got their treatment programs."*

*"If it's a level 6 low-level drug case that involves possession, in the past, a deferral would not be considered. You would have just tried to fashion some sort of response that had both punitive sanctions and rehabilitative sanctions. **Now you are looking at those cases differently**. If it is a low level drug offense and the offender does not have a violent criminal history... **you are going to fashion a response that involves treatment, services, programs, things that will help the offender get on a better path**. The idea is that it will also make the community safer because that person is less likely to reoffend."*

Treatment and Corresponding Barriers

Low-level felons, particularly those with addiction and/or a drug-related charge, are a constant concern for local professionals who are charged with treating these offenders in their

communities. First and foremost, and as previously alluded to, short sentence times are of major concern. Offenders are more likely to sit out a lesser time in the jail than they are to participate in alternatives to jail, such as Drug Court and corresponding treatment, simply because the time they must serve is less than that of completing a drug court or related program. Professionals feel that their short sentence time puts them at a disadvantage to treating offenders and making the community a safe place.

Secondly, communities feel as though they are not well equipped to treat offenders. Professionals feel that the housing of Level 6 felons in the local community was an “*unfunded mandate*,” often expressed as a lack of investment in local treatment systems. They identify jail treatment as lacking; Community Mental Health Centers (CMHCs) as overburdened and understaffed; detox facilities and long-term residential care as virtually non-existent; and recovery communities as still needing to be accepted by those in the community in order to thrive. Additionally, client payment for services is always a concern, as well as transportation issues and child care concerns.

Jail Operations and Overcrowding

Jails continuously cite that their facilities are not currently being used how they were intended to be used—holding for pretrial, the IDOC, and some misdemeanor sentences. Due to the gross lack of detox facilities and mental health hospitals (and generally, local level treatment structures), the jail has been forced to operate as a detox facility and a holding space for those with mental health issues who have proven to be a liability to community safety. A prosecutor said:

“[We have] serious mental health issues in our jail because [they are] disorderly in the street. Now it’s a question of what do we do with this person? We know they have needs. We know they have medication. They might be on disability. But what do we do? What is the right answer? To release this person who is high needs, who’s a danger to himself and possibly the community back out onto the streets knowing that that’s where he’d go? I feel like there is a huge gap in not having a place for those people to go.”

A jail commander adds their thoughts about how the jail changes in response to the ebbs and flows of the offenders’ needs:

“Most jails across the state, we act sometimes more as a mental health facility than we do an incarceration [facility]. There is nothing we can do about that, really. [It’s] just the nature of the inmate.”

Jails also discuss a need for increased collaboration with treatment providers to ensure that offenders are seeing trained professionals. This will be discussed in more depth in the "Expanded Themes" section of this report.

Some jails had overcrowding issues before the criminal code changes went into effect, however many attribute the exacerbation of the issue to being mandated to house the low-level felons that the IDOC was previously responsible for. Even though many county jails are overwhelmed by these additional offenders, they often cite that the offenders are there for a reason. The criminal code reform has allowed counties to bolster their alternatives to incarceration services and/or programs; risk assessment tools are used to assess which offender is eligible for such programs. In addition, professionals have adopted the rehabilitation concept furthered by the criminal code reform, where services and programs provided by problem solving courts, probation, and community corrections are being thought of and utilized before “locking them up.” Pretrial pilot counties tend to discuss this more often than non-pretrial pilot counties.

Caseload/Case Type Changes

Agencies across all counties indicated that their caseloads have increased, with the exception of caseloads for parole officers, which have decreased. Increased caseloads across agencies often means that professionals are stretched thin, often having to make hard decisions about which offender receives their attention, and who falls to the wayside. A community corrections officer says:

“[The DOC wonders], ‘Why are you meeting with this [low-risk] person so much?’ But it’s hard for a case manager. It’s hard when their low-risk offenders ask for help when they are supposed to say ‘I really don’t need to be meeting with you as much [as my high-risk/high-needs client]’”

Professionals often report having caseloads filled with more offenders who score high-risk on risk assessment tools, making their work more complex and difficult. Some communities have created systems where officers split cases evenly across all risk levels (like the example above), where others have officers who solely handle certain risk level cases. The latter is exemplified by a community corrections professional:

*“The officers with the high-risk caseloads can spend a lot more time with the individuals they need to and more time to do things we need them to do with the clients. I think what we are finding with our high/moderate officers [is that] **the intensity of that caseload doesn’t create much relief throughout the day.** If you had a caseload of high and lows, you would have some people who were low-risk, really easy to work with and pro-social people. That creates that little mental break. **With moderate- to high-risk, you get more resistant people and it is a little more of a struggle to work with them at times. Their caseload is always like that every single day. And they need to try create new ways to bring about that relief.**”*

Higher Risk Offenders

Professionals across the board are indicating that their caseloads have a larger portion of offenders who are high risk, which is often said to be coupled with higher drug use, higher levels of criminality and/or criminogenic thinking, and more aggression or being charged with crimes that are more violent or aggressive, just to name a few. One county's community corrections office reported that *"in 2014, of those people we assessed, 56% were moderate or high [risk]. In 2018, of those people we assessed, we're talking 2,200, 2,300 people a year, 65% were moderate or high [risk]. So we are definitely seeing an increased risk of the people that we are monitoring."* Professionals also believe that there are misconceptions about the risk level of a Level 6 felon due to their non-violent offense. A judge explains that, *"there are levels of level sixes and we should be able to take care of those [higher risk] people by being able to send them to prison or be able to do something else."*

Counties are also reporting that risk assessment tools may not be adequately assessing the risk of an offender, especially when it comes to their criminal histories. A community corrections professional noted:

"[The offender] may be there for a level six crime which is going to bring that risk assessment score down somewhat. But in the end, when you look at their overall history, this guy who's here this time for a level six, you may have had him three or four times previously for a level twos and level threes crimes."

When the risk assessment determines that the offender can be placed in alternative sentencing, alternative sentencing units are seeing changes in their populations when it comes to risk, as well. Additionally, many agency leaders discuss being worried for their field staff due to this increase in risk of the offender. A probation officer said:

"In the past, with our home detention program in particular, we were dealing with an alternative to jail population. Now, we're dealing with the prison population. There's more history of violence on the current offenses, of not necessarily a violent offense, but there's more violent folks we're dealing with. I personally have more concern about my staff going out...into these people's homes."

Finally, professionals also claim that risk assessment tools are not adequately assessing the use of drugs as an indicator for a high risk individual.

Collaboration

Since the enactment of the criminal code reform, agencies have had to work together to enact these changes, along with brainstorming how to fill their current gaps. When asked if there were positive changes that came from the criminal code reform, professionals often cited their increased collaboration as an unintended and positive consequence.

Financial Support

Collectively, counties believe that the criminal code reform was an “*unfunded mandate*” from the state to house and treat low-level felons at the local level. As previously stated, in theory, serving low-level felons in the community is a good idea. However, assuming that all counties had the appropriate resources to successfully accomplish this goal was far-fetched. Counties believe that money should have been, and should be, provided to enhance treatment and recovery systems within their local communities, **particularly in rural areas**. Professionals discussed their thoughts on the matter, indicating:

“What happened with 1006 was, the legislature increased our workload. And we had to do more to supervise all these people at the local level, yet we didn’t get the financial support from the state. One would think that they would say ‘we are not going to take these people into the DOC anymore, and by the way you keep ‘em and here’s some money to help you out. We don’t need that much money anymore, because we are not taking them!’ But I don’t think that happened.”

*“Counties should be given credit financially for supervising people locally that were eligible for the DOC. That would do a couple of things. **It would help to bolster the programs taking on those folks and it would help to reduce the referrals to the DOC.***

Stakeholders also have ideas about grant funding structure. Many professionals offered the opinion that grant funding is to be used to address very specific issues (e.g., the opioid epidemic), which helps a specific issue, but does not get ahead of the overarching problem. They suggest that, especially when it comes to funding to reduce substance use and abuse in their communities (and with the criminal justice population specifically), funding needs to be made available that would address drug use *generally*. Communities reiterate that local issues differ across jurisdictions, and that grants should be flexible enough to capture the breadth of persistent social issues. For example, one judge explained that they would implore the legislator to assess Indiana for their needs, and find out which programs work and which do not work. Then, from this research, create funding that solves identified issues. Otherwise, money is just being pushed at the “*flavor of the month*” and not being invested into pertinent local issues and/or established programs or services that are already successful.

Expanded Themes

Similar to the “Reoccurring Themes” section, an overview of the theme will be discussed, then operationalized through data collected in 2019 via participant quotes (remaining anonymous). Themes identified in this wave of study will likely be similar to themes identified above, however may go into further depth in a particular area. Below are topics that participants spent ample time discussing:

1. local utilization of the IDOC;
2. recent reimbursement method from the IDOC;

3. the effects of credit time changes on the IDOC;
4. the effects of pretrial release from jail;
5. treatment in jail; and
6. Recovery Works

Utility of the Department of Corrections

Many counties share their frustration with the limitations imposed on them when trying to access the IDOC and their resources for offenders who have exhausted local resources. See the [Department of Corrections](#) section for an overview of which Level 6 offenders can be sent to the IDOC. Professionals believe that there are loopholes in the statute that need to be addressed. Their main frustrations are the inability to use the IDOC as a “threat” to persuade an offender to follow the rules and/or participate in a program or service, a “last resort” when there is nothing else the county can offer the offender, and a treatment resource.

Professionals often claim that not having the “threat” of the IDOC as a severe sanction perpetuates a complacent attitude of an offender (especially toward treatment), and the “revolving door” that is offenders serving time, then going out and committing violations or new crimes. A judge reflects on this idea, saying:

*“If someone is really suffering from a substance abuse disorder the IDOC is probably not the place for them, but **the threat of that gets them involved at the [Community Mental Health Center] and keeps them there.**”*

Next, county professionals say that they used to utilize the IDOC—albeit rarely—when offenders had exhausted all community resources. Now, with the rigid circumstances under which an F6 offender can be sent to the IDOC, they often cannot use the facility as a last resort. A judge and mental health provider noted:

*“[The county] traditionally has not used the DOC a lot, it's more like a last resort. Now, **in certain situations, we don't even have it as a last resort.**”*

*“There [used to be] a way you could send them to DOC and you could send **the ones that were problems. Now...they're kinda stuck here.**”*

A community corrections professional discussed their frustration with the IDOC’s Community Transition Program (CTP). They explained that, in the unlikely chance that they are able to send an F6 offender to the IDOC, the IDOC will standardly request the community to take them back after a short period of time:

“We have violated people out and sent them to DOC. It is kind of irritating to me. I have told the people at DOC that we work for a while, maybe a month or

two, to get [an offender] out of [the community in which they] violated because they have been a major issue to us. They get sent to DOC and then 30 days later, here comes a CTP request.”

Finally, communities recalled using the IDOC in the past for their unique treatment resources. Treatment is a critical element of the criminal code reform, and counties believe that they should be able to receive support from the IDOC if a) their local systems do not have the capacity to handle the type and volume of cases and/or b) many alternative to incarceration programs and services have been utilized by an offender, and they have not been successful. A professional reported:

“Prior to 1006 [we] us[ed] the DOC’s therapeutic community. On level D offenders, they’re in for a nine month period of time, they’re doing treatment, they’re incarcerated, and then you bring those people out. But now it’s too hard to access.”

Local professionals do not believe they can utilize the IDOC in the way that they perceive it to be used, because there is no threat of serving time in prison; no ability to send “problem” offenders to the facility when the community and its resources can no longer sustain them; and even when they can send an offender to the IDOC, they are requesting that the county take responsibility for them again. Counties also report sometimes being ill-equipped to handle the treatment needs of offenders, yet they do not feel supported by the IDOC to get them on the path to recovery.

Lump Sum Reimbursement to Counties

Some counties reported concerns with the new reimbursement methodology adopted by the IDOC, where they are counting the number of felons that would otherwise have been housed in the IDOC at the beginning of the year and reimbursing counties for that number of felons. For clarity, this calculation will not take into account the fluctuation of felons entering or exiting the local jail. This becomes problematic for a county that may have only a handful of felons at the beginning of the year, but multiple handfuls by the time the year ends or the money comes in (whichever comes first). Professionals lay out their concerns in more detail below:

“The DOC [came] up with this magical formula that says ‘we’re going to pay you in a lump sum payment’ [which means] I was housing 16 level sixes in 2016-2017. Now I am housing 26 [and] I don’t get to correct that until next year. So now I’m behind the eight ball. I’m not receiving funding for another ten level sixes.”

“We are about \$200,000 in the rears because DOC does not reimburse us. That’s a huge impact on our budget due to the size of the county. It hits [the jail] more than any other office because we’re housing them.”

“[A county is] \$800,000 in the hole with no sign of getting out of it [and] that county has got to come up with \$800,000. That’s a hot topic amongst sheriffs. Unless the state looks at ways to differently do things, it’s only going to get worse for those bigger counties. That’s the negative part of it.”

Credit Time

Counties have a variety of opinions about the change in credit time that came with the criminal code reform—misdemeanants and Level 6 felons may serve 50% of their proposed sentence, while Level 5 felons and greater could serve 75% of their proposed sentence. Most professionals who spoke on this matter think increased time served is positive. However they also think it contradicts the desire to free up prison space. Professionals also discuss how the changes in credit time have affected their workload.

To begin, counties often claim that higher level felons serving 75% of their proposed sentence is a positive change that came from the criminal code reform. They understand the intended purpose of the change—to allow victims to have more certainty in sentencing of their perpetrators. Professionals also report that increased credit time for the upper, more serious felons keep offenders who are a threat to the community (e.g., child molesting, violent offenses) in a facility, serving more of their executed sentence.

While many professionals believe the credit time changes comfort victims as well as continuously ensure public safety, they believe this goal is contradictory to another primary goal of the criminal code reform, which was to decrease the number of bodies in the IDOC so that the state could save money by closing prisons. Even though the criminal code reform places Level 6 felons in local systems, which theoretically frees up prison space, upper level felons are staying in the IDOC longer. Professionals weigh in on this below:

*“[The] DOC didn’t get the effect they sought. It didn’t reduce the population of DOC because they didn’t comprehend **75% of a 30 year sentence is longer than that 2 year sentence on a class D.** So it hasn’t had the affect DOC wanted. That’s what started this whole thing. DOC trying to get people out of the system.”*

*“I think people would probably tell you it’s impacted [the IDOC] the most with their bed space. And that’s pretty clear from the data I’ve seen because **offenders are going in at the same rate they were going in before. It hasn’t***

slowed down, but they're staying longer which automatically means you're going to need more beds. That's just, they flow in freely and trickle out."

Counties also discuss how this change in an offender's time served has changed the way that their caseloads and associated work looks. Not only are offenders staying in prison longer, but they are staying in alternative programs longer as well. A public defender and a community corrections professional map this out, indicating:

"With the changes in the good time credit turning to 75%, some counties may be tempted to take it to the councilor's office to take a charge to be diverted. Then, they might...turn it to a level four or five. When you report that to the state, which we have to, as far as our weight of the case, it increases. The attorney is not allowed to handle as many cases. So with the county enhancement able to put crimes up at a higher level, we see that the number of cases each attorney allowed to handle is higher."

"I think the 75% rule has affected programs in some aspect we're seeing people longer, we're not seeing any different people. It's just a question of how much longer they're staying in our programs."

Finally, some professionals report that the new system is confusing, which is illustrated by a lack of understanding as to how credit time will be applied and to which cause; who calculates the credit time; and what type of credit offenders should be receiving.

Pretrial Release

In 2014, the Indiana Supreme Court authorized the development of a pretrial release project in collaboration with Indiana's Evidence Based Decision Making (EBDM) Initiative. Pilot sites were provided with a framework for developing legal and evidence based pretrial release policies within their local systems. The ICJI spoke with three of 11 counties who are participating in the pretrial justice pilot project. These counties were asked to reflect upon how being part of the pretrial pilot program has affected their local criminal justice system. Comments offered by criminal justice professionals are categorized by county. Notably, all pretrial pilot counties indicated that **the program has assured them that more of those who are in jail should be in jail pretrial**. Additionally, while not the main function of pretrial release, counties claim that **it has helped to a certain extent with jail overcrowding**.

Monroe

Monroe County justice professionals discussed the pretrial program within their focus group. They indicated that Monroe County has been participating for three years, and that they are the only pilot county that assesses all misdemeanor and felony new arrests, having assessed about 6,300 defendants since the initiation. Defendants are assessed for pretrial risk using the IRAS-PAT after arrest and before an initial hearing while still in custody or after release from jail.

Based on the offense level and its degree of violence, alongside the IRAS-PAT identified risk level, defendants are placed in a reporting category, where just over 1,300 people are currently on non-reporting status in Monroe County. On the flip side, less than 1% are on the highest degree of monitoring. One professional adds some context to the data, indicating that *“for defendants who are on active monitoring (e.g., Monitoring Level 1, 2, or 3; See Appendix D, page 4), we built a system where we can move them to non-reporting status if they have not committed a new offense and showed up to court.”*

When reflecting on the county’s use of the IRAS-PAT, they claim that the categories defendants are funneled into almost match perfectly with their likelihood to appear to court (e.g., low risk defendants had an 84.7% success rate; moderate risk defendants had a 60.3% success rate; and high risk offenders had a 40.1% success rate; See Appendix D, page 8). In other words, professionals believe that the pretrial process has helped them reliably determine who should and shouldn’t be in jail. One professional positively gleaned, *“[Pretrial] has been nothing but positive for our community. I think in the long run we will have fewer long-term offenders because of what is happening on a pretrial basis.”*

Stakeholders in Monroe County believe that the implementation of pretrial in their county had a lot to do with key players embracing the fact that pretrial is meant to be more of a *“hands-off approach.”* Additionally, professionals report that pretrial release *“levels the playing field”* in terms of who is able to be released from jail. Previously, it was believed that only those who could afford bail were able to be released from jail.

Starke

Starke County justice professionals were asked whether or not their jail would be overcrowded if it wasn’t for the implementation of pretrial release, and the response was *“yep, absolutely.”* They were then asked have they had to make any adjustments to their day-to-day operations in the past five years, which was how the conversation about pretrial began. One professional indicated that they now implement the sight and release for non-violent cases. They indicated that this process helps to *“get the higher class offenders in the jail and let the lower level, nonviolent [offenders] to report to probation or court services.”* Then, they discussed how folks were assessed for release (IRAS-PAT). One professional spoke more in depth on this topic, claiming that *“I think every county has issues with the IRAS-PAT because it only looks at a snapshot, a one month window. There’s some concerns I have with it. For example, it really doesn’t take much into consideration an individual’s previous criminal history.”* In other words, the county does believe the pretrial program has helped them identify offenders who do not need to be in the jail pretrial, but, contrary to Monroe County, they still are not confident that the risk assessment tool is accurately capturing risk.

Tipton

Tipton County justice professionals were asked whether or not their jail has experienced overcrowding in the past five years, and they reported that it has at certain times. Then, the question of what effects the county has seen since the initiation of pretrial was posed. To begin,

they indicated that bookings have increased by 18%. However, this is perceived as an indicator that those who are staying in the jail need to be there. In connection, low-level, low-risk offenders are being released who *“probably didn’t need to be there in the first place.”* While it is good news that the jail now holds the most appropriate offenders, the most appropriate offenders happen to have more serious charges, more serious problems, and are repeat offenders. The jail staff are noticing a change in their workload and work type. It was also reported that since the initiation of pretrial, the daily stay in the jail is down 90% and the average daily population saw no change.

Treatment in the Jails

As discussed in the [Utility of the Department of Corrections](#) section, jails are often unable to utilize the treatment resources that are available within the IDOC. Also, as discussed in the [Treatment and Corresponding Barriers](#) section, many counties believe their recovery systems in general, that affect their criminal justice population, are not equipped to handle the volume of clients that need assistance. Without the presence of treatment professionals and corresponding programs/services, the jail is a place where substance users can simply *“dry out a little.”* Some professionals even discuss that the jail in absence of treatment is *“dead time”* for an offender.

Therefore, a recommendation often discussed was support from the state to enhance the capacity of jail treatment. This would allow professionals to begin supporting an offender who has mental health and/or substance abuse concerns while they are incarcerated, which may curb their behavioral issues. Having treatment available to offenders in the jail may also better prepare them to continue utilizing services upon transition to an alternative program, post-release, and beyond. A jail commander and a mental health professional discuss their need for a treatment professional(s) in their jail:

“The people who are in the jail are the more serious. There’s a lot more behavior issues in the jail. So one place where there’s maybe a lot more need from the [mental health/substance abuse] professionals is with the inmates. There’s not anyone in there.”

“We don’t have any way to treat or help those [not eligible for DOC nor community-based programming] in the jail.”

Another mental health professional advocated further for jail treatment to allow for an easier transition to services and aftercare for offenders:

“A lot of individuals aren’t receptive to treatment anyway unless they’re court ordered. If we had more access to care and services in the jail, it wouldn’t be as much as a transition from doing nothing in there and having all of this idle time and no structure. Then coming out and the court saying ‘do this, this, this, and this.’ It’s like throwing 20 textbooks at someone and saying ‘read these

by tomorrow.' It's very hard on them to get adjusted. But if we had things implemented in the jail system to help better set them up with a driver's license, with insurance, with those basic needs, housing, having a transition plan for back into the community? That would be better."

While professionals do miss being able to utilize the IDOC's treatment services, they ultimately hope that jail treatment can be funded so that the system is enhanced. This would be beneficial for the community, because even when felons are serving time in the IDOC, they ultimately come back to the community. Further, a judge notes:

"[If] we could get some more treatment based services in our county jails, [that would] help. But keep it at a local level. They would be coming back to this community if they were to go to the DOC to purposeful incarceration. They're ultimately going to come back here. We could keep them here instead, educate them, and help them on the outside. That would be a positive."

Recovery Works

Counties talk about Recovery Works within their various discussions, mainly indicating that the program's initiation was fantastic because it allows people who were previously unable to access services to be given that opportunity. In conjunction, alternative programs discuss having increased participation due to their ability to pay for services through Recovery Works. They also believe the initiation and continuation of the Recovery Works program has allowed the criminal justice system and the mental health system collaborate more effectively. However, professionals are highly aware that the program is less funded than in the past:

"I can't say enough about recovery works, it really should be applauded it's been phenomenal but they're not investing, they're not putting more into it."

"They've got that cap of \$7500 and they didn't give any additional funding this past session."

"I would say the initial beginning, recovery works dollars were a good start because it did put money out there for a population that initially never had any chance of having any resources. I think that was a big start. Unfortunately the number of people who really need it overran the system. That's just gonna happen. But it was a good start because there never was money for a lot of those people before."

Despite the number one program funded by Recovery Works being residential, professionals agree that recovery residence is a gap in Recovery Works. A mental health provider reports:

“One of the largest gaps from my perspective is the recovery residence and/or housing, because you’re dealing with individuals who have broken the law, burned their bridges; who have been kicked out of the housing authority; can’t get through section eight because once they’ve had one of those violations, they can’t even reapply for five years. Now you’ve got someone with a criminal history, maybe a behavioral health diagnosis. We’re trying to get them help and employment and show them how to recover in the community. Where do they live?”

Counties also report that changing requirements of the program are proving problematic. For example, if an individual has a charge, and that charge gets reduced, they are no longer going to be considered for Recovery Works, unless they have a criminal history. This seems counterintuitive to mental health and substance abuse treatment providers, as they believe that early intervention is successful. One professional says, *“What they had in place before was significantly better than what we’re looking at [now].”* Due to the changes in requirements, as well as lessening of funding, some counties are indicating that they cannot afford to take Recovery Works dollars anymore because, administratively, it costs more than they would receive. Treatment providers that house the Recovery Works program are also said to be taking advantage of the program by maxing out on an individual’s services, which does not enhance the recovery process for an offender.

Finally, a substance abuse treatment provider sums up professionals' view on Recovery Works, as well as lays out the effect on the offender:

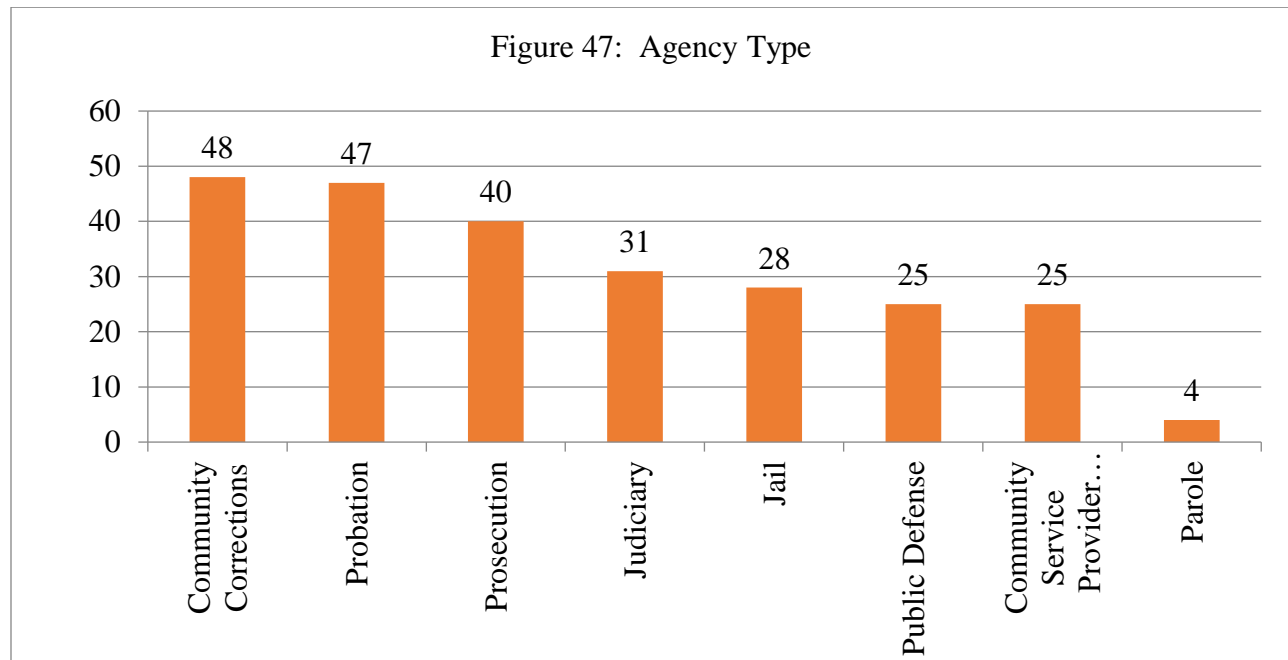
*“A couple years ago after 1006 recovery works funding came along, which was fantastic in the beginning, but since then, it’s been being restricted down. Also there’s a lifetime cap on that. So those high risk, high needs, repeat offenders who really need the high level of services might have exhausted their Recovery Works funding and they screwed up their access to Healthy Indiana Plan. They’re blocked out of that for a year. So then they’re self-pay at \$20 a session for treatment. **They can’t come up with that or they see it as challenging to come up with that.**”*

Survey

Summary

The ICJI devised an online survey to assess the perceptions of the effect HEA 1006 has had in the past few years at the county level for the jails, probation, community corrections, parole,

courts, prosecution, public defense, and community service providers. The Indiana Sheriffs’ Association, Indiana Prosecuting Attorneys Council, Indiana Public Defender Council, and Indiana Office of Court Services assisted the ICJI in distributing the survey link via email to representatives of each agency. There were 248 responses to the survey. Due to the methods used to distribute the survey, it is not possible to determine an overall response rate. 96% of the counties was represented in the responses from at least one type of agency. The highest number of responses came from Community Corrections (19%) and Probation (19%), followed by Prosecutors (16%) and Judges (12.5%).



Each agency had a unique set of question; therefore, they cannot be directly compared to one another. One commonality among the various criminal justice entities is jail overcrowding. Other areas of concerns include concerns about rising drug offenses, substance abuse and/or mental health treatment/programming, volume and needs of offenders serviced, and reimbursement to the jails. When analyzed further, other nuances come to the fore. For example, agencies are generally reporting an increased caseload/offender population²¹. When discussing the risk level of offenders, there are mixed reports about whether or not offenders are becoming higher-risk. However, probation and community correction officers reported increases in risk-level for medium and high risk offenders and parole officers saw increases with high risk level offenders. When inquiring about recidivism, more than half of prosecutors who responded²² claim that recidivism has increased. This is believed to be directly correlated with the changes from HEA 1006. When it comes to services that agencies both provide and have difficulty providing, there are unmistakable similarities. Of all of the possible services to be provided, substance abuse treatment, mental health treatment, and life skills curriculum (e.g., anger management) ranked highest across all applicable agencies responses. Of the same list of services that an agency may have difficulty providing, substance abuse treatment, mental health

²¹ Parole is the exception to this data point.

²² The prosecutors were the only group that were asked a question about recidivism.

treatment, transportation assistance, and housing/homelessness services revealed themselves as the most difficult to provide. Concurrently, agencies generally agree that there has been an increase in offenders that need services. Each agency’s responses will go into further detail below. For an exhaustive, detailed account of the survey and its responses, visit Appendix E.

Summary of Jail Responses

There were 28 responses from jails. Over 64% of jail respondents reported jail capacity was over 80%, which is considered overcrowded. Additionally, 32% reported capacity over 100% at the time of the survey. Of 21 jails that reported their average daily population (from January 1, 2018, to December 31, 2018), about 52% of their current population exceeds their average daily population (ADP). Nearly 61% answered that they had seen an increase in ADP since 2018. Of those, 53% have experienced a great deal, a lot, or moderate amount of increase in the average daily population. Just over 41% contributed a great deal, a lot or moderate amount of the increase in ADP to felony level 6 offenders and 41% thought felony level 6 offenders had a little to do with the increase. For jails that knew their pretrial detainee population (N=19), 84% have pretrial detainees that make up 50% or more of their total jail population. The average cost to house jail inmates is \$58.88, based on nine jails.

Just over 55% of the respondents’ county offer pretrial release services. Of the counties that offer pretrial release services, 33% responded that it has not decreased the jail population, while 40% say it has not had an effect and 27% have seen an increase in jail population. The survey asked respondents “Since January 1, 2019, has your jail housed offenders of lesser, greater or the same degree of risk?” The majority, 60%, indicated the degree of risk has stayed about the same, 36% have seen greater risk levels among inmates and only 4% responded lesser risk. When asked if there has been a change in the number of offenders who violated their conditions of probation, the results were nearly split with 40% not seeing a change and 36% seeing an increase in probation violators.

Jail respondents were asked which services or programs are offered at the jail. The most common service provided was medical services, offered at 80% of the jails. Substance abuse and mental health treatment were each offered at 76% of the jails. 60% of respondents provide education services. *Table 18* shows the services being provided in the jails.

Table 18: Services or programs provided in the jail

Answer Choices	Responses	Number
Medical services	80%	20
Substance Abuse Treatment	76%	19
Mental Health Treatment	76%	19
Education	60%	15
Life Skills Curriculum (e.g., Thinking for a Change, Anger Management)	52%	13
Linkages to Community Resources (Non-Agency)	40%	10
Employment Assistance/Job Skills Training	28%	7
Re-Entry Services	24%	6
Transportation Assistance	24%	6

Food and Clothing Assistance	20%	5
Housing/Homelessness Services	20%	5
Other (please specify)	16%	4
None	0%	0
Do not know	0%	0

Respondents were asked what services their jail has difficulty providing. Substance abuse treatment, transportation assistance and housing/homelessness services tied at 36% for the service most difficult to provide. Employment assistance/job skills training was second at 28%. *Table 19* relays an exhaustive list of the responses.

Table 19: Services or programs difficult to provide in jail

Answer Choices	Responses	Number
Substance Abuse Treatment	36%	9
Transportation Assistance	36%	9
Housing/Homelessness Services	36%	9
Employment Assistance/Job Skills Training	28%	7
Mental Health Treatment	24%	6
Life Skills (e.g., Thinking for a Change, Anger Management)	24%	6
Re-Entry Services	24%	6
Education	20%	5
Food and Clothing Assistance	20%	5
Linkages to Community Resources (Non-Agency)	12%	3
None	12%	3
Other (please specify)	8%	2
Medical services	4%	1
Do not know	4%	1

HEA 1006 established general purposes, as stated in Ind. Code §35-32-1-1, which includes:

- (5) reduce crime by promoting the use of evidence based best practices for rehabilitation of offenders in a community setting;
- (6) keep dangerous offenders in prison by avoiding the use of scarce prison space for nonviolent offenders;
- (7) give judges maximum discretion to impose sentences based on a consideration of all the circumstances related to the offense;
- (8) maintain proportionality of penalties across the criminal code, with like sentences for like crimes;
- (9) make the lengths of sentences served by offenders more certain for victims.

The ICJI wanted to gauge the respondents' perception of the above stated purposes. Respondents were asked "How effective or ineffective have the purposes of HEA 1006 been since initiation in July of 2014?" and to respond using a Likert Scale. Respondents could choose from the following options: "Extremely effective", "Very effective", "Somewhat effective",

“Not so effective” or “Unsure”. Each response on this scale, excluding “Unsure,” was coded with a value of one (1) through five (5) to calculate the average index score for the agreement with each statement; “Not at all effective” was assigned as one (1) and “Extremely effective” was assigned as five (5). An average score across all respondents in this category was calculated, which appears in the “Average” column on the table below. The closer the average score was to five (5), the more the respondents perceived the purpose of HEA 1006 to be effective. Responses of “Unsure” were not used toward statement averages. Jail respondents overall felt the purposes of HEA 1006 has not been so effective. *Table 20* below shows the weighted average for each purpose.

Table 20: Effectiveness of HEA 1006 purposes

Purposes of HEA 1006	Average
Reducing crime by promoting rehabilitation of offenders in a community setting	1.9
Keeping dangerous offenders in prison by avoiding the use of scarce prison space for nonviolent offenders	2.5
Giving judges maximum discretion to impose sentences based on a consideration of all the circumstances related to the offense	2.9
Maintaining proportionality of penalties across the criminal code, with like sentences for like crimes	2.7
Making lengths of sentences served by offenders more certain for victims	2.8

Survey respondents were asked “Is there anything we did not address in this survey that you would like for us to know about the impact of HEA 1006 on your community?” This was an open ended question and 6 (21%) participants responded.

- Four respondents commented that reimbursement for convicted F6s is not sufficient to cover costs.
- Three stated the burden to house felons in jail instead of prison was placed on the counties. County jails were not meant to be “small prisons” and were intended for pretrial detainees only. Two of those also mentioned it has led to jail overcrowding.
- Two stated that lower drug penalties have led to issues and the jail or county does not have the necessary resources to deal with addicted inmates who just ended up back in jail after violating terms of community corrections or probation supervision.

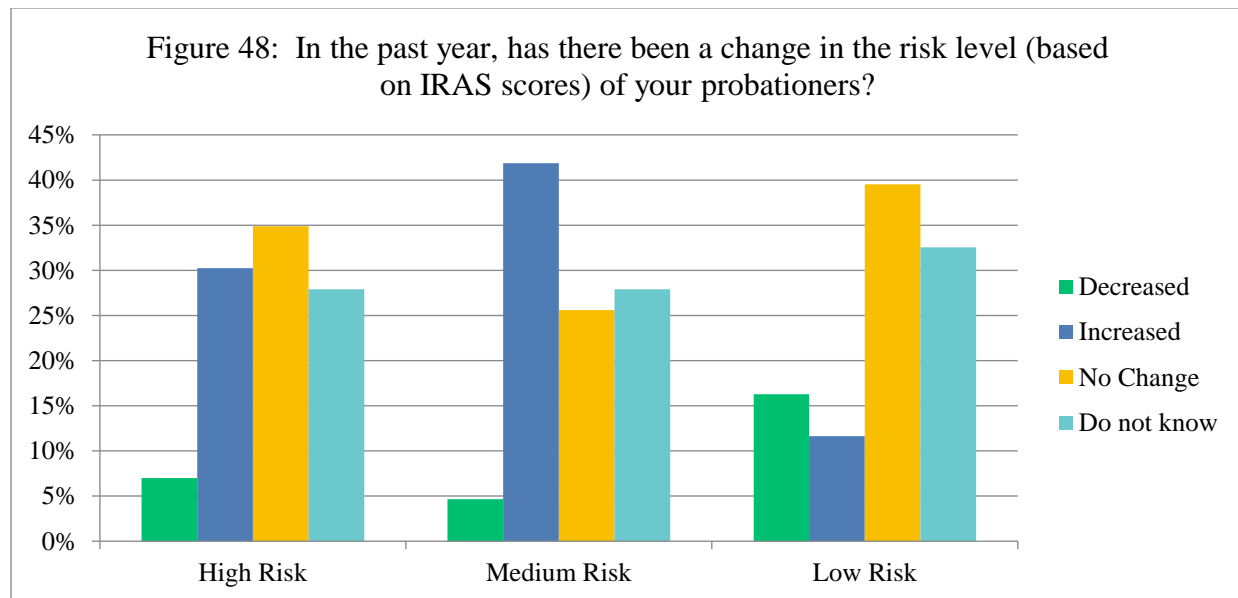
Summary of Probation Responses

There were 47 responses from probation departments, with a response rate of 45% and representing 43 counties. Probation officers were asked to report the average caseload for all probation officers in their department. The responses ranged from 40 to 250 average cases. The average for all responses was 137 and the mode was 100. Nearly 59% of respondents reported the average caseload had increased in the past year, 15% saw no change and 20% experienced a decrease. For those that had increased caseloads, 41% indicated average caseloads increased a great deal or a lot, 48% saw a moderate increase and 11% saw a slight increase. Of those that saw caseloads decrease, two-thirds reported a moderate decrease and one-third saw little change. Additionally, 48% of probation officers with an increased caseload attributed a great deal or a lot

of the increase to level 6 felony offenders, 33% said F6 offenders had a moderate amount to do with the increase and 11% said they had a little to do with the increase.

A total of 59% of the responders' counties provides pretrial release services. Of those that offer pretrial release services, 48% responded that it had no effect on their caseloads, 32% have seen an increase in caseloads, and 12% had a decrease in caseloads. Eight respondents indicated that arrestees released on pretrial received court text reminders. Of those agencies sending court reminders, all reported 90% or higher of individuals made all scheduled court appearances. Almost 48% of respondents have noticed an increase in probation violations in the past year, whereas 23% have not noticed a change. Respondents were asked to choose the most common reason for probation revocations in the past year. Responses were nearly even with 49% saying technical violations are most common and 44% said committing a new offense was the most common. Only 2% indicated FTAs were a common reason to revoke probation. Overwhelmingly (95%), the most common technical violations were related to drugs.

Respondents were asked if there had been a change in the risk level of probationers (based on IRAS scores) in the past year. Overall, most probation officers did not see a change or did not know if there was a change in the risk level. However, respondents saw the highest increase in risk level of probationers for those deemed medium-risk. See *Figure 48* to view the responses.



Respondents were asked to select all services and programs provided to probationers directly or through a vendor. The majority (88%) provide substance abuse treatment, 86% provide mental health treatment to probationers, and 81% offer life skills curriculum. See *Table 21* below for the full list of responses.

Table 21: Services or programs provided to probationers

Answer Choices	Responses	Number
Substance Abuse Treatment	88%	38
Mental Health Treatment	86%	37

Life Skills Curriculum (e.g., Thinking for a Change, Anger Management)	81%	35
Education	67%	29
Employment Assistance/Job Skills Training	58%	25
Linkages to Community Resources (Non-Agency)	44%	19
Housing/Homelessness Services	40%	17
Food and Clothing Assistance	35%	15
Transportation Assistance	33%	14
Re-Entry Services	23%	10
Medial Services	7%	3
None	5%	2
Do not know	2%	1
Other (please specify)	2%	1

Probation officers were questioned about which services or programs probationers have difficulty obtaining for reasons such as lack of availability or affordability. The service that was most difficult to obtain was housing/homelessness services at 79%, and 67% reported that transportation was difficult to provide. Just over half (53%) said mental health treatment was difficult to obtain. The table below shows the full list or services.

Table 22: Services or programs difficult for probationers to obtain

Answer Choices	Responses	Number
Housing/Homelessness Services	79%	34
Transportation Assistance	67%	29
Mental Health Treatment	53%	23
Employment Assistance/Job Skills Training	35%	15
Medical care	33%	14
Re-Entry Services	28%	12
Substance Abuse Treatment	26%	11
Food and Clothing Assistance	21%	9
Life Skills Curriculum (e.g., Thinking for a Change, Anger Management)	12%	5
Linkages to Community Resources (Non-Agency)	9%	4
Education	5%	2
Other (please specify)	5%	2
None	0%	0

Probation officers' perception of the effectiveness of the stated purposes of HEA 1006 was generally in the range of not so effective to somewhat effective to date. The highest score was for giving judges maximum discretion to impose sentences. See *Table 23* for results for each purpose area.

Table 23: Effectiveness of HEA 1006 purposes

Purposes of HEA 1006	Average
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Reducing crime by promoting rehabilitation of offenders in a community setting	2.3
Keeping dangerous offenders in prison by avoiding the use of scarce prison space for nonviolent offenders	2.8
Giving judges maximum discretion to impose sentences based on a consideration of all the circumstances related to the offense	3.1
Maintaining proportionality of penalties across the criminal code, with like sentences for like crimes	2.9
Making lengths of sentences served by offenders more certain for victims	2.7

Survey respondents were asked “Is there anything we did not address in this survey that you would like for us to know about the impact of HEA 1006 on your community?” This was an open ended question and 12 (25.5%) participants responded.

- Six respondents stated the jail population is increasing or jails are overcrowded. An additional three also reported that caseloads or duties for probation officers are increasing. One stated that arrests are increasing saying, “There does not seem to be a huge deterrent for committing crimes, just more people getting caught.”
- In response to jail overcrowding, one individual said HEA 1006, “has merely transferred the overcrowding situation from the state and put them back on local agencies to try to supervise with no additional staff, funding or services.”
- Five respondents raised the need for more funding and resources to deal with increased caseloads.
- Other notable comments included that HEA 1006 has taken away the judge’s discretion to place some lesser felony or non-violent offenders into the IDOC, it has affected revocations and sentences and it is difficult to calculate actual sentence length for offenders.

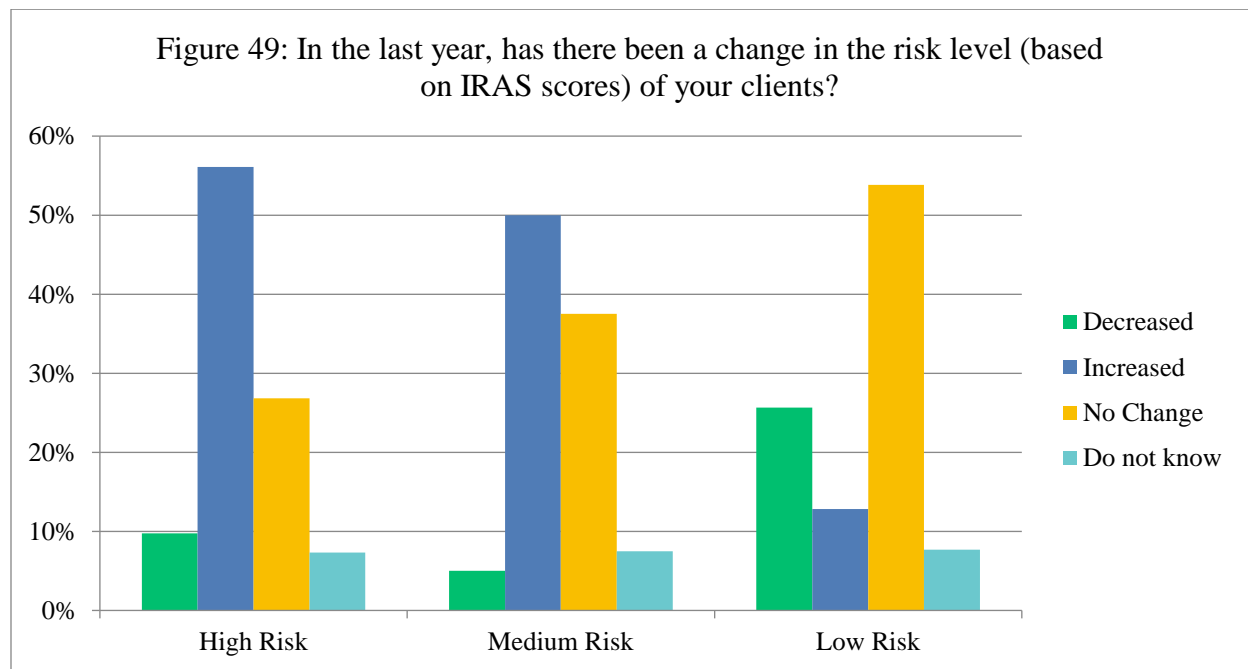
Summary of Community Corrections Responses

There were 48 responses from community corrections agencies, with a response rate of 58%, representing 49 counties. Community correction officers were asked to report the average caseload for all probation officers in their department. The responses ranged from 14 to 509 average cases. The average for all responses was 58 cases per person and the mode was 35. Nearly 46% of the respondents reported the average caseload had increased in the past year, 33% saw no change, and 19% experienced a decrease. For those that had increased caseloads, 48% indicated average caseloads increased a great deal or a lot, 33% saw a moderate increase, and 19% saw a slight increase. About 43% of community corrections officers with an increased caseload attributed a great deal or a lot of the increase to level 6 felony offenders, 28.5% said F6 offenders had a moderate amount to do with the increase, and 24% said they had a little to do with the increase.

Based on 31 responses, the average length of supervision for community corrections clients is 240 days. The most common length of supervision is one year and the responses ranged from 45 days to 2 ½ years. Roughly 40% of respondents have seen an increase in the average length of community corrections supervision in the past year, 33% have noticed no change and 17% experienced a decrease. The majority (76%) that saw an increase in average sentence, reported

the change was a moderate to little amount and 24% said it was a great deal or a lot in the change of average sentence.

Respondents were asked if there had been a change in the risk level (based on IRAS scores) of offenders in the past year. Most (54%) community corrections officers did not see a change in low risk level offenders and 26% saw a decrease. Fifty-six percent of respondents did report an increase among high-risk offenders and 50% saw an increase among the medium-risk offenders. See *Figure 49* below for more information.



The majority (83%) of community corrections officers saw an increase in the number of offenders who required services in the past year, 15% saw no change, and only 2% noticed a decrease. Of those who reported an increase in need for services, 56% reported a great deal or a lot of change and 32% said a moderate change. Nearly all (98%) of community corrections offices provide substance abuse treatment to clients, 93% provide employment assistance and/or job training skills, and 90% offer mental health treatment. See *Table 24* below for the full list.

Table 24: Services or programs provided to community correction clients

Answer Choices	Responses	Number
Substance Abuse Treatment	98%	40
Employment Assistance/Job Skills Training	93%	38
Mental Health Treatment	90%	37
Life Skills Curriculum (e.g., Thinking for a Change, Anger Management)	90%	37
Linkages to Community Resources (Non-Agency)	83%	34
Education	80%	33
Food and Clothing Assistance	76%	31
Housing/Homelessness Services	61%	25

Medical services	59%	24
Re-Entry Services	51%	21
Transportation Assistance	49%	20
Other (please specify)	7%	3
None	0%	0
Do not know	0%	0

Community corrections officers were asked “Which services or programs do clients have difficulty obtaining for reasons such as lack of availability or affordability?” Nearly 71% reported that housing/homelessness services was difficult to obtain, 63% had difficulty providing mental health treatments, and transportation was just slightly less at 61%. The table below shows the full list of services.

Table 25: Services or programs difficult for community corrections clients to obtain

Answer Choices	Responses	Number
Housing/Homelessness Services	71%	29
Mental Health Treatment	63%	26
Transportation Assistance	61%	25
Substance Abuse Treatment	51%	21
Medical services	32%	13
Education	17%	7
Employment Assistance/Job Skills Training	12%	5
Food and Clothing Assistance	12%	5
Re-Entry Services	10%	4
Other (please specify)	5%	2
Life Skills Curriculum (e.g., Thinking for a Change, Anger Management)	2%	1
Linkages to Community Resources (Non-Agency)	2%	1
Do not know	2%	1
None	0%	0

Community correction officers’ perception of the effectiveness of the stated purposes of HEA 1006 was generally neutral or somewhat effective for each purpose. The most favorable perception was for keeping dangerous offenders in prison by avoiding prison space for nonviolent offenders. See *Table 26* for results for each purpose area.

Table 26: Effectiveness of HEA 1006 purposes

Purposes of HEA 1006	Average
Reducing crime by promoting rehabilitation of offenders in a community setting	3.1
Keeping dangerous offenders in prison by avoiding the use of scarce prison space for nonviolent offenders	3.2
Giving judges maximum discretion to impose sentences based on a consideration of all the circumstances related to the offense	3.1

Maintaining proportionality of penalties across the criminal code, with like sentences for like crimes	3.1
Making lengths of sentences served by offenders more certain for victims	2.9

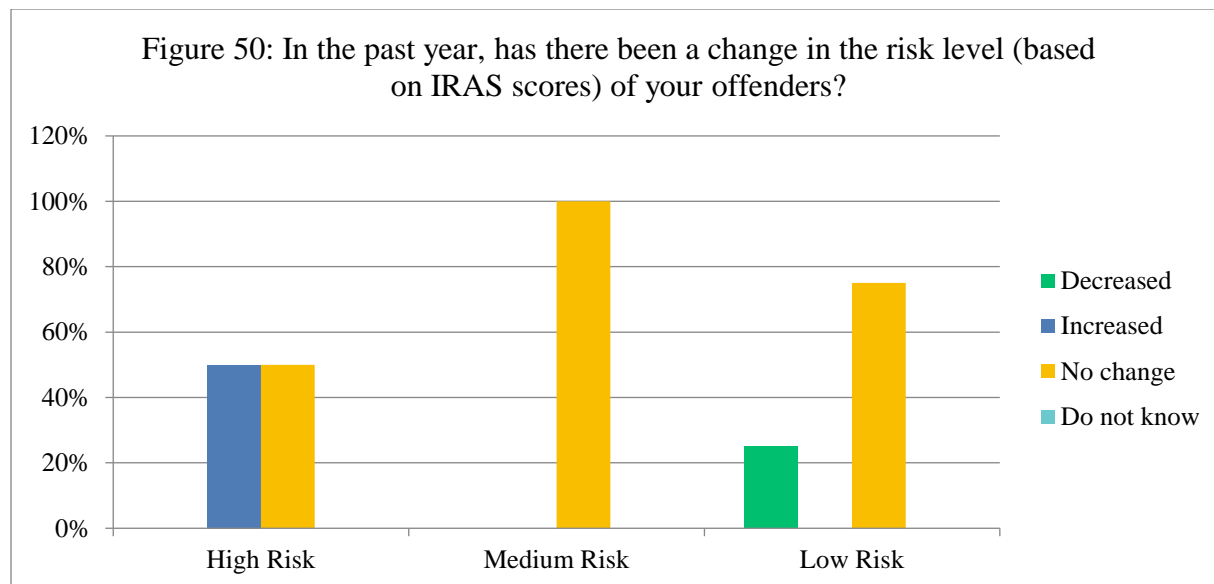
Survey respondents were asked “Is there anything we did not address in this survey that you would like for us to know about the impact of HEA 1006 on your community?” This was an open ended question and 8 (16.6%) people responded. Responses varied greatly and covered several topics. Some of the responses are summarized below.

- Two respondents indicated that F6 offenders are impacting the jails and causing overcrowding. In addition, more clients are being sent to community corrections but without additional funds for staffing or services. “The higher level offenders, having more needs increases all supervision costs. Ultimately, we are going broke through our Project Income to sustain effective programs without support to not only base funds, but also increases for staff and healthcare”.
- Two stated they are receiving more referrals for moderate to high-risk individuals.
- One respondent stated fewer offenders are willing to participate in Problem Solving Courts or treatment because it takes longer to complete the program than the sentence they would receive. There is also less ability to motivate offenders due to decreases in penalties.
- One respondent thinks more services are needed through Recovery Works and another stated the caps for treatment services is not helping.
- One explained most cases are settled through plea agreements, which gives the judge less discretion in sentencing, with many getting time served due to the length of time they spent in jail awaiting trial.

Summary of Parole Responses

There were 4 responses from parole supervisors, with a response rate of 36% and representing 3 parole districts. The average caseload for parole officers was fairly consistent ranging from 50 to 60. The overall average is 54 cases per parole officer. Half of the respondents had a decrease in average caseload in the past year, 25% had increased caseloads, and 25% had no change in caseloads. For those that had a decrease in caseloads, 50% reported a moderate decrease and 50% a little decrease. None of the respondents experienced a change in the number of offenders granted parole in the past year, 75% saw either no change or didn’t know, and 25% saw a decrease. Respondents were asked if the number of parole violations had changed in the past year, 50% noticed an increase, 25% experienced a decrease, and 25% didn’t know if there was a change. The majority of parole violations (75%), in the past year are technical violations and 25% were new offenses. All respondents reported that the most common technical violations seen in the past year were failed drug screens and 50% also noted failure to report.

Respondents were asked if there had been a change in the risk level (based on IRAS scores) of offenders in the past year. The majority of parole supervisors did not see a change in any of the risk levels. However, 50% did experience an increase in high-risk level offenders. See *Figure 50* below for more information.



All respondents reported an increase in the number of parolees who required services in the past year. 50% reported the change in needs was a great deal or a lot and 50% thought the change was moderate. When asked which services or programs are provided to parolees, 100% responded employment assistance/job skills training. Many other services were offered by 75% of the respondents. See the table below for full results.

Table 27: Services or programs provided to parolees

Answer Choices	Responses	Number
Employment Assistance/Job Skills Training	100%	4
Substance Abuse Treatment	75%	3
Mental Health Treatment	75%	3
Life Skills Curriculum (e.g., Thinking for a Change, Anger Management)	75%	3
Education	75%	3
Food and Clothing Assistance	75%	3
Housing/Homelessness Services	75%	3
Re-Entry Services	50%	2
Transportation Assistance	50%	2
Linkages to Community Resources (Non-Agency)	25%	1
Other (please specify)	25%	1
None	0%	0
Do not know	0%	0

Respondents were asked which services or programs parolees had difficulty obtaining and 100% reported difficulty providing mental health treatment, 75% said substance abuse treatment, and 50% said transportation. See the table below for the full set of responses.

Table 28: Services or programs difficult for parolees to obtain

Answer Choices	Responses	Number
Mental Health Treatment	100%	4
Substance Abuse Treatment	75%	3
Transportation Assistance	50%	2
Housing/Homelessness Services	25%	1
Other (please specify)	25%	1
Life Skills Curriculum (e.g., Thinking for a Change, Anger Management)	0%	0
Employment Assistance/Job Skills Training	0%	0
Education	0%	0
Re-Entry Services	0%	0
Food and Clothing Assistance	0%	0
Linkages to Community Resources (Non-Agency)	0%	0
None	0%	0
Do not know	0%	0

Parole supervisors' perception of the effectiveness of the stated purposes of HEA 1006 was generally positive for each purpose, except for reducing crime by promoting rehabilitation. The most favorable perception was for giving judges maximum discretion to impose sentences and maintaining proportionality of penalties across the criminal code. See *Table 29* for results for each purpose area.

Table 29: Effectiveness of HEA 1006 purposes

Purposes of HEA 1006	Average
Reducing crime by promoting rehabilitation of offenders in a community setting	1.75
Keeping dangerous offenders in prison by avoiding the use of scarce prison space for nonviolent offenders	3.25
Giving judges maximum discretion to impose sentences based on a consideration of all the circumstances related to the offense	4
Maintaining proportionality of penalties across the criminal code, with like sentences for like crimes	4
Making lengths of sentences served by offenders more certain for victims	3.25

Summary of Judiciary Responses

There were 31 responses from judges representing 23 counties. Nearly 78% of judges reported that their jurisdiction has at least one problem solving court. When asked to what extent problem solving courts are meeting the needs of defendants, 54% said some needs are met, 33% most, 8% a few, and 4% are meeting all needs. Half of the respondents saw an increase in the number of defendants served by problem solving courts in the past year, 12.5% saw a decrease, and 37% either didn't notice a change or didn't know if there was a change. Of those that reported an

increase in the number of defendants served in problem solving court, 58% thought it was a moderate change, 25% a little, and 13% thought it was a great deal or a lot.

Around 35% of the judiciary respondents indicated that there was an increase in the number of requests for sentence modification in the past year, while around 39% reported no change, and 10% saw a decrease. Of those who saw an increase, 60% said it was a moderate increase, 20% said a lot and 10% said a great deal. The majority (57%) of respondents reported no change in the number of plea agreements in the past year while 23% indicated it had increased.

Approximately 57% who indicated an increase in plea agreements thought the change was a great deal or a lot and 43% said it was a moderate amount or little change. Almost 59% of respondents said there had been an increase in the number of felony level 6 cases in the past year and 21% said there was no change. For those who indicated an increase in F6 cases, 59% said it was a moderate increase, 29% said a great deal or a lot, and 12% reported little change.

When asked if there has been a change in the number of defendants who require services in the past year, almost 69% said there has been an increase and 31% didn't know or indicated no change. It is noteworthy that none of the judges claimed that there was a decrease in number of defendants who require services in the past year. 45% thought the change was moderate, 25% said a great deal, 25% a lot, and 5% little change.

Judiciary respondents were asked which services or programs are provided to defendants and 93% provide substance abuse treatment, 86% provide life skills curriculum and 83% provide mental health treatment. See the table below for all results pertaining to this question.

Table 30: Services or programs provided to defendants

Answer Choices	Responses	Number
Substance Abuse Treatment	93%	27
Life Skills Curriculum (e.g., Thinking for a Change, Anger Management)	86%	25
Mental Health Treatment	83%	24
Linkages to Community Resources (Non-Agency)	48%	14
Education	45%	13
Employment Assistance/Job Skills Training	41%	12
Re-Entry Services	34%	10
Housing/Homelessness Services	21%	6
Transportation Assistance	17%	5
Food and Clothing Assistance	10%	3
Other (please specify)	10%	3
None	3%	1
Do not know	0%	0

Respondents were asked which services or programs the defendants had difficulty obtaining due to availability or affordability. The most common response was mental health treatment at 66% followed closely by substance abuse treatment at 62% and providing housing/homelessness services at 55%. See the table below for all results pertaining to this question.

Table 31: Services or programs difficult for defendants to obtain

Answer Choices	Responses	Number
Mental Health Treatment	66%	19
Substance Abuse Treatment	62%	18
Housing/Homelessness Services	55%	16
Transportation Assistance	48%	14
Life Skills Curriculum (e.g., Thinking for a Change, Anger Management)	34%	10
Employment Assistance/Job Skills Training	34%	10
Education	28%	8
Re-Entry Services	24%	7
Food and Clothing Assistance	21%	6
Linkages to Community Resources (Non-Agency)	17%	5
Do not know	10%	3
Other (please specify)	10%	3
None	7%	2

Judges' perception of the effectiveness of the stated purposes of HEA 1006 varied for each purpose. The most favorable perception was for maintaining proportionality of penalties across the criminal code, which was perceived as somewhat effective. Reducing crime by promoting rehabilitation of offenders in a community setting received the lowest score, ranking as not so effective. See *Table 32* for results for each purpose area.

Table 32: Effectiveness of HEA 1006 purposes

Purposes of HEA 1006	Average
Reducing crime by promoting rehabilitation of offenders in a community setting	1.77
Keeping dangerous offenders in prison by avoiding the use of scarce prison space for nonviolent offenders	2.32
Giving judges maximum discretion to impose sentences based on a consideration of all the circumstances related to the offense	2.88
Maintaining proportionality of penalties across the criminal code, with like sentences for like crimes	3.04
Making lengths of sentences served by offenders more certain for victims	2.41

Survey respondents were asked an open-ended question, "Is there anything we did not address in this survey that you would like for us to know about the impact of HEA 1006 on your community?" There were 9 (29%) responses, which are summarized below.

- Five respondents stated the jails are overcrowded or the jail population has been increasing. All respondents directly related the jail overcrowding to the increase in level 6s and the difficulty or inability to send them to the IDOC. One said "The inability of courts to send many Level 6 offenders to the IDOC following a violation of probation and/or community corrections has adversely impacted county jail numbers."
- Three commented that more treatment and resources are needed for the jails and

community. Two stated the jails are not equipped to provide the same programs as the IDOC. One said "...there aren't sufficient programs like at the IDOC and there aren't place to hold the classes if they were available. HB 1006 dumped 1,000's of people into local jails that do not have the resources, people or money to help them."

- Two judges commented on seeing more repeat offenders, which they linked to the increase in individuals on probation and the increase in revocations.
- One said due to the complexity of the law, it makes the prosecutors and courts look soft on crime.
- One judge commented that the state is under funding the jails for reimbursement of level 6s. The actual cost to the county for jail beds is more than what is reimbursed.

Summary of Prosecutors' Responses

There were 40 responses from prosecutors representing 37 counties. Prosecutors were asked to report the average number of cases for deputy prosecuting attorneys in their office for 2018. The responses ranged from 95 to 1,800 average cases. The average for all responses was 521 cases per person and the mode was 250. When comparing average cases in 2018 to the current cases for 2019, 50% of respondents' current caseload exceeds their average from 2018. Nearly 72% of the respondents reported their average caseload had increased in the past year, 10% saw no change, and 3% experienced a decrease. In the past year, 72% experienced an increase in the number of felony level 6 cases, 15% reported no change, and 13% didn't know if there had been a change. For those who reported an increase in F6 cases, 39% thought the change was a lot, 39% said it was a moderate change, 14% said it was a great deal, and 7% said a little.

Prosecutors were asked if they specialize in specific types of cases, and 67% indicated they did. Of those, the vast majority had this practice in place prior to HEA 1006 taking effect. Over 33% saw an increase in the number of request for sentence modifications in the past year, while 28% reported no change and 20.5% didn't know if there had been a change in sentence modification requests. Over half (56%) who reported an increase in sentence modifications reported it was a moderate amount. Additionally, 44% said sentence modifications have increased a great deal or a lot. Most (64%) respondents reported no change in the number of plea agreements in the past year, while 18% reported an increase and 5% noted a decrease.

Prosecutors were asked, "In your opinion has recidivism changed in the past year?" Nearly 59% of the respondents said recidivism has increased and 41% saw no change. Most commented that recidivism was the result of drug related charges or drug related violations while on pretrial release or probation, which has led to repeat offending. All of the comments for this question can be found in the Appendix E.

When asked if there has been change in the number of defendants who require services in the past year, 71% said there has been an increase and 24% indicated no change. It is noteworthy that none of the prosecutors claimed that there was a decrease in number of defendants who require services in the past year. Approximately 44% thought the change was a lot, 30% said a great deal, 19% a moderate amount, and 4% noticed little change.

Prosecutors' perception of the effectiveness of the stated purposes of HEA 1006 was fairly consistent, ranking between not at all effective and not so effective for each purpose. The most

favorable perception was for making lengths of sentences served by offenders more certain for victims. See *Table 33* for results for each purpose area.

Table 33: Effectiveness of HEA 1006 purposes

Purposes of HEA 1006	Average
Reducing crime by promoting rehabilitation of offenders in a community setting	1.61
Keeping dangerous offenders in prison by avoiding the use of scarce prison space for nonviolent offenders	1.94
Giving judges maximum discretion to impose sentences based on a consideration of all the circumstances related to the offense	2.13
Maintaining proportionality of penalties across the criminal code, with like sentences for like crimes	2.03
Making lengths of sentences served by offenders more certain for victims	2.46

Survey respondents were asked “Is there anything we did not address in this survey that you would like for us to know about the impact of HEA 1006 on your community?” This was an open ended question and 13 (32.5%) people responded. Some of their responses are summarized below.

- Eight respondents expressed that more funding and resources for substance abuse treatment programs are needed at the local level. Three of those stated that the IDOC was better equipped to provide treatment programs to offenders. One said “The number of level 6 filings has skyrocketed since 2014...The reality is that we can’t provide the substance abuse and mental health treatment most of our offenders need at the local level. The IDOC is better-equipped to do that.” One commented that due the lack of services, offenders are being released without prompt access to services and are recidivating.
- Four respondents stated that the jail population has increased and led to jail overcrowding. One specifically linked level 6s to the overcrowding and two stated their county had to build a new jail addition to deal with the increased population.
- Two stated the state pushed the cost of housing felons to the county but did not provide adequate funding to deal with the issue.
- One said the decrease in penalties for drug dealers has led to an increase in other types of crimes, such theft and violent crimes.
- One respondent believes too much emphasis was spent on pursuing opioid treatment, when the real problem is meth addiction.

Summary of Public Defenders’ Responses

There were 25 responses from public defenders representing 27 counties. Most respondents were not able to provide their averaged caseload as it can be difficult to quantify for many reasons. However, 52% did indicate that their average caseload had increased in the past year, 32% weren’t sure if it had changed, and 16% saw no change. The majority (64%) that experienced an increase in caseload thought it had increased moderately. Public defense attorneys were asking to what extent they have been able to meet the needs of defendants. Over 68% were able to meet most needs, 18% met some, and 14% were able to meet all needs. Around 37% reported an increase in the number of requests for sentence modification in the past

year, 27% reported no change, and 37% didn't know if there had been a change. Of those that had increases in sentence modifications, 62.5% said it changed a lot in the past year. The majority (59%) of respondents did not see a change in the number of plea agreements in the past year. There was an even distribution among those who saw an increase, decrease, and didn't know at 14% each. Public defenders were asked if they specialize in specific types of cases, and 36% indicated they did. Of those, the majority (62.5%) had this practice in place prior to HEA 1006 taking effect.

When asked if they have noticed an overall change in the number of defendants who require services in the past year, 90% said that there has been an increase and 5% said no change. No one noticed a decrease in need for services. For those who reported an increase, most (44%) said the increase was a great deal, 33% a lot, 17% moderate, and 5.5% a little.

Public defenders' perception of the effectiveness of the stated purposes of HEA 1006 was fairly consistent, ranking between not so effective and somewhat effective for each purpose. The most favorable perception was for giving judges maximum discretion to impose sentences based on all circumstances related to the offense. See *Table 34* for results for each purpose area.

Table 34: Effectiveness of HEA 1006 purposes

Purposes of HEA 1006	Average
Reducing crime by promoting rehabilitation of offenders in a community setting	2.25
Keeping dangerous offenders in prison by avoiding the use of scarce prison space for nonviolent offenders	2.8
Giving judges maximum discretion to impose sentences based on a consideration of all the circumstances related to the offense	3
Maintaining proportionality of penalties across the criminal code, with like sentences for like crimes	2.33
Making lengths of sentences served by offenders more certain for victims	2.18

Survey respondents were asked an open-ended question, "Is there anything we did not address in this survey that you would like for us to know about the impact of HEA 1006 on your community?" Only 6 (24%) respondents answered the question, and their responses are summarized below.

- Two respondents discussed how credit time with defendants serving 75% of sentence is confusing and difficult to calculate. It has also resulted in more people going to prison for longer or about the same even though the amount of years for the total offenses were reduced.
- Two thought some sentences for marijuana and a few other crimes are still too long and should be reevaluated. One said that drug offenders "end up serving significantly longer sentences than violent offenders in regular major felony court."
- One stated that more community resources are needed for F6 offenders. One also commented that there are many dealers who are addicts themselves and should be able to access treatment.

Summary of Community Service Provider Responses

There were 25 responses from community service providers, with a response rate of 24% and representing 31 counties. Approximately 42% of service providers saw an increase in the number of referrals from criminal justice agencies, 25% did not experience a change, and 12.5% reported a decrease. Of those who reported an increase, 62.5% reported a moderate increase, 25% said a lot, and 12.5% said a little. Roughly 67% of service providers reported the decrease in referrals changed a lot and 33% said it changed a great deal.

Only 27% of agencies have forensic programming specifically for criminal justice involved clients in the past year. The most common method to fund the forensic programs is through Department of Child Services (100%), followed by Recovery Works (83.33%), client's insurance (83.33%), and client out of pocket fees (67%). 50% of respondents said funding has been insufficient to carry out the mission of their forensic programming, while 33.33% have sufficient funding. Only 27% of the agency said they did not have enough staff to meet the needs of clients.

Over 45% of respondents have seen an increase in the overall intensity of services required to assist criminal justice involved clients in the past year. The top three services provided by the service providers who responded are substance abuse treatment (63%), linkage to community resources (Non-Agency) (55%), and life skills curriculum (50%). See *Table 35* for the full list of responses.

Table 35: Services or programs provided to criminal justice involved clients

Answer Choices	Responses	Number
Substance Abuse Treatment	64%	14
Linkages to Community Resources (Non-Agency)	55%	12
Life Skills Curriculum (e.g., Thinking for a Change, Anger Management)	50%	11
Mental Health Treatment	41%	9
Education	23%	5
Employment Assistance/Job Skills Training	14%	3
Medical Services	14%	3
Housing/Homelessness Services	14%	3
Re-Entry Services	9%	2
Transportation Assistance	9%	2
None	9%	2
Food and Clothing Assistance	5%	1

Community service providers were also asked which services or programs are difficult for clients to obtain. Respondents reported that transportation and housing were equally (41%) difficult to obtain. Substance abuse treatment was next on the list, at about 36%. *Table 36* below shows the full list of services.

Table 36: Services difficult for criminal justice involved clients to obtain

Answer Choices	Responses	Number
Transportation Assistance	41%	9
Housing/Homelessness Services	41%	9
Substance Abuse Treatment	36%	8
Mental Health Treatment	36%	8
Do not know	36%	8
Medical Services	27%	6
Education Employment Assistance/Job Skills Training	14%	3
Life Skills Curriculum (e.g., Thinking for a Change, Anger Management)	9%	2
Education	9%	2
Food and Clothing Assistance	9%	2
Re-Entry Services	9%	2
Linkages to Community Resources (Non-Agency)	5%	1

Community service providers' perception of the effectiveness of the stated purposes of HEA 1006 was fairly consistent, ranking mostly somewhat effective for each purpose. The most favorable perception was for giving judges maximum discretion to impose sentences based on all circumstances. See *Table 37* for results for each purpose area.

Table 37: Effectiveness of HEA 1006 purposes

Purposes of HEA 1006	Average
Reducing crime by promoting rehabilitation of offenders in a community setting	2.73
Keeping dangerous offenders in prison by avoiding the use of scarce prison space for nonviolent offenders	2.71
Giving judges maximum discretion to impose sentences based on a consideration of all the circumstances related to the offense	3.2
Maintaining proportionality of penalties across the criminal code, with like sentences for like crimes	3
Making lengths of sentences served by offenders more certain for victims	3.11

Survey respondents were asked, "Is there anything we did not address in this survey that you would like for us to know about the impact of HEA 1006 on your community?" This was an open ended question and 6 (24%) people responded. Some of their responses are summarized below.

- Two respondents stated concerns about the jails running their own treatment programming.
- One respondent said the jails are overcrowded due to the inability to move level 6 felony convictions to the state prisons.
- One respondent stated having to "apologize" for Recovery Works restrictions and failures. One stated Recovery Works is "grossly limited and excessively controlled."

- One respondent commented the need for more resources related to addressing the opioid epidemic and the need for more services for women, particularly housing once released from jail.

Recommendations

Status of previous Recommendations:

Data Collection, Management, and Sharing

This topic is one that continues to persist as an issue in Indiana. While the Evidence Based Decision Making (EBDM) Committee has made progress, more work is needed in this area. Agreements are still being drafted to share data between varying state agencies across the judicial and executive branches, but more time is needed to implement the work of the EBDM Committee.

Assignment of Offender Numbers

In addition to sharing data, the goal of sharing a single offender or transaction control number has yet to be attained. This too is a previous recommendation that has not been adequately addressed. Continued work with data and assignment of numbers at local facilities is still needed. A statewide jail booking system may benefit achieving this recommendation. A singular, comprehensive system could potentially make assigning a single number possible across jurisdictions. This number would then be searchable and relate the number back to the offender and previous or subsequent offenses.

Probation and Parole Reform

The Judicial Conference of Indiana adopted minimum standards for probation departments to use incentives and sanctions in May 2019, and the Indiana Office of Court Services began phase three of statewide implementation. OJA is providing technical assistance to nine probation departments to assist stakeholders in developing a contingency management system to administer incentives and sanctions. The Evidence Based Decision Making State Policy Team also approved a behavior responses expectations document for use by local stakeholders in creating incentives and sanctions policies. The Office of Court Services will continue to offer technical assistance to probation departments that need assistance with implementing this evidence-based practice. Trial Court Technology is deploying the new Supervised Release System to community corrections and probation departments, which will allow for better data collection.

Pretrial Services

The Office of Court Services conducted a training on pretrial best practices in April 2019, attended by 107 people representing 31 counties. The attendees were judges, probation officers, and pretrial personnel. In addition, the Indiana Supreme Court hosted the Indiana Pretrial Summit in October 2019 in partnership with the Indiana Criminal Justice Institute, the Indiana Department of Correction, the Indiana Prosecuting Attorneys Council, the Indiana Public Defender Council, the Indiana Sheriffs' Association, and the Association of Indiana Counties. Seven hundred twenty-one attendees representing ninety-one counties attended the pretrial summit, which was a county team-based training on pretrial best practices. The summit was

offered to assist counties to implement Criminal Rule 26. The EBDM Pretrial Committee drafted rules for certification of pretrial services agencies and will be effective in 2020. In addition, the EBDM Risk Reduction Committee is working on best practices and expectations for prosecutor pretrial diversion programs. Dr. Brad Ray and Dr. Evan Lowder are conducting a research evaluation of the pretrial pilot counties, which includes a validation study of the Indiana Risk Assessment System-Pretrial Assessment Tool (IRAS-PAT). At the direction of the Indiana General Assembly, the Justice Reinvestment Council conducted a review of bail reform and pretrial issues.

Recommendations for 2019

While the General Assembly has taken great care and continues to work diligently to improve HEA 1006, there remain a few select areas needing to be addressed.

Time and Funding

As has been recommended since the first report in 2015, more time is needed to truly assess the entire impact that criminal code reform effort will have, and more funding is needed to truly address the needs of the criminal justice system and those who come into contact with it. Since July 1, 2014, many aspects of the reform effort have taken effect, but not had the opportunity to produce enough results or data. Since the enactment of HEA 1006 in 2014, court, the IDOC, and jail data have all become more readily available; however there has not been sufficient time to truly assess how criminal code reform has impacted both the state and local systems. An additional recommendation related to data is outlined in the following paragraph. The ICJI cautions against making long term decisions until more time has passed to truly see the long term impact of HEA 1006 and the other recommendations from this report and previous reports.

Data

As mentioned throughout this and previous reports, there is still a need to continue improving and collecting data from every aspect of the criminal justice system. The ICJI has continuously had to work with several organizations to obtain the available data needed to draft the reports. Both in requesting and receiving the data needed to complete this report, it was apparent the methods by which Indiana tracks criminal justice related information is fragmented and often times duplicative. Primary areas of focus need to be placed on enhancing, gathering and defining jail data, developing a cohesive criminal justice data repository, scaling back on the number of data systems utilized such as jail management systems and court data systems, enhancing the sharing of data across agencies, and improving evaluation of the available data produced by each system stakeholder.

Mental Health and Substance Abuse Programs

The ICJI recommends continuing efforts to enhance the accessibility of community based mental health and substance abuse treatment programs that support the full range of needs for the criminal justice population, including recovery residences, medication assisted treatment, and psychiatric services. The fact is well known that many counties face extreme hardships with providing these services either due to a lack of resources, such as available service providers in the area, or a lack of adequate funding. The State of Indiana and the counties will need to work with service providers and mental health practitioners to address these needs at the local level. Evaluating the time needed to complete mental health and addiction programs could prove

valuable when looking at both pretrial release programs and programs offered during post-conviction in the jails, the IDOC, or through Recovery Works.

Re-Entry Services

Re-entry continues to be an area needing enhancement in Indiana; however with the progress of programs like Recovery Works, re-entry of offenders back into society is improving. There continues to be a need for more re-entry programs as a whole. Areas such as employment, housing, transportation and life skills training after incarceration and reintegration support still need improvement. The IDOC has implemented job and life skills training for some offenders, but like many other recommendations more work is needed especially at the local level. Steady and gainful employment combined with secure housing and transportation are key factors that will impact Indiana's recidivism rates.

Appendix A – Jail Inspection Reports & Jail Survey Data – County Level

2014 Jail Inspection Report Data

County	Inmate Pop.	Num. of Beds	Capacity Rate	Jail Over Capacity*	Num. of Inmates sentenced to serve county time	Num. of beds for DOC holding	Num. of inmates being held for DOC	Num. of sentenced inmates awaiting transfer to DOC	Num. of inmates for US marshal /ICE	Adequate Jail Staffing Levels
Adams	57	60	95.0%	Yes	15	0	0	3	0	No
Allen	721	741	97.3%	Yes	79	0	0	4	110	No
Bartholomew	160	362	44.2%	No	0	0	15	0	0	Yes
Benton	18	54	33.3%	No	17	0	0	1	0	Yes
Blackford	80	80	100.0%	Yes	7	40	12	12	0	No
Boone	144	222	64.9%	No	21	0	0	8	2	No
Brown	34	117	29.1%	No	16	0	0	0	0	No
Carroll	44	34	129.4%	Yes	3	0	3	1	0	No
Cass	130	208	62.5%	No	38	5	3	3	4	Yes
Clark	450	482	93.4%	Yes	0	90	21	28	4	No
Clay	134	170	78.8%	No	3	12	8	0	53	No
Clinton	127	222	57.2%	No	22	35	35	35	1	Yes
Crawford	47	81	58.0%	No	21	50	26	26	0	No
Daviess	141	218	64.7%	No	51	30	16	0	0	Yes
Dearborn	253	216	117.1%	Yes	25	0	15	15	0	No
Decatur	78	66	118.2%	Yes	1	0	2	2	0	No
DeKalb	108	105	102.9%	Yes	57	0	0	2	0	No
Delaware	285	221	129.0%	Yes	18	0	0	23	2	No
Dubois	66	84	78.6%	No	17	0	0	0	1	No
Elkhart	653	1002	65.2%	No	234	250	34	20	6	Yes
Fayette	129	114	113.2%	Yes	5	0	0	9	0	No
Floyd	316	234	135.0%	Yes	41	0	16	16	14	Yes
Fountain	22	25	88.0%	Yes	3	0	0	1	0	Yes
Franklin	44	75	58.7%	No	1	0	5	5	0	No
Fulton	62	88	70.5%	No	4	10	15	14	0	No
Gibson	96	120	80.0%	No	49	14	3	0	1	No
Grant	255	274	93.1%	Yes	138	0	3	3	2	Yes
Greene	75	84	89.3%	Yes	9	15	11	0	0	No
Hamilton	277	296	93.6%	Yes	45	0	0	41	5	Yes
Hancock	183	153	119.6%	Yes	74	0	12	12	0	No
Harrison	137	175	78.3%	No	11	0	1	5	0	No
Hendricks	218	252	86.5%	Yes	20	30	20	0	0	No
Henry	93	116	80.2%	Yes	1	35	2	0	0	No
Howard	369	364	101.4%	Yes	21	0	11	6	0	No
Huntington	96	99	97.0%	Yes	81	0	11	3	0	No
Jackson	201	172	116.9%	Yes	0	35	6	0	1	No
Jasper	61	120	50.8%	No	7	0	0	3	0	No
Jay	100	140	71.4%	No	19	25	23	23	0	No
Jefferson	99	109	90.8%	Yes	DK	0	2	2	0	No
Jennings	110	122	90.2%	Yes	16	0	7	7	0	No
Johnson	295	322	91.6%	Yes	52	0	0	12	0	No
Knox	198	214	92.5%	Yes	13	47	18	0	1	No
Kosciusko	263	331	79.5%	No	147	0	15	6	0	No
LaGrange	83	242	34.3%	No	6	85	25	25	0	Yes
Lake	727	1009	72.1%	No	107	35	23	23	18	Yes
LaPorte	355	368	96.5%	Yes	8	0	0	14	0	No
Lawrence	130	168	77.4%	No	6	0	7	0	0	No
Madison	208	207	100.5%	Yes	21	0	0	3	0	Yes
Marion	1114	1135	98.1%	Yes	82	0	35	4	93	Yes
Marion II	1043	1030	101.3%	Yes	0	0	0	0	0	Yes
Marshall	127	239	53.1%	No	9	0	7	6	0	Yes
Martin	56	60	93.3%	Yes	0	30	2	0	0	No
Miami	109	240	45.4%	No	0	20	2	2	0	Yes
Monroe	263	287	91.6%	Yes	13	0	7	7	0	Yes
Montgomery	176	224	78.6%	No	25	11	8	8	1	Yes

County	Inmate Pop.	Num. of Beds	Capacity Rate	Jail Over Capacity*	Num. of Inmates sentenced to serve county time	Num. of beds for DOC holding	Num. of inmates being held for DOC	Num. of sentenced inmates awaiting transfer to DOC	Num. of inmates for US marshal /ICE	Adequate Jail Staffing Levels
Morgan	317	439	72.2%	No	42	10	24	12	0	Yes
Newton	45	77	58.4%	No	12	10	1	1	0	No
Noble	142	263	54.0%	No	17	55	33	31	11	No
Ohio	---	---	---	---	---	---	---	---	---	---
Orange	56	92	60.9%	No	0	8	2	0	0	No
Owen	53	72	73.6%	No	3	8	3	0	0	Yes
Parke	57	92	62.0%	No	3	30	14	0	0	No
Perry	48	143	33.6%	No		0	2	0	0	No
Pike	42	74	56.8%	No	16	40	10	0	0	No
Porter	433	449	96.4%	Yes	DK	0	25	25	31	Yes
Posey	51	62	82.3%	Yes	11	21	2	2	1	No
Pulaski	67	128	52.3%	No	42	60	4	4	0	Yes
Putnam	94	155	60.6%	No	0	80	29	0	0	No
Randolph	72	77	93.5%	Yes	25	0	0	1	1	Yes
Ripley	91	124	73.4%	No	17	45	7	0	0	No
Rush	45	46	97.8%	Yes	2	6	3	3	0	No
Scott	102	64	159.4%	Yes	8	0	0	3	0	No
Shelby	172	203	84.7%	Yes	11	20	5	0	0	No
Spencer	61	71	85.9%	Yes	1	30	2	0	0	No
St. Joseph	555	829	66.9%	No	38	0	28	28	75	No
Starke	49	54	90.7%	Yes	0	0	0	0	DK	Yes
Steuben	95	175	54.3%	No	20	14	12	10	0	No
Sullivan	39	56	69.6%	No	9	0	0	2	0	No
Switzerland	28	60	46.7%	No	0	0	0	0	0	No
Tippecanoe	329	553	59.5%	No	21	90	41	31	0	No
Tipton	22	27	81.5%	Yes	DK	0	0	0	0	Yes
Union	15	10	150.0%	Yes	3	0	0	1	0	No
Vanderburgh	635	553	114.8%	Yes	38	0	0	38	0	No
Vermillion	77	74	104.1%	Yes	12	30	7	0	0	No
Vigo	244	267	91.4%	Yes	0	0	0	2	0	No
Wabash	77	72	106.9%	Yes	22	0	0	12	0	Yes
Warren	17	42	40.5%	No	3	16	0	0	0	Yes
Warrick	86	126	68.3%	No	9	55	25	0	0	No
Washington	102	240	42.5%	No	0	0	18	18	0	No
Wayne	274	416	65.9%	No	50	20	45	0	1	No
Wells	65	94	69.1%	No	22	30	11	11	1	No
White	112	165	67.9%	No	34	25	7	2	1	Yes
Whitley	119	104	114.4%	Yes	118	15	1	1	0	No
State	16,708	20,501	81.5%		2,288	1,622	848	681	441	

*Jail should never exceed 80% of its available bed capacity to effectively allow for changes in inmate demographics and characteristics

2015 Jail Inspection Data

County	Inmate Pop.	Num. of Beds	Capacity Rate	Jail Over Capacity*	Num. of Inmates sentenced to serve county time	Num. of beds for DOC holding	Num. of inmates being held for DOC	Num. of sentenced inmates awaiting transfer to DOC	Num. of inmates for US marshal /ICE	Adequate Jail Staffing
Adams	65	60	108.3%	Yes	21	0	0	3	1	No
Allen	668	741	90.1%	Yes	68	0	0	8	83	No
Bartholomew	157	362	43.4%	No	0	0	6	0	1	Yes
Benton	23	54	42.6%	No	10	0	0	0	0	Yes
Blackford	22	80	27.5%	No	5	40	0	0	0	No
Boone	126	222	56.8%	No	15	0	0	4	0	No
Brown	36	117	30.8%	No	11	4	0	0	0	No
Carroll	37	34	108.8%	Yes	3	0	2	0	0	No
Cass	142	208	68.3%	No	34	5	2	1	0	No
Clark	469	482	97.3%	Yes	0	90	31	31	10	No
Clay	124	170	72.9%	No	0	12	11	0	57	No
Clinton	133	222	59.9%	No	18	35	36	30	0	Yes
Crawford	38	81	46.9%	No	3	50	11	11	0	No
Daviess	101	218	46.3%	No	17	30	4	0	0	No
Dearborn	254	424	59.9%	No	24	0	30	15	0	No
Decatur	71	66	107.6%	Yes	0	0	5	5	0	No
DeKalb	73	105	69.5%	No	35	0	2	2	0	No
Delaware	234	221	105.9%	Yes	18	0	0	3	0	No
Dubois	78	84	92.9%	Yes	29	0	0	0	0	No
Elkhart	591	1,002	59.0%	No	DK	250	9	9	0	Yes
Fayette	133	114	116.7%	Yes	8	0	0	9	0	No
Floyd	275	234	117.5%	Yes	33	0	8	8	14	Yes
Fountain	20	25	80.0%	No	2	0	0	1	0	No
Franklin	16	75	21.3%	No	1	0	0	0	0	No
Fulton	70	88	79.5%	No	4	10	9	1	0	No
Gibson	97	120	80.8%	Yes	62	14	2	0	0	No
Grant	241	274	88.0%	Yes	39	0	0	4	0	Yes
Greene	75	84	89.3%	Yes	26	15	11	0	0	No
Hamilton	302	296	102.0%	Yes	77	0	0	37	0	Yes
Hancock	132	157	84.1%	Yes	62	0	1	1	0	No
Harrison	123	175	70.3%	No	11	0	0	4	0	No
Hendricks	253	252	100.4%	Yes	39	0	13	0	0	No
Henry	70	116	60.3%	No	8	35	3	0	0	No
Howard	344	364	94.5%	Yes	28	0	9	6	1	No
Huntington	124	99	125.3%	Yes	105	0	8	3	0	No
Jackson	200	172	116.3%	Yes	0	35	4	0	0	No
Jasper	55	120	45.8%	No	12	0	6	2	0	No
Jay	73	140	52.1%	No	25	25	1	1	0	No
Jefferson	99	109	90.8%	Yes	DK	0	1	1	0	No
Jennings	128	122	104.9%	Yes	21	0	6	6	0	No
Johnson	295	322	91.6%	Yes	87	0	0	1	0	No
Knox	169	214	79.0%	No	40	47	0	0	0	No
Kosciusko	290	331	87.6%	Yes	150	0	8	2	0	No
LaGrange	77	242	31.8%	No	19	85	4	3	0	No
Lake	711	1,009	70.5%	No	19	35	19	19	32	Yes
LaPorte	323	368	87.8%	Yes	64	0	0	14	0	No
Lawrence	137	168	81.5%	Yes	3	0	2	0	0	No
Madison	171	207	82.6%	Yes	14	0	0	0	0	No
Marion	1,055	1,135	93.0%	Yes	82	0	9	46	31	No
Marion II	1,103	1,030	107.1%	Yes	0	0	0	0	0	Yes
Marshall	125	239	52.3%	No	8	0	18	18	0	Yes
Martin	55	60	91.7%	Yes	0	30	3	0	0	No
Miami	109	240	45.4%	No	DK	20	2	2	0	Yes
Monroe	269	287	93.7%	Yes	13	0	4	4	2	Yes
Montgomery	183	224	81.7%	Yes	15	11	8	12	1	Yes
Morgan	297	439	67.7%	No	88	10	15	0	0	Yes
Newton	39	77	50.6%	No	5	10	1	1	0	No
Noble	85	263	32.3%	No	17	55	12	12	3	No

County	Inmate Pop.	Num. of Beds	Capacity Rate	Jail Over Capacity*	Num. of Inmates sentenced to serve county time	Num. of beds for DOC holding	Num. of inmates being held for DOC	Num. of sentenced inmates awaiting transfer to DOC	Num. of inmates for US marshal /ICE	Adequate Jail Staffing
Ohio	---	---	---	---	---	---	---	---	---	---
Orange	61	92	66.3%	No	0	8	9	0	0	No
Owen	64	72	88.9%	Yes	2	8	6	0	0	Yes
Parke	62	92	67.4%	No	41	30	4	0	0	No
Perry	48	143	33.6%	No	DK	0	2	0	0	No
Pike	36	74	48.6%	No	10	40	3	0	0	No
Porter	410	449	91.3%	Yes	58	0	9	9	40	Yes
Posey	50	62	80.6%	Yes	18	0	3	3	0	No
Pulaski	61	128	47.7%	No	35	60	0	0	0	Yes
Putnam	94	155	60.6%	No	0	80	24	0	0	No
Randolph	85	77	110.4%	Yes	45	0	0	1	1	No
Ripley	76	124	61.3%	No	27	45	10	0	0	No
Rush	34	46	73.9%	No	5	0	3	3	0	No
Scott	107	64	167.2%	Yes	8	0	2	2	0	No
Shelby	165	203	81.3%	Yes	14	20	2	0	0	No
Spencer	68	71	95.8%	Yes	3	30	1	0	0	No
St. Joseph	564	829	68.0%	No	135	0	0	17	80	No
Starke	84	148	56.8%	No	0	0	0	4	0	No
Steuben	91	175	52.0%	No	28	14	6	3	0	No
Sullivan	34	56	60.7%	No	10	0	0	2	0	No
Switzerland	46	60	76.7%	No	0	0	0	4	0	No
Tippecanoe	349	553	63.1%	No	22	90	33	33	0	No
Tipton	35	27	129.6%	Yes	6	0	0	0	0	Yes
Union	17	10	170.0%	Yes	0	0	0	0	0	No
Vanderburgh	631	553	114.1%	Yes	48	0	0	56	0	No
Vermillion	77	74	104.1%	Yes	12	30	7	0	0	No
Vigo	230	267	86.1%	Yes	0	0	0	3	0	No
Wabash	89	72	123.6%	Yes	18	0	0	8	0	No
Warren	6	42	14.3%	No	1	16	0	0	0	Yes
Warrick	78	126	61.9%	No	15	55	8	0	0	No
Washington	103	240	42.9%	No	0	0	18	18	0	No
Wayne	219	416	52.6%	No	31	20	24	0	0	No
Wells	85	94	90.4%	Yes	22	30	2	0	3	No
White	108	165	65.5%	No	34	25	6	4	1	Yes
Whitley	101	104	97.1%	Yes	118	15	0	0	0	No
State	16,133	20,807	77.5%		2,264	1,569	518	510	361	

*Jail should never exceed 80% of its available bed capacity to effectively allow for changes in inmate demographics and characteristics

2016 Jail Inspection Data

County	Inmate Pop.	Num. of Beds	Capacity Rate	Jail Over Capacity*	Num. of Inmates sentenced to serve county time	Num. of beds for DOC holding	Num. of inmates being held for DOC	Num. of sentenced inmates awaiting transfer to DOC	Num. of inmates for US marshal /ICE	Adequate Jail Staffing
Adams	85	60	141.7%	Yes	18	0	0	0	0	No
Allen	702	741	94.7%	Yes	62	0	82	8	83	No
Bartholomew	153	362	42.3%	No	37	0	2	0	1	Yes
Benton	14	54	25.9%	No	8	0	0	0	0	Yes
Blackford	60	80	75.0%	No	16	40	10	0	0	No
Boone	137	222	61.7%	No	6	0	0	0	0	No
Brown	29	117	24.8%	No	11	4	4	0	0	No
Carroll	33	34	97.1%	Yes	5	0	5	1	0	No
Cass	182	208	87.5%	Yes	51	5	0	1	3	No
Clark	471	482	97.7%	Yes	6	90	10	0	10	No
Clay	162	170	95.3%	Yes	0	12	10	0	57	No
Clinton	99	222	44.6%	No	17	35	3	1	4	Yes
Crawford	40	81	49.4%	No	3	50	2	0	0	No
Daviess	132	218	60.6%	No	12	30	0	0	0	No
Dearborn	244	424	57.5%	No	25	0	0	0	0	No
Decatur	95	66	143.9%	Yes	5	0	4	0	0	No
DeKalb	86	105	81.9%	Yes	42	0	1	0	0	No
Delaware	235	221	106.3%	Yes	1	0	0	5	0	No
Dubois	81	84	96.4%	Yes	21	0	16	0	0	No
Elkhart	759	1,002	75.7%	No	DK	250	0	8	1	Yes
Fayette	141	114	123.7%	Yes	16	0	0	6	0	No
Floyd	284	234	121.4%	Yes	8	0	0	6	18	No
Fountain	29	25	116.0%	Yes	2	0	0	2	0	No
Franklin	60	75	80.0%	No	1	0	0	1	0	No
Fulton	85	88	96.6%	Yes	28	10	13	0	0	No
Gibson	97	120	80.8%	Yes	20	14	0	2	0	No
Grant	264	274	96.4%	Yes	43	0	9	3	0	Yes
Greene	61	84	72.6%	No	17	15	3	0	0	No
Hamilton	291	296	98.3%	Yes	57	0	0	78	8	No
Hancock	170	157	108.3%	Yes	76	0	0	0	0	No
Harrison	128	175	73.1%	No	10	0	0	4	0	No
Hendricks	244	252	96.8%	Yes	32	0	32	0	0	No
Henry	124	116	106.9%	Yes	11	35	12	0	1	No
Howard	437	364	120.1%	Yes	27	0	36	5	0	No
Huntington	135	99	136.4%	Yes	81	0	45	0	0	No
Jackson	238	172	138.4%	Yes	53	35	0	0	1	No
Jasper	81	120	67.5%	No	12	0	6	1	0	No
Jay	84	140	60.0%	No	32	25	26	3	0	No
Jefferson	128	109	117.4%	Yes	1	0	1	1	0	No
Jennings	178	122	145.9%	Yes	22	0	1	1	0	No
Johnson	339	322	105.3%	Yes	47	0	0	0	0	No
Knox	201	214	93.9%	Yes	15	0	0	1	12	No
Kosciusko	293	331	88.5%	Yes	125	0	10	3	0	No
LaGrange	66	242	27.3%	No	2	85	8	3	0	No
Lake	706	1,009	70.0%	No	DK	35	24	14	44	Yes
LaPorte	297	368	80.7%	Yes	55	0	17	16	0	No
Lawrence	149	180	82.8%	Yes	2	0	2	0	0	No
Madison	233	207	112.6%	Yes	4	0	0	6	0	No
Marion	1,151	1,135	101.4%	Yes	101	0	48	11	33	Yes
Marshall	138	239	57.7%	No	10	0	13	3	0	Yes
Marion II	1,224	1,230	99.5%	Yes	0	0	0	0	0	Yes
Martin	60	60	100.0%	Yes	6	30	0	0	0	No
Miami	172	240	71.7%	No	9	20	1	1	0	No
Monroe	260	287	90.6%	Yes	18	0	0	3	2	Yes
Montgomery	218	224	97.3%	Yes	36	11	7	7	1	
Morgan	346	439	78.8%	No	106	10	0	0	0	Yes
Newton	43	77	55.8%	No	8	10	0	2	0	No
Noble	109	263	41.4%	No	14	55	5	1	0	No

County	Inmate Pop.	Num. of Beds	Capacity Rate	Jail Over Capacity*	Num. of Inmates sentenced to serve county time	Num. of beds for DOC holding	Num. of inmates being held for DOC	Num. of sentenced inmates awaiting transfer to DOC	Num. of inmates for US marshal /ICE	Adequate Jail Staffing
Ohio	---	---	---	---	---	---	---	---	---	---
Orange	71	92	77.2%	No	0	8	0	0	0	No
Owen	67	72	93.1%	Yes	0	8	3	0	0	No
Parke	75	92	81.5%	Yes	3	30	0	0	0	No
Perry	72	143	50.3%	No	9	0	5	0	0	No
Pike	67	74	90.5%	Yes	10	40	3	1	0	No
Porter	411	449	91.5%	Yes	68	0	6	0	38	No
Posey	65	62	104.8%	Yes	7	0	11	0	0	No
Pulaski	56	128	43.8%	No	26	60	12	1	1	No
Putnam	122	155	78.7%	No	0	0	14	0	0	No
Randolph	98	108	90.7%	Yes	23	0	0	0	0	Yes
Ripley	94	124	75.8%	No	11	45	10	0	0	No
Rush	60	46	130.4%	Yes	13	0	0	0	0	No
Scott^		64	0.0%	Yes		0			0	No
Shelby	203	203	100.0%	Yes	7	20	28	0	0	No
Spencer	57	71	80.3%	Yes	10	30	0	0	0	No
St. Joseph	627	829	75.6%	No	41	0	31	20	61	No
Starke	126	148	85.1%	Yes	10	48	36	0	1	No
Steuben	85	175	48.6%	No	40	14	0	0	0	No
Sullivan	72	56	128.6%	Yes	15	0	0	0	0	No
Switzerland	58	60	96.7%	Yes	0	0	0	2	0	No
Tippecanoe	408	553	73.8%	No	23	90	51	12	0	No
Tipton	36	27	133.3%	Yes	4	0	16	0	0	Yes
Union	15	10	150.0%	Yes	0	0	0	0	0	No
Vanderburgh	619	553	111.9%	Yes	81	0	0	7	0	No
Vermillion	80	74	108.1%	Yes	12	30	3	0	0	Yes
Vigo	251	267	94.0%	Yes	0	0	0	3	0	No
Wabash	86	72	119.4%	Yes	18	0	0	4	0	No
Warren	14	42	33.3%	No	1	16	0	0	0	No
Warrick	92	126	73.0%	No	6	55	3	0	0	No
Washington	101	240	42.1%	No	0	0	0	0	0	No
Wayne	288	416	69.2%	No	25	0	6	6	0	No
Wells	99	94	105.3%	Yes	24	30	13	0	3	No
White	88	165	53.3%	No	34	25	37	2	1	No
Whitley	107	104	102.9%	Yes	50	15	1	0	0	No
State	17,833	21,050	84.7%		2,024	1,470	757	266	384	

*Jail should never exceed 80% of its available bed capacity to effectively allow for changes in inmate demographics and characteristics.

^Inspection report not submitted as in process of moving inmates to new addition, but anticipate jail to be overcrowded.

2017 Jail Inspection Data

County	Inmate Pop.	Num. of Beds	Capacity Rate	Jail Over Capacity*	Num. of Inmates sentenced to serve county time	Num. of beds for DOC holding	Num. of inmates being held for DOC	Num. of sentenced inmates awaiting transfer to DOC	Num. of inmates for US marshal /ICE	Adequate Jail Staffing
Adams**	105	182	57.7%	No	24	0	2	0	0	Yes
Allen	752	741	101.5%	Yes	153	0	0	11	77	No
Bartholomew	196	362	54.1%	No	23	0	29	2	0	Yes
Benton	17	54	31.5%	No	8	0	4	0	0	Yes
Blackford**	60	88	68.2%	No	16	40	10	0	0	No
Boone	187	222	84.2%	Yes	10	0	12	1	0	No
Brown	47	117	40.2%	No	24	4	3	1	0	No
Carroll	41	34	120.6%	Yes	5	0	7	1	0	No
Cass	174	208	83.7%	Yes	47	5	0	0	0	No
Clark	502	482	104.1%	Yes	6	90	10	0	2	No
Clay	125	170	73.5%	No	22	12	11	3	36	No
Clinton	161	222	72.5%	No	31	35	9	0	3	No
Crawford	71	81	87.7%	Yes	2	50	4	0	1	No
Daviess	159	218	72.9%	No	7	30	3	0	0	No
Dearborn	256	424	60.4%	No	14	0	54	0	0	No
Decatur	102	66	154.5%	Yes	5	0	6	0	0	No
DeKalb	83	105	79.0%	No	42	0	17	1	0	No
Delaware	269	221	121.7%	Yes	4	0	7	3	1	No
Dubois	95	84	113.1%	Yes	35	0	19	0	0	No
Elkhart	967	1002	96.5%	Yes	DK	250	0	9	33	Yes
Fayette	142	114	124.6%	Yes	1	0	18	5	0	No
Floyd	303	234	129.5%	Yes	40	0	37	6	7	No
Fountain	23	25	92.0%	Yes	1	0	1	0	0	No
Franklin	73	75	97.3%	Yes	8	0	16	1	0	No
Fulton	103	87	118.4%	Yes	31	10	17	0	1	No
Gibson	127	120	105.8%	Yes	28	14	31	2	0	No
Grant	287	274	104.7%	Yes	35	0	27	3	0	Yes
Greene	101	84	120.2%	Yes	6	15	2	0	0	No
Hamilton**	398	409	97.3%	Yes	152	0	95	1	6	Yes
Hancock	206	157	131.2%	Yes	40	0	34	0	0	No
Harrison	172	175	98.3%	Yes	8	0	16	0	0	No
Hendricks	258	252	102.4%	Yes	18	0	60	7	1	No
Henry	117	76	153.9%	Yes	4	35	3	0	0	No
Howard	441	364	121.2%	Yes	18	0	4	4	0	No
Huntington	120	99	121.2%	Yes	87	0	2	0	0	No
Jackson	234	172	136.0%	Yes	19	35	25	2	0	No
Jasper	94	120	78.3%	No	12	0	8	2	1	No
Jay	111	140	79.3%	No	102	25	9	2	0	No
Jefferson	124	109	113.8%	Yes	10	0	10	1	0	No
Jennings	193	122	158.2%	Yes	24	0	20	4	0	No
Johnson	354	322	109.9%	Yes	14	0	33	9	0	No
Knox	238	214	111.2%	Yes	5	0	4	0	24	No
Kosciusko	260	331	78.5%	No	130	0	32	14	0	No
LaGrange	121	242	50.0%	No	39	85	17	0	0	No
Lake	779	1009	77.2%	No	DK	35	DK	DK	DK	Yes
LaPorte	285	368	77.4%	No	33	0	6	0	4	No
Lawrence	143	180	79.4%	No	2	0	18	5	0	No
Madison	246	207	118.8%	Yes	14	0	21	3	0	No
Marion	1237	1135	109.0%	Yes	10	0	80	13	29	Yes
Marion II**	1228	1233	99.6%	Yes	0	0	0	0	0	Yes
Marshall	159	239	66.5%	No	0	0	19	2	0	Yes
Martin**	65	79	82.3%	Yes	6	0	2	0	0	No
Miami	175	240	72.9%	No	4	0	3	3	0	Yes
Monroe**	193	294	65.6%	No	11	0	4	0	2	Yes
Montgomery	220	224	98.2%	Yes	40	11	11	8	3	No
Morgan	346	439	78.8%	No	106	10	0	0	0	Yes
Newton	56	77	72.7%	No	9	10	0	4	0	Yes
Noble	111	263	42.2%	No	16	55	9	1	0	No
Ohio	---	---	---	---	---	---	---	---	---	---

County	Inmate Pop.	Num. of Beds	Capacity Rate	Jail Over Capacity*	Num. of Inmates sentenced to serve county time	Num. of beds for DOC holding	Num. of inmates being held for DOC	Num. of sentenced inmates awaiting transfer to DOC	Num. of inmates for US marshal /ICE	Adequate Jail Staffing
Orange	111	92	120.7%	Yes	0	8	6	4	0	No
Owen	81	72	112.5%	Yes	0	8	2	1	0	Yes
Parke	60	92	65.2%	No	1	30	14	1	0	No
Perry	52	143	36.4%	No	2	0	1	4	0	No
Pike	47	74	63.5%	No	22	40	8	1	0	No
Porter	416	449	92.7%	Yes	63	0	23	8	38	No
Posey^	---	---	---	---	---	---	---	---	---	---
Pulaski	82	128	64.1%	No	11	60	4	1	10	No
Putnam	132	155	85.2%	Yes	0	0	2	0	0	No
Randolph	102	108	94.4%	Yes	44	0	0	0	0	No
Ripley	105	124	84.7%	Yes	10	0	30	0	0	No
Rush	53	46	115.2%	Yes	6	0	18	0	0	No
Scott**	177	194	91.2%	Yes	8	0	20	6	0	No
Shelby	212	203	104.4%	Yes	7	0	30	0	0	No
Spencer	60	71	84.5%	Yes	4	0	0	0	0	No
St. Joseph**	615	830	74.1%	No	96	0	57	57	42	No
Starke	129	148	87.2%	Yes	7	48	30	0	0	No
Steuben**	76	178	42.7%	No	38	14	45	0	0	No
Sullivan	70	56	125.0%	Yes	15	0	7	1	0	No
Switzerland	48	60	80.0%	Yes	3	0	2	0	0	No
Tippecanoe	560	553	101.3%	Yes	24	0	4	14	0	No
Tipton	23	27	85.2%	Yes	4	0	1	0	0	No
Union	14	10	140.0%	Yes	1	0	1	0	0	No
Vanderburgh	643	553	116.3%	Yes	33	0	103	0	0	No
Vermillion	80	74	108.1%	Yes	4	30	11	3	0	Yes
Vigo	263	267	98.5%	Yes	0	4	0	3	0	No
Wabash	81	72	112.5%	Yes	20	0	40	5	0	No
Warren	17	42	40.5%	No	1	16	3	0	0	No
Warrick	71	126	56.3%	No	10	55	6	1	0	No
Washington	149	240	62.1%	No	16	0	20	0	0	No
Wayne	355	416	85.3%	Yes	1	0	42	14	0	No
Wells	96	94	102.1%	Yes	20	30	18	1	3	No
White	88	165	53.3%	No	28	25	5	0	1	No
Whitley	120	104	115.4%	Yes	46	15	28	7	0	No
State	19,400	21,353	90.9%	--	2,106	1,239	1482	266	325	--

*Jail should never exceed 80% of its available bed capacity to effectively allow for changes in inmate demographics and characteristics

^Inspection reported not submitted as in process of moving inmates to new addition.

**Increase in number of operational beds from previous year

2018 Jail Inspection Data

County	Inmate Pop.	Num. of Beds	Capacity Rate	Jail Over Capacity*	Num. of Inmates sentenced to serve county time	Num. of beds for DOC holding	Num. of inmates being held for DOC	Num. of inmates for US marshal/ICE/Military	Adequate Jail Staffing
Adams**	139	182	76.4%	No	15	0	6	15	Yes
Allen	831	741	112.1%	Yes	59	0	143	69	No
Bartholomew	209	362	57.7%	No	44	0	46	0	Yes
Benton	31	54	57.4%	No	12	0	0	0	Yes
Blackford**	51	88	58.0%	No	35	40	2	0	No
Boone	206	222	92.8%	Yes	5	0	15	0	Yes
Brown	43	117	36.8%	No	20	0	12	0	No
Carroll	54	34	158.8%	Yes	11	0	22	0	Yes
Cass	215	208	103.4%	Yes	17	5	0	3	No
Clark**	537	482	111.4%	Yes	13	0	4	4	No
Clay	153	170	90.0%	Yes	27	0	11	30	No
Clinton	157	222	70.7%	No	24	5	2	6	No
Crawford	57	81	70.4%	No	8	0	2	0	No
Daviess	148	218	67.9%	No	8	0	8	0	No
Dearborn	338	424	79.7%	No	64	0	50	0	No
Decatur	130	66	197.0%	Yes	2	0	8	0	No
DeKalb	93	105	88.6%	Yes	12	0	23	2	No
Delaware	282	221	127.6%	Yes	3	0	3	0	No
Dubois	82	84	97.6%	Yes	37	0	14	0	No
Elkhart	883	1002	88.1%	Yes	83	250	42	6	Yes
Fayette	148	114	129.8%	Yes	2	0	13	0	Yes
Floyd	314	234	134.2%	Yes	22	0	6	11	No
Fountain	22	25	88.0%	Yes	2	0	0	0	No
Franklin	65	75	86.7%	Yes	5	0	15	0	No
Fulton	77	87	88.5%	Yes	12	10	17	0	Yes
Gibson	110	120	91.7%	Yes	11	0	34	0	No
Grant	270	274	98.5%	Yes	20	0	20	0	No
Greene	84	84	100.0%	Yes	6	0	2	0	No
Hamilton**	339	409	82.9%	Yes	33	0	78	13	Yes
Hancock	206	157	131.2%	Yes	33	0	46	0	No
Harrison	170	175	97.1%	Yes	4	0	4	0	No
Hendricks	277	252	109.9%	Yes	32	0	46	0	Yes
Henry**	165	76	217.1%	Yes	15	0	3	0	No
Howard	457	364	125.5%	Yes	23	0	71	0	Yes
Huntington	121	99	122.2%	Yes	91	0	50	0	No
Jackson**	266	172	154.7%	Yes	29	0	34	0	No
Jasper	74	120	61.7%	No	13	0	3	1	Yes
Jay	98	140	70.0%	No	30	25	4	0	Yes
Jefferson	162	109	148.6%	Yes	2	0	18	0	No
Jennings	144	122	118.0%	Yes	10	0	21	1	No
Johnson	412	322	128.0%	Yes	83	0	76	0	No
Knox	247	214	115.4%	Yes	15	0	5	41	Yes
Kosciusko	308	331	93.1%	Yes	0	0	18	0	No
LaGrange	94	242	38.8%	No	7	0	16	0	No
Lake	850	1009	84.2%	Yes	34	0	35	97	Yes
LaPorte	313	368	85.1%	Yes	35	0	1	0	No
Lawrence	187	180	103.9%	Yes	2	0	14	0	No
Madison	254	207	122.7%	Yes	13	0	11	0	Yes

County	Inmate Pop.	Num. of Beds	Capacity Rate	Jail Over Capacity*	Num. of Inmates sentenced to serve county time	Num. of beds for DOC holding	Num. of inmates being held for DOC	Num. of inmates for US marshal/ICE/Military	Adequate Jail Staffing
Marion I	1190	1135	104.8%	Yes	10	0	14	14	Yes
Marion II**	1207	1233	97.9%	Yes	0	0	0	0	Yes
Marshall	211	239	88.3%	Yes	6	0	13	0	Yes
Martin**	72	79	91.1%	Yes	0	0	2	0	No
Miami	189	240	78.8%	No	35	0	5	0	Yes
Monroe	313	294	106.5%	Yes	26	0	5	0	Yes
Montgomery	182	224	81.3%	Yes	38	11	21	0	No
Morgan	297	439	67.7%	No	70	0	54	0	Yes
Newton	46	77	59.7%	No	5	10	11	0	Yes
Noble	160	263	60.8%	No	18	55	9	0	No
Ohio		---	---	---					---
Orange	109	92	118.5%	Yes	0	0	16	0	No
Owen**	75	72	104.2%	Yes	0	0	13	0	Yes
Parke	72	92	78.3%	No	4	0	9	0	No
Perry	83	143	58.0%	No	4	0	10	0	No
Pike	60	74	81.1%	Yes	8	0	8	0	No
Porter	378	449	84.2%	Yes	65	0	3	45	No
Posey	112	208	53.8%	No	9	0	12	0	Yes
Pulaski	90	128	70.3%	No	21	60	6	19	No
Putnam	133	155	85.8%	Yes	0	0	7	0	No
Randolph	104	108	96.3%	Yes	30	0	0	0	No
Ripley	122	124	98.4%	Yes	5	0	22	0	No
Rush	66	46	143.5%	Yes	1	11	0	0	No
Scott	162	194	83.5%	Yes	4	0	21	0	No
Shelby	187	203	92.1%	Yes	7	0	20	0	No
Spencer	60	71	84.5%	Yes	1	0	6	0	No
St. Joseph	633	830	76.3%	No	172	0	0	88	No
Starke	113	148	76.4%	No	4	48	29	0	Yes
Steuben	91	178	51.1%	No	23	14	27	0	No
Sullivan	65	56	116.1%	Yes	10	0	15	0	No
Switzerland	42	60	70.0%	No	3	0	2	0	No
Tippecanoe**	527	553	95.3%	Yes	33	0	9	0	No
Tipton	18	27	66.7%	No	0	0	0	0	No
Union	18	10	180.0%	Yes	1	0	3	0	Yes
Vanderburgh	637	553	115.2%	Yes	23	0	135	0	Yes
Vermillion	84	74	113.5%	Yes	2	0	29	0	Yes
Vigo	305	267	114.2%	Yes	0	0	6	0	Yes
Wabash	88	72	122.2%	Yes	22	0	29	0	No
Warren	17	42	40.5%	No	5	16	0	0	No
Warrick	108	126	85.7%	Yes	19	0	4	1	No
Washington	179	240	74.6%	No	3	0	22	0	Yes
Wayne	308	416	74.0%	No	31	0	41	0	No
Wells	101	94	107.4%	Yes	20	30	19	4	Yes
White	96	165	58.2%	No	21	25	2	2	Yes
Whitley	118	104	113.5%	Yes	36	0	0	0	No
State	20,101	21,561	93.2%		1,878	615	1733	472	

*Jail should never exceed 80% of its available bed capacity to effectively allow for changes in inmate demographics and characteristics

**Increase in number of operational beds from previous year



Indiana Department of Correction Community Corrections Division

Community Corrections & Justice Reinvestment Grants

DIVISION OVERVIEW

The Community Corrections Division, in partnership with state and local criminal justice agencies and community corrections advisory boards, work collaboratively to develop community supervision programs utilized by local courts and the Department of Correction (IDOC) to supervise, sanction and treat offenders in the community as an alternative to incarceration.

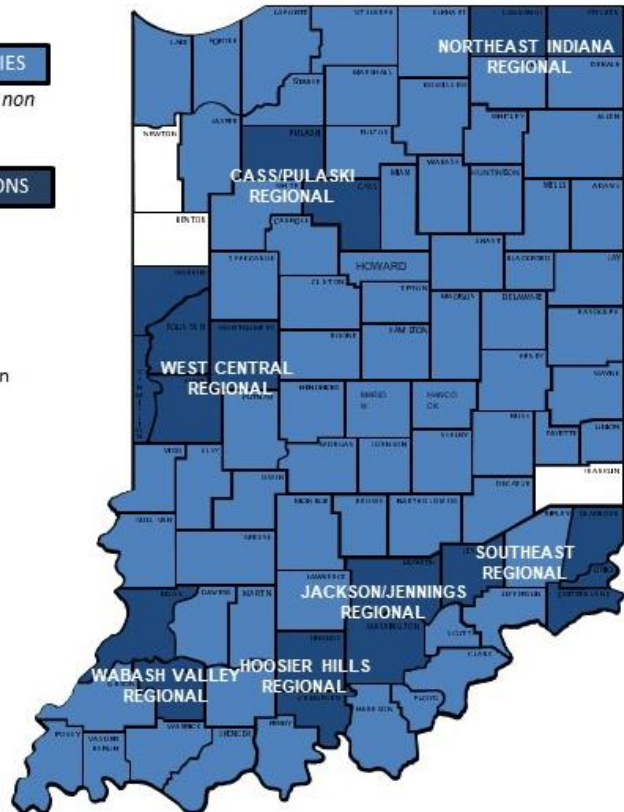
The Community Corrections Act was established in 1979 under IC 11-12-1-2. The purpose was to encourage counties to develop a coordinated local criminal justice system in order to divert offenders from imprisonment which would be funded, at least in part, by the state.

77 COMMUNITY CORRECTIONS AGENCIES

Benton, Franklin, and Newton are the 3 non participatory counties

7 REGIONAL COMMUNITY CORRECTIONS

- Cass/Pulaski Regional:
Counties: Cass, Pulaski
Fiscal Body: Cass
- Hoosier Hills Regional:
Counties: Crawford, Orange, Washington
Fiscal Body: Washington
- Jackson/Jennings Regional
Counties: Jackson, Jennings
Fiscal Body: Jackson
- Northeast Indiana Regional:
Counties: LaGrange, Steuben
Fiscal Body: Steuben
- Southeast Regional
Counties: Dearborn, Ohio, Switzerland
Fiscal Body: Dearborn
- Wabash Valley Regional
Counties: Knox, Pike
Fiscal Body: Knox
- West Central Regional
Counties: Fountain, Montgomery, Parke, Vermillion, Warren
Fiscal Body: Fountain



Community Corrections provides 3 critical roles in the criminal justice system:

- ❖ **Sentence Alternative:** Community Corrections is community based supervision that serves as a sentencing or placement alternative to incarceration which allows restricted privileges to access the community while providing evidence-based interventions to establish long term behavior change.
- ❖ **Re-Entry & Transitional Services:** Community Corrections agencies are also able to contract with the Indiana Department of Correction (IDOC) in order to provide re-entry services for IDOC’s Work Release Program and the Community Transition Program.
- ❖ **Intermediate Sanction:** As an important element of best practices, Community Corrections serves as an intermediate sanction for Parole, Probation, Courts, and other community based supervision or programs. The Levels of Supervision within a Community Corrections agency are often the basis for a graduated sanction process by phasing into more restrictive Levels of Supervision in lieu of a revocation, jail, or return to prison.



Community Corrections & Justice Reinvestment Grants

The Community Corrections Division, in partnership with state and local criminal justice agencies and community corrections advisory boards, work collaboratively to develop community supervision programs. These are utilized at a county level to supervise, sanction and treat offenders in the community as an alternative to incarceration at the state level.

With the passage of the House Enrollment Act (HEA) 1006 in 2016, as a result of Level 6 felons no longer being eligible for the Department of Correction, the Indiana Legislature appropriated an additional \$25 million to the Community Corrections Division grant funding. Grants are now eligible to additional local criminal justice entities included within the Community Corrections Advisory Board Collaboration Plan. These entities include Probation Departments, Court Recidivism Reduction Programs, Prosecutor’s Diversion Programs, and Jail Treatment Programs in need of supplemental funding in order to address the influx of Level 6 felons. In addition to the awarded grant funding, the entities use other state, federal and local funds to support their operations.

Grant entities funded must utilize evidence-based practices focused on reducing offender risk, which reduces the likelihood of new crime and improves public safety. This includes using cognitive behavioral programs, effective intervention strategies, and treatments that have been researched and are proven to have a positive impact on recidivism and reforming offenders.

FY2019 REQUESTED FUNDING

ENTITY TYPE	FY2019 GRANT FUNDING REQUESTED	NUMBER OF NEW STAFF REQUESTED	NUMBER OF APPLICANTS
Community Corrections	\$ 65,116,024.40	114	77
Court Recidivism Reduction Program	\$ 3,542,958.64	18	31
Jail Treatment	\$ 2,757,485.24	13	42
Probation	\$ 6,502,397.72	27	8
Prosecutors Diversion	\$ 743,958.64	2	26
Grand Total	\$ 78,662,824.64	174	184

Chart 1 Data Source: \\state.in.us\file1\DOC\Shared\DOC3\COA\DATA\DOC Shared\Community Correction\CC Grant Information\FY 19\FY 2019 Funding Requests\FY2019 Funding Requested by Series.xlsx



Community Corrections & Justice Reinvestment Grants

FY2019 AWARDED FUNDING

ENTITY TYPE	FY2019 GRANT FUNDING AWARDED	NUMBER OF ENTITIES
Community Corrections	\$ 55,031,084.00	77
Court Recidivism Reduction Program	\$ 3,164,638.00	20
Jail Treatment	\$ 2,574,130.00	31
Probation	\$ 5,352,577.00	37
Prosecutors Diversion	\$ 733,565.00	8
Grand Total	\$ 66,855,994.00	173

Data Source: \\state.in.us\file1\DOC\Shared\DOC3\COA\DATA\DOC Shared\Community Correction\CC Grant Information\FY 19\FY2019 Total Grant Funding Awards.xlsx

FY2019 FUNDING SOURCES AND OPERATIONS ALLOCATION

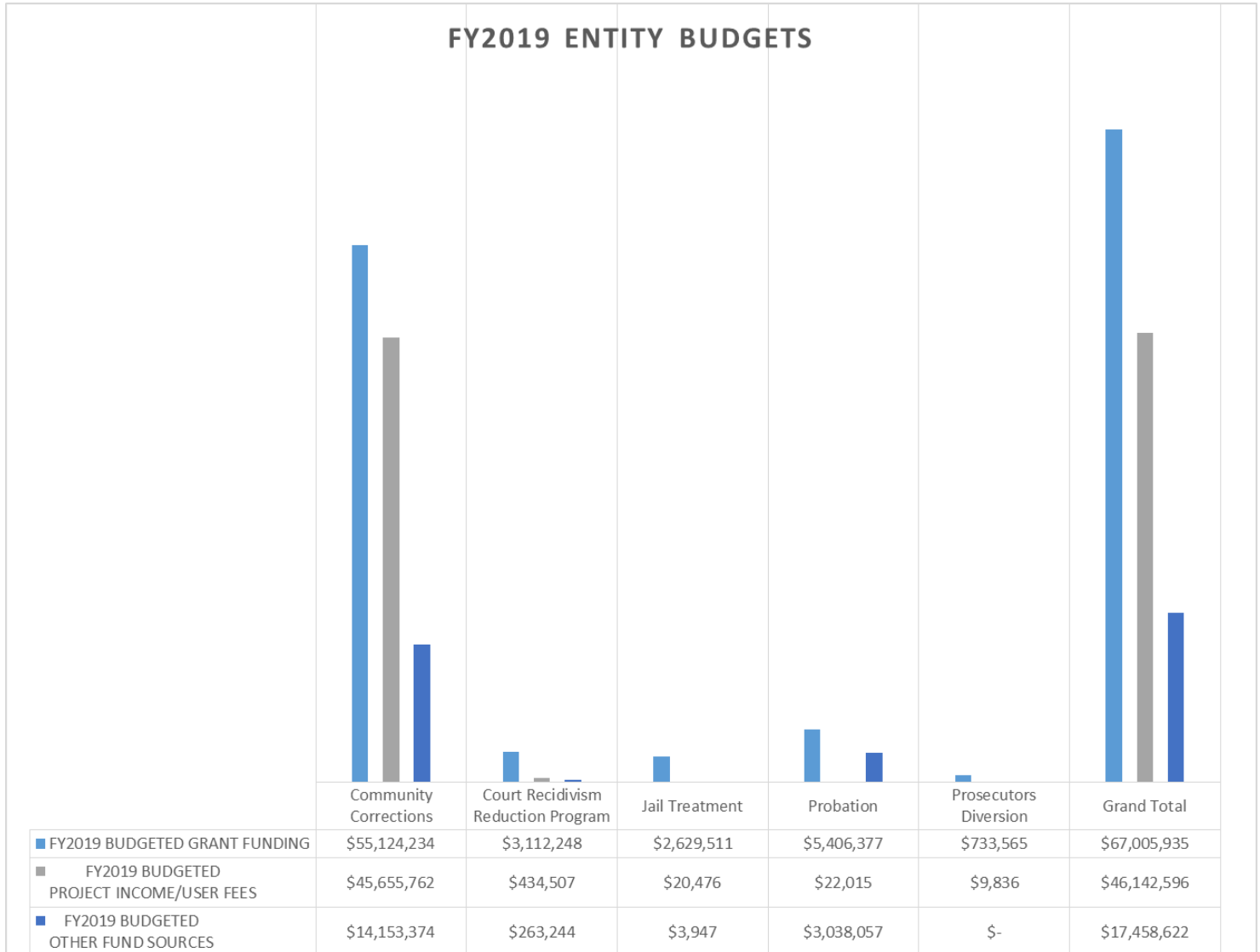
ENTITY TYPE	FY2019 BUDGETED GRANT FUNDING	FY2019 TOTAL BUDGET ALL FUND SOURCES	% OF GRANT FUNDED SUPPORT
Community Corrections	\$ 55,124,234	\$ 114,933,370	48%
Court Recidivism Reduction Program	\$ 3,112,248	\$ 3,810,000	82%
Jail Treatment	\$ 2,629,511	\$ 2,653,934	99%
Probation	\$ 5,406,377	\$ 8,466,449	64%
Prosecutors Diversion	\$ 733,565	\$ 743,401	99%
Grand Total	\$ 67,005,935	\$ 130,607,153	

Source: \\state.in.us\file1\DOC\Shared\DOC3\COA\DATA\DOC Shared\Community Correction\Fiscal\FY 19 Entity Budget and Expenses.xlsx

NOTE: BUDGETED AMOUNT INCREASED DUE TO SOME COUNTIES TRANSFERING OTHER FUND SOURCES INTO THE GRANT FUND DUE TO COUNTY PAYROLL POLICIES. ANY FUNDING TRANSFERRED INTO THE GRANT FUND IS RECORDED AND CONSIDERED GRANT FUNDING AND REQUIRED TO BE RETURNED IF NOT EXPENDED. ANY TRANSFERS OUT OF THE ESTABLISHED GRANT FUND ARE STRICTLY PROHIBITED.



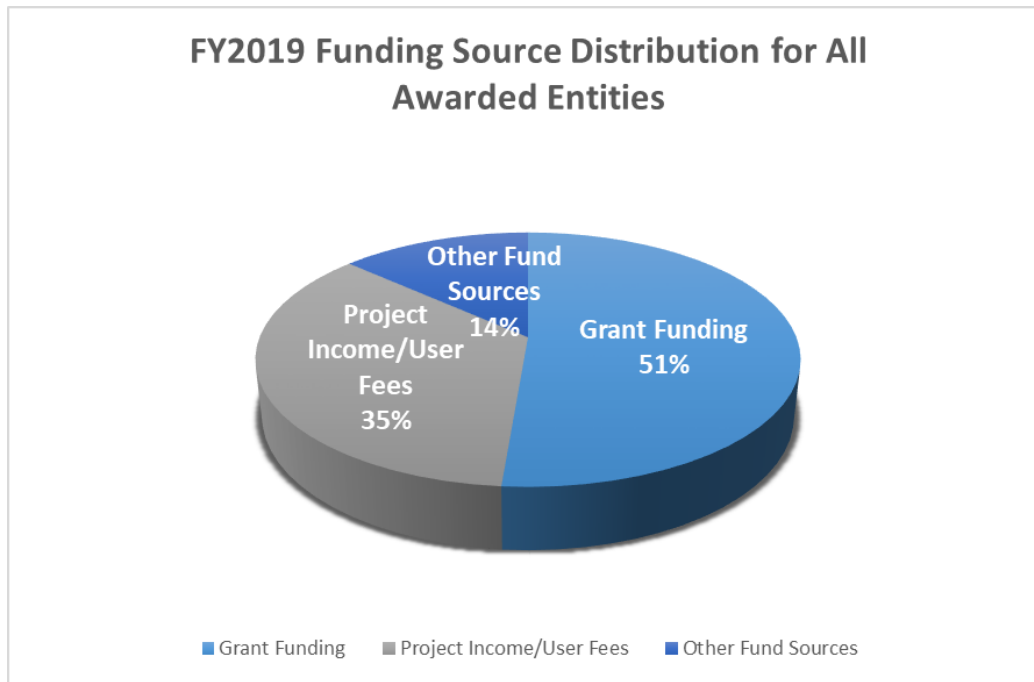
Community Corrections & Justice Reinvestment Grants





Community Corrections & Justice Reinvestment Grants

FY2019 GRANT FUNDING SOURCES FOR ALL ENTITIES



Data: \\state.in.us\file1\DOC\Shared\DOC3\COA\DATA\DOC Shared\Community Correction\Fiscal\FY 19 Entity Budget and Expenses.xlsx

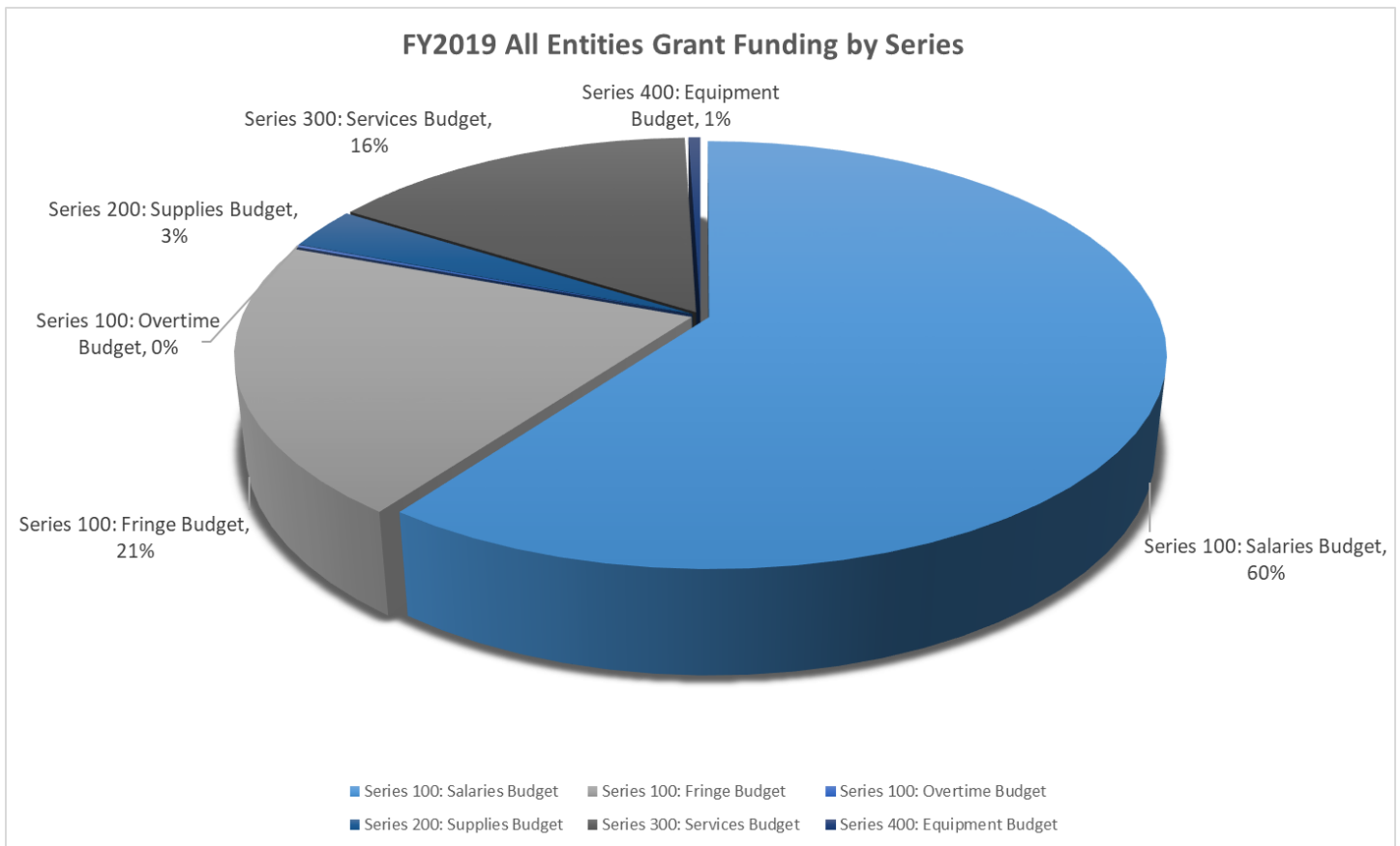
NOTE: THESE FIGURES ARE BASED ON THE FY2019 BUDGET SUMMARY EXHIBITS. THESE REFLECT THE REPORTED TOTAL OPERATING BUDGET FOR THE COMMUNITY CORRECTIONS AND JUSTICE REINVESTMENT GRANT AND MAY NOT REFLECT THEIR ENTIRE ESTABLISHED AGENCIES BUDGETS. ONLY COMMUNITY CORRECTIONS AGENCIES HAVE HISTORICALLY PROVIDED THEIR FULL OPERATIONS BUDGETS.



Community Corrections & Justice Reinvestment Grants

FY2019 ALL ENTITIES GRANT FUNDING BUDGETS BY SERIES ALLOCATION

Series Type	Community Corrections	Court Recidivism Reduction Program	Jail Treatment	Prosecutors Diversion	Probation
Series 100: Salaries Budget	61%	53%	42%	59%	62%
Series 100: Fringe Budget	20%	24%	11%	24%	29%
Series 100: Overtime Budget	0%	0%	0%	0%	0%
Series 200: Supplies Budget	3%	6%	4%	7%	2%
Series 300: Services Budget	15%	16%	43%	11%	7%
Series 400: Equipment Budget	0%	1%	0%	0%	1%





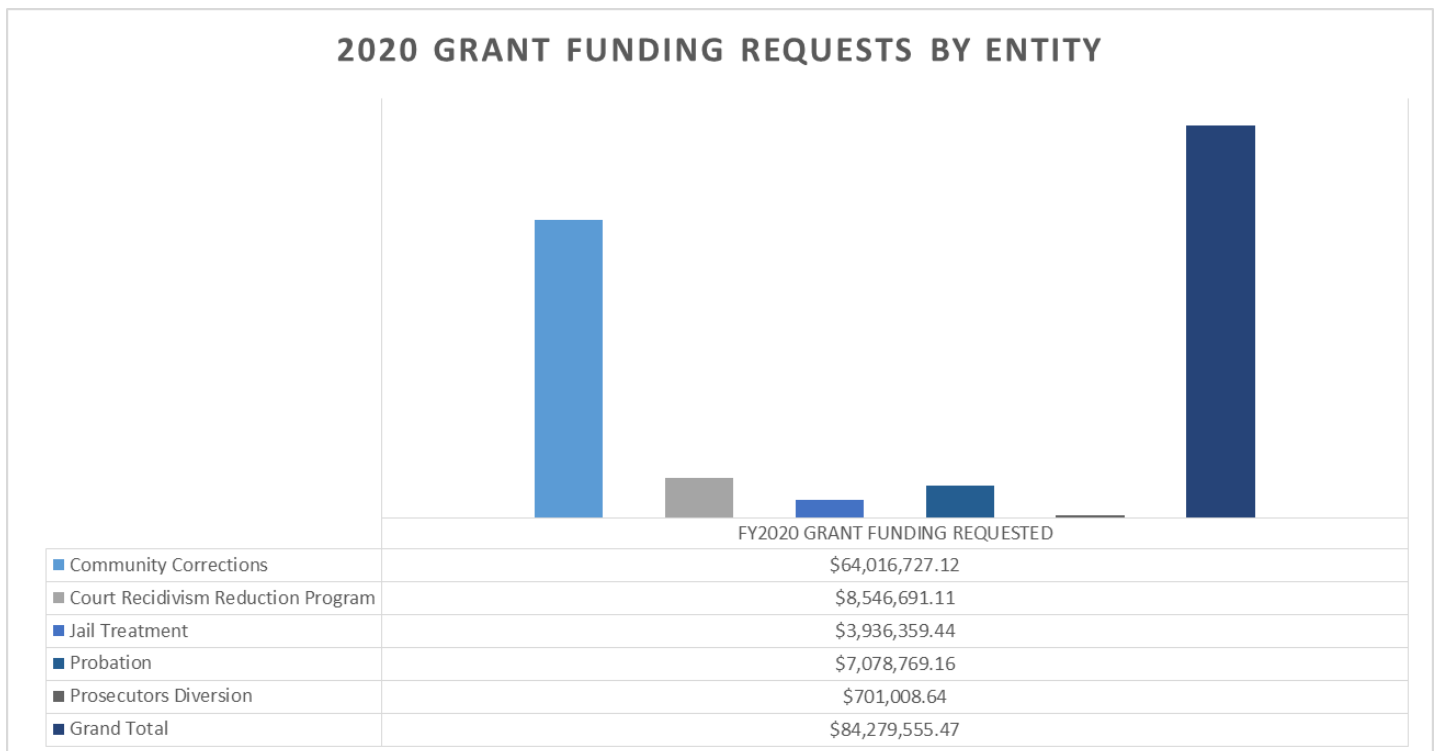
Community Corrections & Justice Reinvestment Grants

2020 GRANT FUNDING REQUESTS

Grant applications were due in March 2019 as this round of grant applications was originally designed to cover the FY2020. Utilizing the state’s fiscal year has been challenging to county entities as their local government’s typically run on a calendar year. This made reconciliation of the funds difficult. As a result, a proposal to transfer the grant timeline was made and approved which now allows grant reporting to operate on a calendar year. Payments derived from FY2019 awards were extended for an additional 6 months and will expire December 31, 2019. The time period for the next grant will begin on January 1, 2020 and end on December 31, 2020.

Grant applications were submitted and received through the state’s online grant application system, IntelliGrants. This year was the first year the online system was utilized. Each entity type was required to submit a budget, problem statement, and program proposal in order to be considered for grant funding. The proposal needed to include the target population, planning and implementation strategies, evidence-based services, and goals for the program. Community Corrections and Probation agencies were required to submit details of supervision and evidence-based programs for review and consideration for grant funding.

The table below displays the amount of grant funding requested for 2020 by each entity.





Community Corrections & Justice Reinvestment Grants

COMPARISON OF FY2019 GRANT FUNDING REQUESTS TO 2020 REQUESTS

From FY2019, requested grant funding increased by 7% for 2020.

ENTITY TYPE	FY2019 GRANT FUNDING REQUESTED	FY2020 GRANT FUNDING REQUESTED	ADDITIONAL REQUESTS
Community Corrections	\$ 65,116,024.40	\$ 64,016,727.12	\$ (1,099,297.28)
Court Recidivism Reduction Program	\$ 3,542,958.64	\$ 8,546,691.11	\$ 5,003,732.47
Jail Treatment	\$ 2,757,485.24	\$ 3,936,359.44	\$ 1,178,874.20
Probation	\$ 6,502,397.72	\$ 7,078,769.16	\$ 576,371.44
Prosecutors Diversion	\$ 743,958.64	\$ 701,008.64	\$ (42,950.00)
Funding Requests Grand Totals	\$ 78,662,824.64	\$ 84,279,555.47	\$ 5,616,730.83

Data Source: \\state.in.us\file1\DOC\Shared\DOC3\COA\DATA\DOC Shared\Community Correction\CC Grant Information\2020\2020 Funding Recommendations\2020 Grant Recommendations Master Spreadsheet 09242019.xlsx

COMPARISON OF FY2019 GRANT FUNDING AWARDED TO 2020 GRANT FUNDING REQUESTS

Awarding all requested funding would have approximately a 26% impact to the current state appropriation and would require an additional \$17M added to the appropriation.

Entity Type	FY2019 GRANT FUNDING AWARDED	2020 REQUESTED FUNDING IMPACT	2020 REQUESTED FUNDING IMPACT
Community Corrections	\$ 55,031,084.00	\$ 8,985,643.12	16%
Court Recidivism Reduction Program	\$ 3,164,638.00	\$ 5,382,053.11	170%
Jail Treatment	\$ 2,574,130.00	\$ 1,362,229.44	53%
Probation	\$ 5,352,577.00	\$ 1,726,192.16	32%
Prosecutors Diversion	\$ 733,565.00	\$ (32,556.36)	-4%
Grand Total	\$ 66,855,994.00	\$ 17,423,561.47	26%

Data Source: \\state.in.us\file1\DOC\Shared\DOC3\COA\DATA\DOC Shared\Community Correction\CC Grant Information\2020\2020 Funding Recommendations\2020 Grant Recommendations Master Spreadsheet 09242019.xlsx



Community Corrections & Justice Reinvestment Grants

2020 STAFF REQUESTS

ENTITY TYPE	NUMBER OF STAFF CURRENTLY FUNDED FULL TIME	NUMBER OF STAFF CURRENTLY FUNDED PART TIME	NUMBER OF NEW REQUESTS FULL TIME STAFF	NUMBER OF NEW REQUESTS PART TIME STAFF
Community Corrections	1,306	390	319	76
Court Recidivism Reduction Programs	109	44	20	5
Jail Treatment	70	12	9	1
Probation	280	11	53	0
Prosecutors Diversion	10	1	0	0
Grand Total	1,775	458	401	82

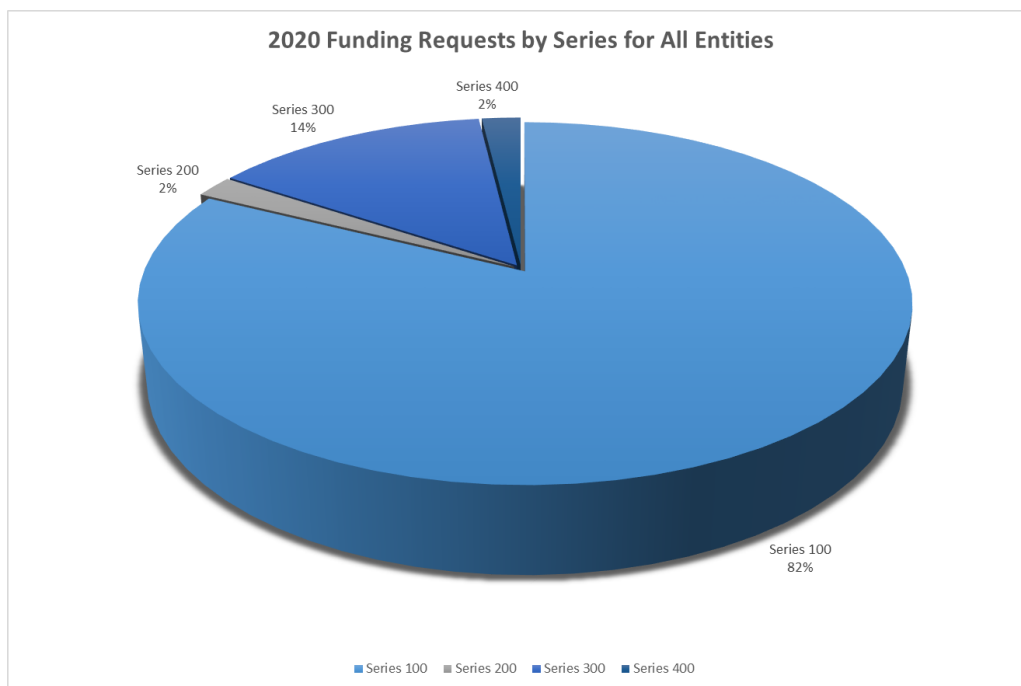
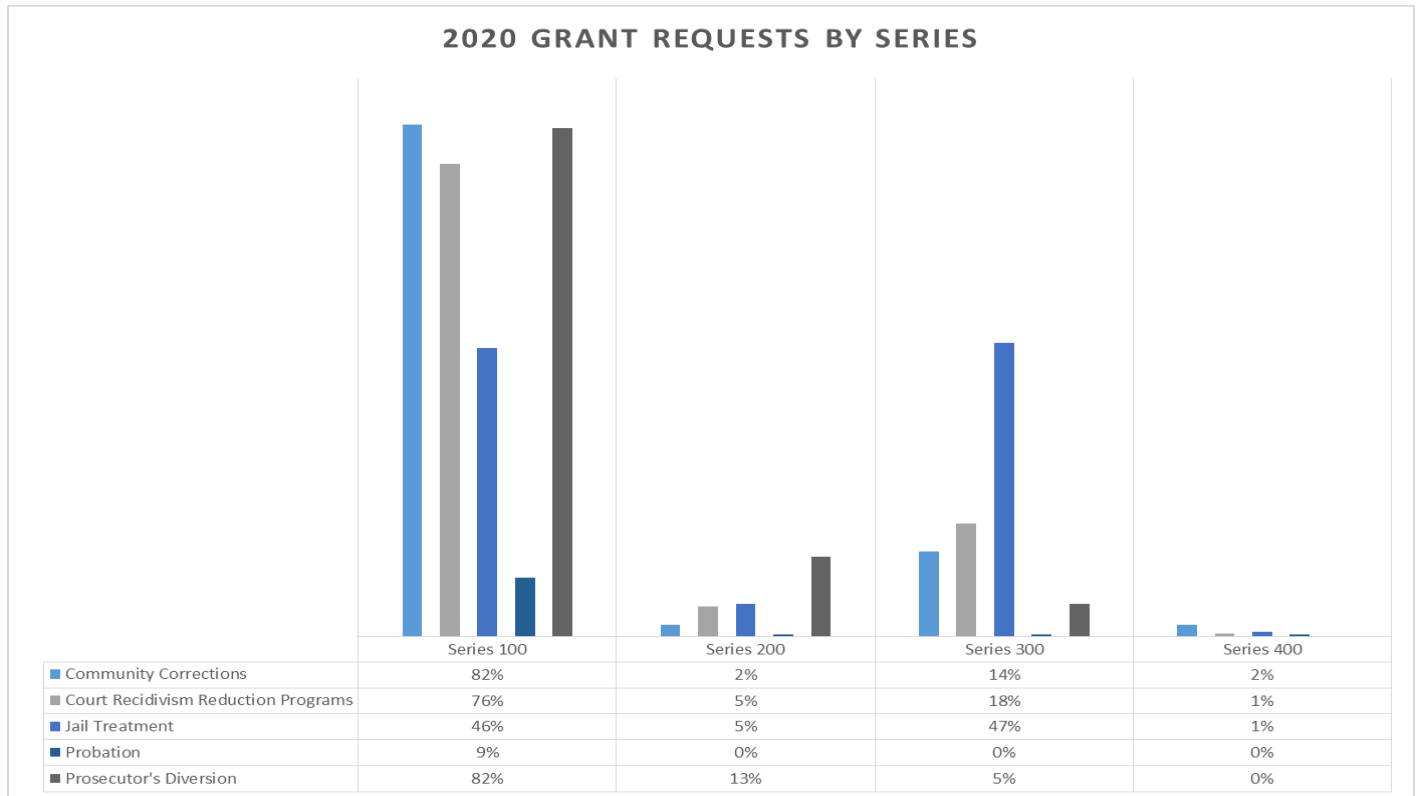
The types are of staff that are requested include the following:

- Risk and Responsivity Assessors
- Case Managers
- Program Managers
- Program Instructors
- Licensed treatment staff
- Field staff
- Residential Officers
- Quality Assurance Managers



Community Corrections & Justice Reinvestment Grants

2020 GRANT FUNDING REQUESTS BY SERIES FOR ALL ENTITIES





Community Corrections & Justice Reinvestment Grants

2020 NEW ENTITY REQUEST PROPOSALS

COUNTY	ENTITY TYPE	PROPOSED PROGRAM	2020 REQUESTS	NOTES
Clark	Court Recidivism Reduction Program	Problem Solving Court (per IOCS)	\$ 146,450.00	IOCS Certified
Howard	Court Recidivism Reduction Program	Drug Court	\$ 30,000.00	IOCS Certified
Knox	Court Recidivism Reduction Program	Alcohol and Drug Program	\$ 68,610.00	
Pulaski	Court Recidivism Reduction Program	Veterans Court	\$ 125,900.00	
St. Joseph	Court Recidivism Reduction Program	Mental Health Court	\$ 235,792.50	
Vanderburgh	Court Recidivism Reduction Program	Mental Health Court	\$ 479,575.00	
Cass	Jail Treatment	Therapeutic Community (MRT/ Cognitive Programming)	\$ 110,598.00	
Harrison	Jail Treatment	Re-Entry Substance Abuse Program	\$ 88,770.00	
Howard	Jail Treatment		\$ 114,920.00	
Jasper	Jail Treatment		\$ 149,500.00	
Pulaski	Jail Treatment	Therapeutic Community (MRT/ Cognitive Programming)	\$ 228,065.00	
Shelby	Jail Treatment	Pre-Trial services	\$ 52,244.00	
Marshall	Probation		\$ 130,042.00	
Washington	Probation		\$ 49,735.00	

EXPIRED ENTITIES AS OF 6/30/2019

ENTITIES NOT APPLYING	REASON	FY2019 GRANT AWARD
Wayne JT	Too much reporting required	\$ 24,500.00
St Joseph CRRP	No longer fit CRRP definition; Applied under Probation	\$ 59,808.00
Jay JT	Low participation	\$ 49,200.00
Brown JT	Too much reporting required	\$ 15,000.00
Clark CRRP	No longer fit CRRP definition	\$ 61,500.00
Johnson Probation	No longer needed grant funding	\$ 145,452.00



Community Corrections & Justice Reinvestment Grants

COST OF LIVING PROPOSAL

As part of the grant agreement each grant entity receives a fiscal audit. The amount of unspent grant funds are documented and invoiced. The Department then reallocates those funds as part of Justice Reinvestment for programs who have been compliant with the grant requirements and demonstrate positive outcomes in their Performance Metrics. In FY2019, approximately \$3.4M of unspent grant funds was reinvested into program proposals that meet the eligibility requirements. This grant cycle, no additional grant funds were appropriated.

In FY2019, approximately 84% of the grant funding was dedicated to Series 100 i.e. all the personnel expenses. The grant applications displayed a need to fulfill the increasing annual insurance increases, as well as meeting mandatory salary schedules for probation officers for unified community corrections agencies and for any probation departments receiving support funding under this grant. As a result, the division has proposed to keep the prior year's funding recommendations with an additional cost of living adjustment as a response to the application's need trends.

The cost of living impact is calculated by adding 5% of the Series 100 budgeted allocation, as outlined in their FY2019 executed contract, which is approximately \$2.7M. According to the Monthly Financial Reports and fiscal audit invoices, approximately \$3.2M was unspent in Series 100 and returned to the Department. Reinvesting these funds into the cost of living proposal results in a net neutral impact. The 5% increase is only applicable to those entities who were awarded funding in FY2019 and budgeted the grant funds for Series 100. The Department is recommending limits of 2.5% to salary line item and 2.5% to fringe. However, due to influx of fringe increase, the entire 5% may be allocated to the fringe line item.

IMPACTED ENTITY TYPE	SERIES 100 GRANT FUNDING BUDGETED	SERIES 100 GRANT FUNDING EXPENSES	SERIES 100 CARRYOVER	% VARIANCE BUDGET EXPENSES	5% COST OF LIVING INCREASE
Community Corrections	\$ 45,722,366.00	\$ 44,080,418.00	\$ 1,641,948.00	96%	\$ 2,286,118.31
Court Recidivism Reduction Program	\$ 2,411,746.00	\$ 2,003,146.00	\$ 408,601.00	83%	\$ 120,587.31
Jail Treatment	\$ 1,382,946.00	\$ 1,193,304.00	\$ 189,642.00	86%	\$ 69,147.30
Probation	\$ 4,916,520.00	\$ 4,085,626.00	\$ 830,894.00	83%	\$ 245,826.00
Prosecutors Diversion	\$ 602,643.00	\$ 470,893.00	\$ 131,750.00	78%	\$ 30,132.15
Grand Total	\$ 55,036,221.00	\$ 51,833,387.00	\$ 3,202,835.00	94%	\$ 2,751,811.07



Community Corrections & Justice Reinvestment Grants

PROPOSED WORK RELEASE/RESIDENTIAL CENTERS

COUNTY	PROPOSAL COST	STATUS	NOTES
Allen	Unknown	Recommendation to approved modified budget when plans officially begin	Pending county approval and building occupancy within the jail.
DeKalb	\$759,580	Recommendation to fund pending site visit and analysis of the budget request will match projected population.	Applied in 2020 and originally scheduled to open this fall. Opening date pending and county approval.
Huntington	Unknown		Pending building purchase
Jackson/Jennings	\$1,200,900	Recommendation to fund pending site visit and analysis of the budget request will match projected population.	Applied in 2020
\$1,960,480			

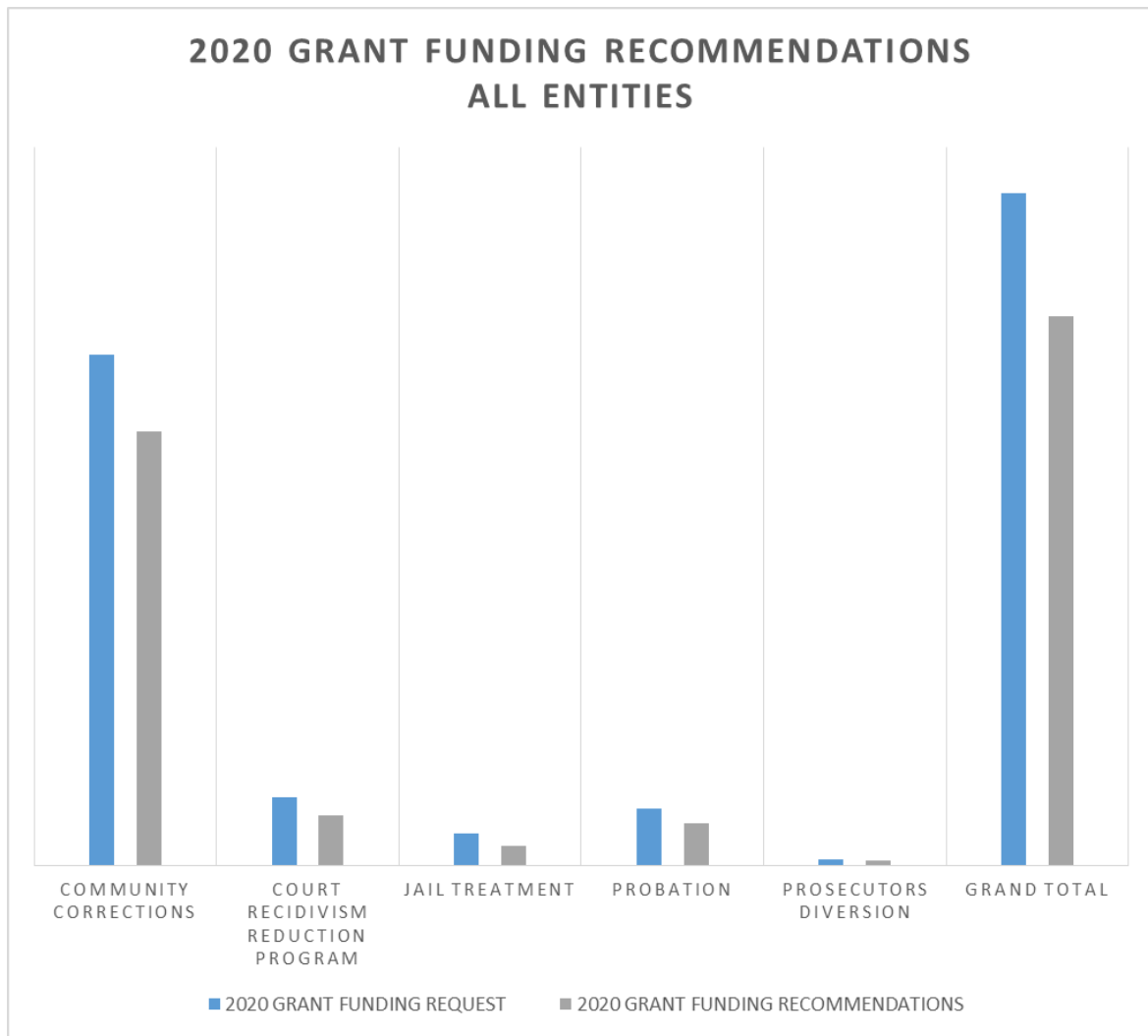


Community Corrections & Justice Reinvestment Grants

2020 FUNDING RECOMMENDATIONS SUMMARY

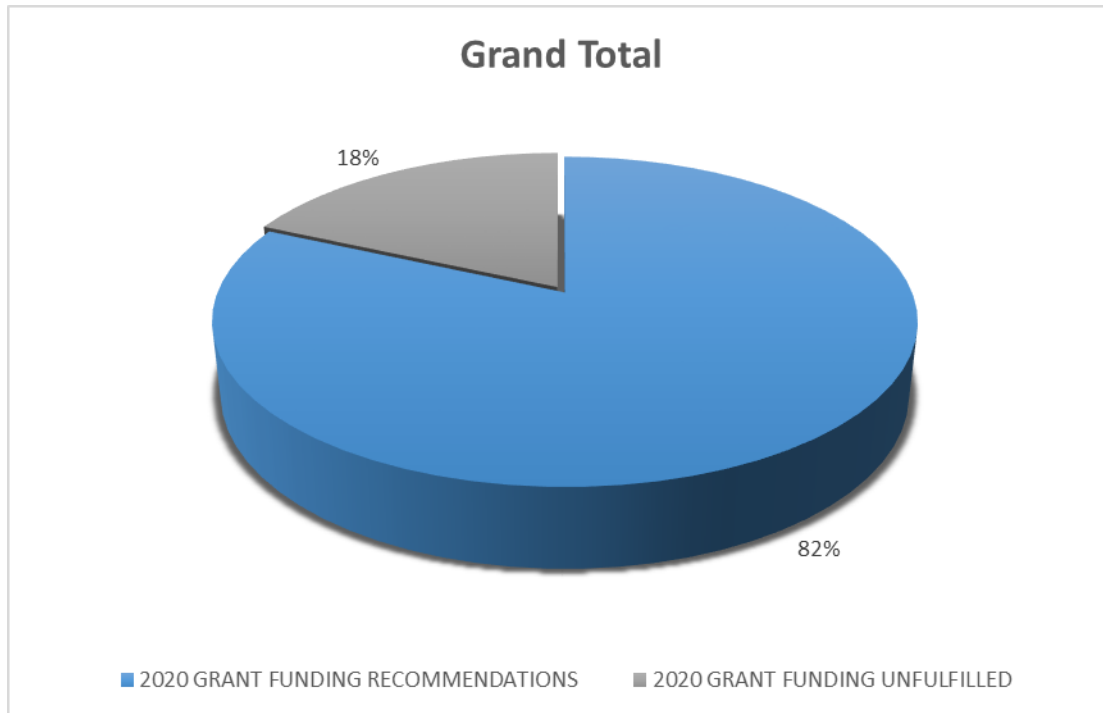
For this proposed grant cycle, we were able to fulfill 82% of the total grant funding requests.

ENTITY TYPE	2020 GRANT FUNDING REQUEST		2020 GRANT FUNDING RECOMMENDATIONS	
Community Corrections	\$	64,016,727.12	\$	54,389,516.03
Court Recidivism Reduction Program	\$	8,546,691.11	\$	6,221,868.94
Jail Treatment	\$	3,936,359.44	\$	2,456,034.30
Probation	\$	7,078,769.16	\$	5,226,457.86
Prosecutors Diversion	\$	701,008.64	\$	578,719.60
Grand Total	\$	84,279,555.47	\$	68,872,596.73





Community Corrections & Justice Reinvestment Grants



LIMITATIONS

The largest barriers for implementing performance based incentive funding are the following:

- ❖ Lack of consistent data shared statewide
- ❖ Entity standards are across multiple state agencies and are in development
- ❖ Review and scoring of the grants has been the primary responsibility of the IDOC Community Corrections Division
- ❖ Annual grant review cycles
- ❖ Long term sustainability

PROPOSED SOLUTIONS

- ❖ Establish a review committee with state agency partners
 - The goal of the committee is to create a consistent collaborative application design, review methodology, and scoring of both the application and the collaboration plan
- ❖ Evidence Based Decision Making State Team
 - The team will continue to finalize and implement the purpose, standards, and statewide metrics for each eligible entity type
- ❖ Establish a pilot or planning requirements for new entity grants



Community Corrections & Justice Reinvestment Grants

RECIDIVISM

The most recent recidivism rate for Community Corrections is 11.7%.

This is calculated based on those who had been released from Community Corrections supervision in 2016 and returned to IDOC within three years.

For those who scored 90% and above on the FY2018 programmatic site assessment results, 85% had a recidivism rate of 15% or lower.

The previous site assessments were adopted from "Implementing Evidence-based Practices" checklist from the Carey Group.

The site assessments are categorized into the following topics:

- Cultural Alignments & Organizational Supports
- Assessments
- Effective Staff / Participant Interactions
- Continuum of Programming
- Quality Assurance

Indiana Department of Correction Methodology:

- Community Corrections Quarterly Submissions pulled into a 2016 timeframe
- Completed individuals pulled into a 2016 release files
- 2016 release file ran against 2016, 2017, and 2018 admission files for IDOC.

Please note, Indiana does not have unique identifier for offenders. Identification for match is conducted through first name, last name, and social security number.

Date Source: \\state.in.us\file1\DOC\Shared\DOC3\COA\DATA\DOC Shared\Community Correction\CC Data\Recidivism\ CC Recidivism_2019.xlsx

Appendix C – County Focus Group Questions

Focus Group Questions

1. In an effort to gauge the base level of understanding, what do you know about the changes that were enacted from HEA 1006 (e.g., the criminal code reform)?
2. Has your workload changed in response to HEA 1006?
 - a. If someone was not employed prior to the passing of HEA 1006, the question becomes: Would you describe your workload?
3. Have offenders changed in your county since the enactment of HEA 1006?
 - a. Age
 - b. Gender
 - c. Risk type
 - d. Sentence type/level
 - e. Sentence time
 - f. Probation violations types, more/less cases
4. Has your agency had to make any adjustments due to HEA 1006?
 - a. Day-to-day operations
 - b. Infrastructure
 - c. Program increases/decreases, type, services
 - d. Staff/personnel
5. Does your county use strategies to address jail overcrowding?
 - a. Pretrial release
 - b. Pretrial diversion
 - c. Citations
6. Are there any gaps or unmet needs in treatment programs or services?
7. What are the positive and negative aspects of HEA 1006?
8. If you could say or suggest anything to the State Legislature regarding HEA 1006, what would you say/suggest?
9. Is there anything else you would like to share that you haven't gotten to yet?

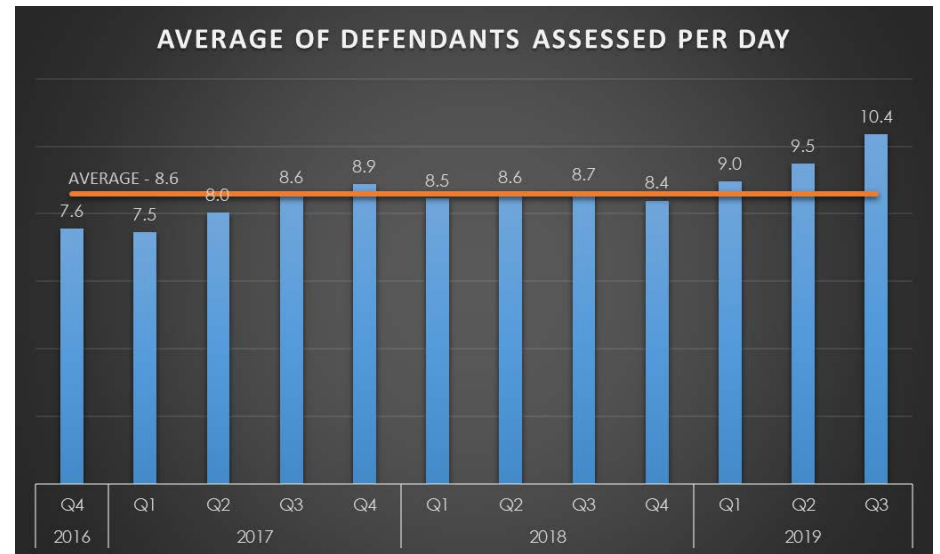
Appendix D – Monroe County Pretrial Data

PRETRIAL SERVICES STATISTICS

October 2016 – September 2019

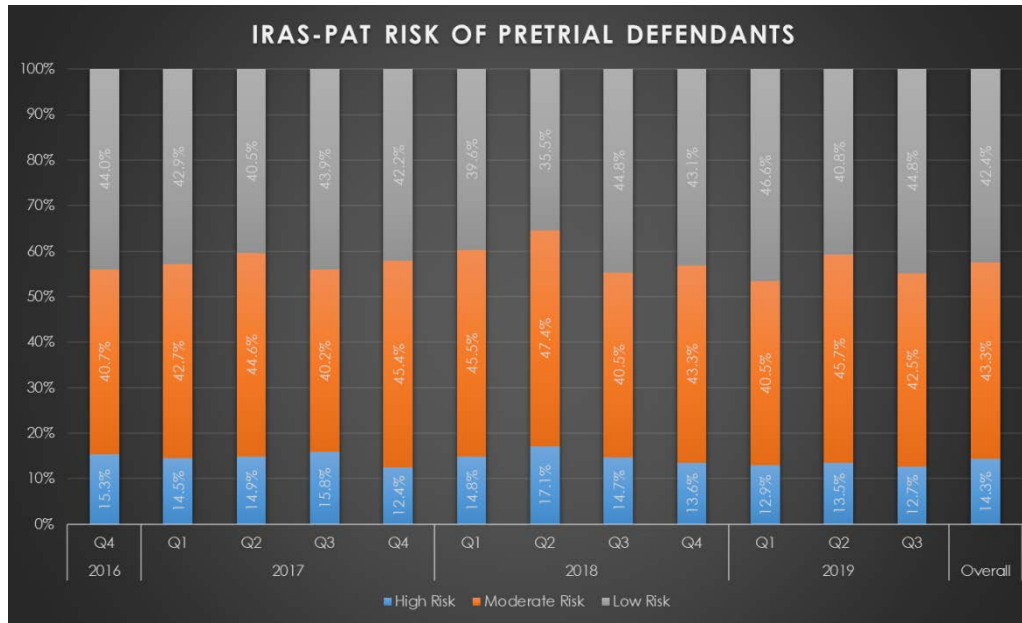
Target Population – All felony and misdemeanor arrestees. Exclusions: probationers, parolees, arrestees under other types of community supervision, and individuals arrested on writ of attachment or a warrant from another jurisdiction.

	2016	2017				2018				2019			Overall
	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	
Total Defendants in Target Population	438	462	506	531	515	516	540	545	495	546	588	663	6345
Average Number of Defendants Assessed per Day	7.6	7.5	8.0	8.6	8.9	8.5	8.6	8.7	8.4	9.0	9.5	10.4	8.6
Total Pretrial Cases Completed from Target Population	44	145	243	263	356	365	401	410	439	375	458	394	3893



Risk Assessment – All defendants in the target population are assessed for pretrial risk using the Indiana Risk Assessment System – Pretrial Assessment Tool (IRAS-PAT). The IRAS-PAT measures a person’s likelihood of failing to appear in court or being arrested during the pretrial phase of the person’s criminal case. Defendants are assessed after arrest and before an initial hearing while still in custody or after release from jail.

	2016	2017				2018				2019			Overall
	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	
High Risk	15.3%	14.5%	14.9%	15.8%	12.4%	14.8%	17.1%	14.7%	13.6%	12.9%	13.5%	12.7%	14.3%
Moderate Risk	40.7%	42.7%	44.6%	40.2%	45.4%	45.5%	47.4%	40.5%	43.3%	40.5%	45.7%	42.5%	43.3%
Low Risk	44.0%	42.9%	40.5%	43.9%	42.2%	39.6%	35.5%	44.8%	43.1%	46.6%	40.8%	44.8%	42.4%



	2016	2017				2018				2019			Overall
	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	
Felony	41.1%	44.7%	46.2%	41.1%	45.7%	46.6%	49.3%	41.7%	44.0%	45.9%	41.5%	42.0%	44.1%
High Risk	21.1%	18.6%	17.3%	23.1%	17.2%	19.2%	20.6%	20.5%	18.2%	18.3%	19.0%	16.4%	19.1%
Moderate Risk	43.8%	48.8%	51.4%	47.9%	52.4%	52.5%	50.9%	46.6%	47.5%	48.6%	51.0%	46.6%	49.1%
Low Risk	35.1%	32.6%	31.3%	29.0%	30.4%	28.3%	28.5%	32.9%	34.3%	33.1%	30.0%	37.0%	31.8%
Misdemeanor	58.9%	55.3%	53.8%	58.9%	54.3%	53.4%	50.7%	58.3%	56.0%	54.1%	58.5%	58.0%	55.9%
High Risk	9.1%	12.8%	10.7%	10.4%	9.8%	11.6%	11.0%	9.5%	9.3%	9.1%	9.2%	8.7%	10.0%
Moderate Risk	38.5%	32.7%	40.3%	35.8%	39.7%	38.0%	41.8%	36.8%	38.0%	34.5%	39.7%	41.1%	38.2%
Low Risk	52.4%	54.5%	49.0%	53.8%	50.5%	50.4%	47.2%	53.7%	52.7%	56.4%	51.1%	50.2%	51.8%

	2016	2017				2018				2019			Overall
	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	
F1	0.0%	0.6%	0.2%	0.0%	0.7%	0.5%	0.3%	0.2%	0.7%	0.2%	0.5%	0.7%	0.4%
High Risk	0.0%	0.0%	0.0%	0.0%	25.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	20.0%	7.4%
Moderate Risk	0.0%	66.7%	100.0%	0.0%	75.0%	66.7%	100.0%	0.0%	100.0%	0.0%	0.0%	0.0%	51.9%
Low Risk	0.0%	33.3%	0.0%	0.0%	0.0%	33.3%	0.0%	100.0%	0.0%	100.0%	100.0%	80.0%	40.7%
F2	1.3%	1.5%	0.6%	0.9%	1.6%	1.6%	1.0%	0.2%	1.3%	1.5%	0.6%	0.3%	1.0%
High Risk	33.3%	14.3%	33.3%	0.0%	22.2%	33.3%	33.3%	0.0%	28.6%	0.0%	0.0%	0.0%	19.1%
Moderate Risk	50.0%	57.1%	66.7%	80.0%	44.5%	44.5%	50.0%	100.0%	57.1%	55.6%	100.0%	50.0%	57.4%
Low Risk	16.7%	28.6%	0.0%	20.0%	33.3%	22.2%	16.7%	0.0%	14.3%	44.4%	0.0%	50.0%	23.5%
F3	2.5%	1.9%	1.3%	0.9%	2.2%	1.5%	1.5%	2.0%	1.3%	3.5%	1.1%	1.0%	1.7%
High Risk	27.3%	0.0%	14.3%	20.0%	8.3%	0.0%	44.4%	25.0%	0.0%	0.0%	28.6%	14.2%	13.9%
Moderate Risk	45.4%	55.6%	57.1%	40.0%	75.0%	87.5%	44.4%	33.3%	85.7%	66.7%	57.1%	42.9%	58.3%
Low Risk	27.3%	44.4%	28.6%	40.0%	16.7%	12.5%	11.2%	41.7%	14.3%	33.3%	14.3%	42.9%	27.8%
F4	2.0%	3.1%	1.9%	3.4%	2.4%	2.7%	2.9%	2.3%	2.1%	1.5%	1.7%	2.3%	2.3%
High Risk	11.1%	40.0%	30.0%	21.1%	30.8%	40.0%	29.4%	7.1%	45.5%	22.2%	36.4%	43.8%	30.2%
Moderate Risk	66.7%	33.3%	60.0%	63.1%	38.4%	53.3%	47.1%	57.1%	36.4%	66.7%	45.5%	43.8%	50.3%
Low Risk	22.2%	26.7%	10.0%	15.8%	30.8%	6.7%	23.5%	35.8%	18.1%	11.1%	18.1%	12.4%	19.5%
F5	4.9%	7.7%	6.1%	6.5%	4.6%	5.5%	8.6%	5.5%	6.9%	6.8%	6.5%	8.1%	6.5%
High Risk	31.8%	16.2%	21.2%	21.6%	20.0%	23.3%	17.6%	12.1%	16.2%	24.4%	22.0%	14.3%	19.4%
Moderate Risk	40.9%	56.8%	57.6%	48.6%	60.0%	56.7%	52.9%	42.4%	32.4%	51.2%	46.3%	48.2%	49.4%
Low Risk	27.3%	27.0%	21.2%	29.8%	20.0%	20.0%	29.5%	45.5%	51.4%	24.4%	31.7%	37.5%	31.2%
F6	30.1%	29.8%	36.2%	29.3%	34.2%	34.7%	34.9%	31.5%	31.6%	32.4%	31.1%	29.5%	32.1%
High Risk	19.3%	18.9%	15.9%	24.7%	16.0%	17.4%	19.4%	22.9%	17.8%	19.4%	17.8%	15.1%	18.6%
Moderate Risk	41.5%	46.9%	49.2%	44.6%	50.8%	50.5%	50.5%	47.3%	48.5%	45.4%	51.8%	47.3%	48.1%
Low Risk	39.2%	34.2%	34.9%	30.7%	33.2%	32.1%	30.1%	29.8%	33.7%	35.2%	30.4%	37.6%	33.3%
MA	42.0%	39.8%	39.1%	41.3%	41.0%	41.3%	39.7%	43.4%	42.8%	42.3%	44.7%	43.3%	41.8%
High Risk	9.0%	12.6%	13.7%	7.7%	8.5%	10.6%	10.3%	10.0%	10.5%	9.4%	8.5%	7.6%	9.7%
Moderate Risk	35.6%	30.9%	39.8%	38.5%	39.3%	42.0%	42.7%	36.3%	38.0%	33.2%	38.9%	42.9%	38.4%
Low Risk	55.4%	56.5%	46.5%	53.8%	52.2%	47.4%	47.0%	53.7%	51.5%	57.4%	52.6%	49.5%	51.9%
MB	12.9%	14.0%	10.9%	13.9%	10.8%	8.6%	8.8%	12.2%	10.8%	9.3%	10.6%	10.4%	11.0%
High Risk	10.4%	13.4%	1.6%	20.3%	16.9%	19.1%	15.4%	6.8%	5.2%	10.7%	11.9%	13.9%	12.2%
Moderate Risk	51.7%	38.8%	49.2%	31.6%	39.0%	27.7%	36.5%	41.1%	37.9%	41.1%	43.3%	40.3%	39.9%
Low Risk	37.9%	47.8%	49.2%	48.1%	44.1%	53.2%	48.1%	52.1%	56.9%	48.2%	44.8%	45.8%	47.9%
MC	4.3%	1.6%	3.7%	3.8%	2.5%	3.6%	2.3%	2.7%	2.5%	2.5%	3.2%	4.4%	3.2%
High Risk	5.3%	12.5%	5.0%	4.6%	0.0%	5.3%	7.6%	12.5%	7.7%	0.0%	10.0%	6.5%	6.1%
Moderate Risk	26.3%	25.0%	20.0%	22.7%	50.0%	15.8%	46.2%	25.0%	38.5%	31.3%	40.0%	25.8%	29.4%
Low Risk	68.4%	62.5%	75.0%	72.7%	50.0%	78.9%	46.2%	62.5%	53.8%	68.7%	50.0%	67.7%	64.5%

Concurrence Rate – The percentage of defendants in the target population whose pretrial release order corresponds with the locally established pretrial release guide, last revised on May 16, 2018 (below).

IRAS – PAT Risk Level	Offense Level			
	Non-violent Misdemeanor	Non-violent Felony	Violent Offenses	Murder & Treason
Low	Release on Recognizance; Telephonic Notification	Release on Recognizance; Telephonic Notification	Release on Recognizance; Monitoring Level 1	Not Eligible for Bail
Moderate	Release on Recognizance; Telephonic Notification	Release on Recognizance; Monitoring Level 1	Release on Recognizance; Monitoring Level 2	Not Eligible for Bail
High	Release on Recognizance; Telephonic Notification	Release on Recognizance; Monitoring Level 2	Release on Recognizance; Monitoring Level 3	Not Eligible for Bail

*A recommendation to HOLD (in previously pending cases) shall be provided to the court when:

- The defendant is currently on telephonic notification and is arrested for a new VIOLENT FELONY OFFENSE; or
- The defendant is currently on telephonic notification and now has THREE PENDING OFFENSES (to include pending cases from other jurisdictions).

Telephonic Notification: Defendant will only receive telephone and text court reminders. No face-to-face appointments.

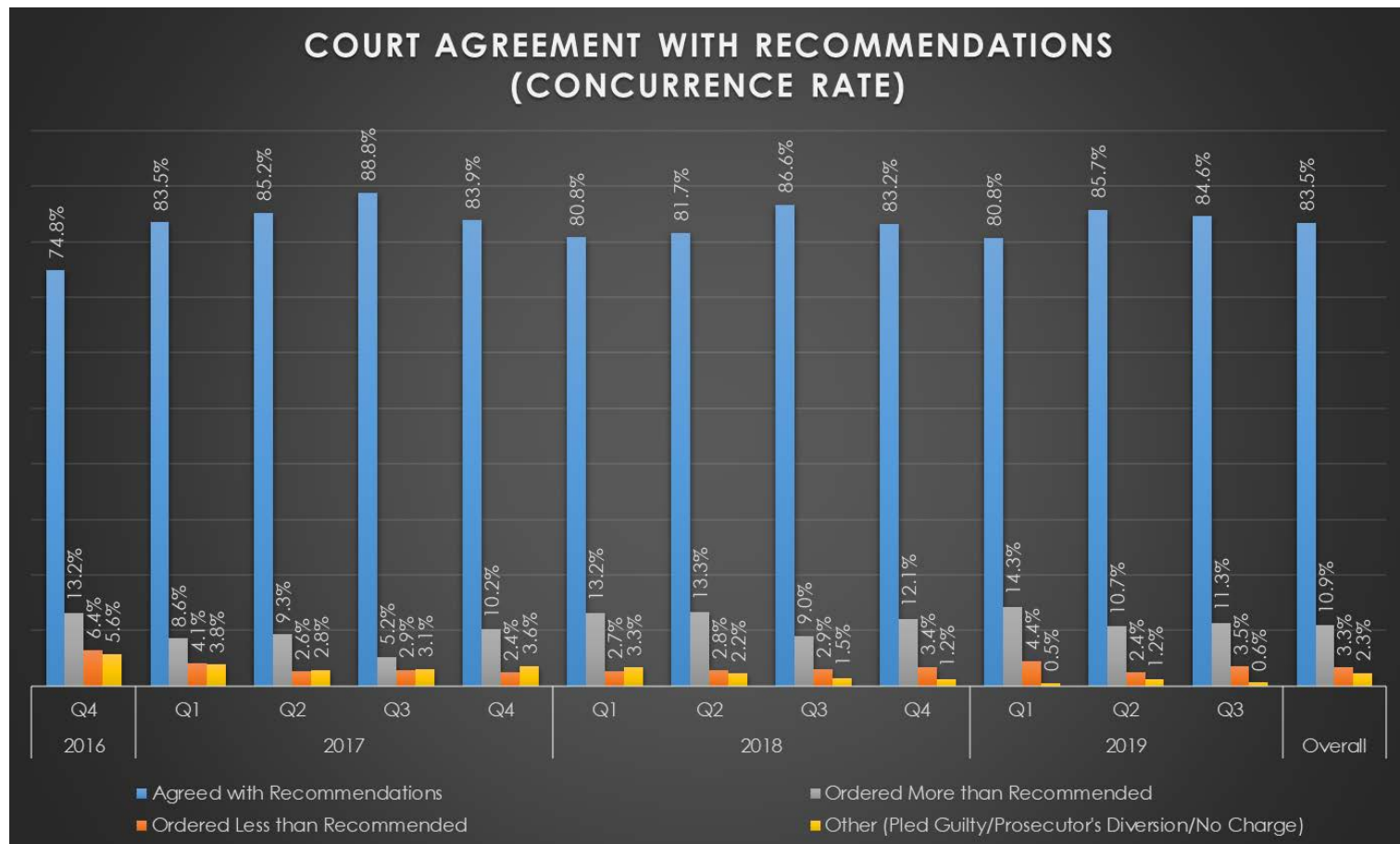
Monitoring Level 1 (Low): At least one face-to-face appointment with a pretrial case manager every month.

Monitoring Level 2 (Moderate): At least one (1) face-to-face appointment AND one other form of contact with a pretrial case manager every month.

Monitoring Level 3 (High): At least two (2) face-to-face appointments with a pretrial case manager every month.

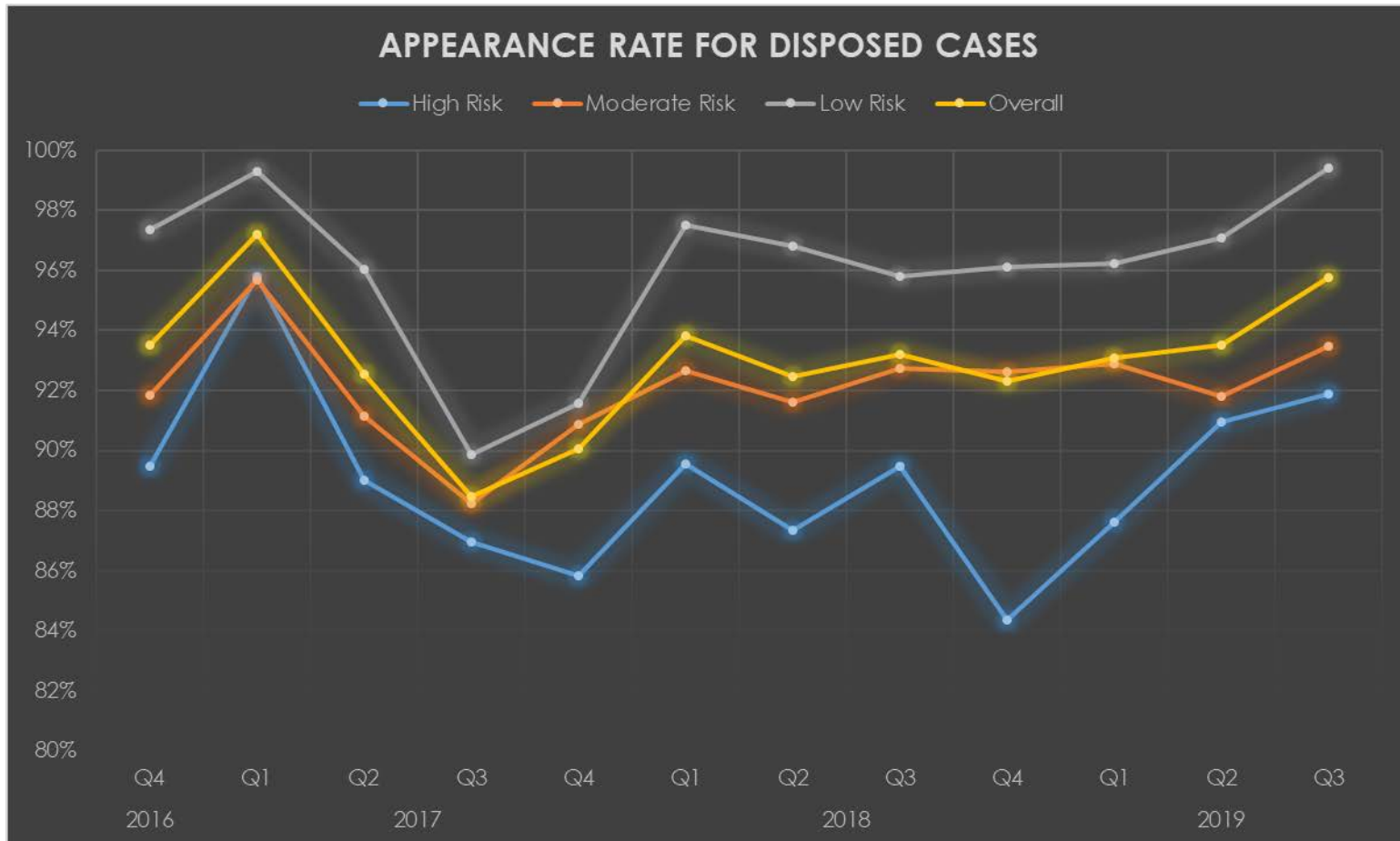
Each monitoring level shall receive telephonic notifications, monthly criminal record checks, and additional release conditions if ordered by a court. Additional release conditions may include, but are not limited to: kiosk reporting; day reporting; home/work contacts; electronically monitored curfew, exclusion zones, or alcohol testing; home detention; and drug testing.

	2016	2017				2018				2019			Overall
	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	
Agreed with Recommendations	74.8%	83.5%	85.2%	88.8%	83.9%	80.8%	81.7%	86.6%	83.2%	80.8%	85.7%	84.6%	83.5%
Ordered Less than Recommended	6.4%	4.1%	2.6%	2.9%	2.4%	2.7%	2.8%	2.9%	3.4%	4.4%	2.4%	3.5%	3.3%
Ordered More than Recommended	13.2%	8.6%	9.3%	5.2%	10.2%	13.2%	13.3%	9.0%	12.1%	14.3%	10.7%	11.3%	10.9%
Other (Pled Guilty/Diversion/No Charge)	5.6%	3.8%	2.8%	3.1%	3.6%	3.3%	2.2%	1.5%	1.2%	0.5%	1.2%	0.6%	2.3%



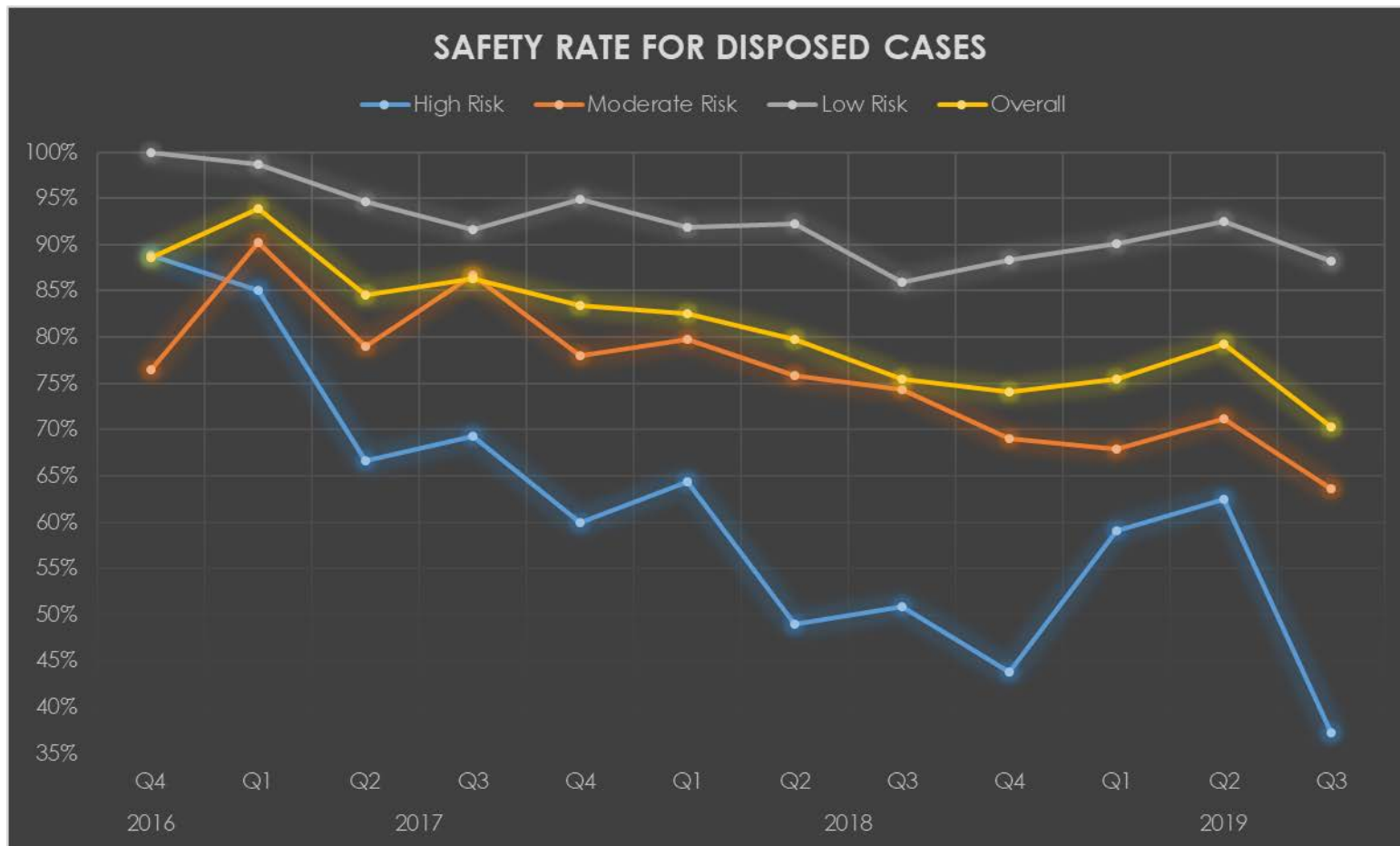
Appearance Rate – The percentage of defendants in the target population whose case is disposed and who appeared at each scheduled hearing during the quarter indicated while their case was pending. This includes all hearings after the initial hearing until case disposition.

	2016	2017				2018				2019			Overall
	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	
High Risk	89.5%	95.8%	89.0%	86.9%	85.8%	89.6%	87.3%	89.5%	84.4%	87.6%	91.0%	91.9%	88.3%
Moderate Risk	91.9%	95.7%	91.1%	88.2%	90.9%	92.7%	91.6%	92.7%	92.6%	92.9%	91.8%	93.5%	91.9%
Low Risk	97.4%	99.3%	96.0%	89.9%	91.6%	97.5%	96.8%	95.8%	96.1%	96.2%	97.1%	99.4%	95.7%
Overall	93.5%	97.2%	92.5%	88.5%	90.1%	93.8%	92.5%	93.2%	92.3%	93.1%	93.5%	95.8%	92.6%



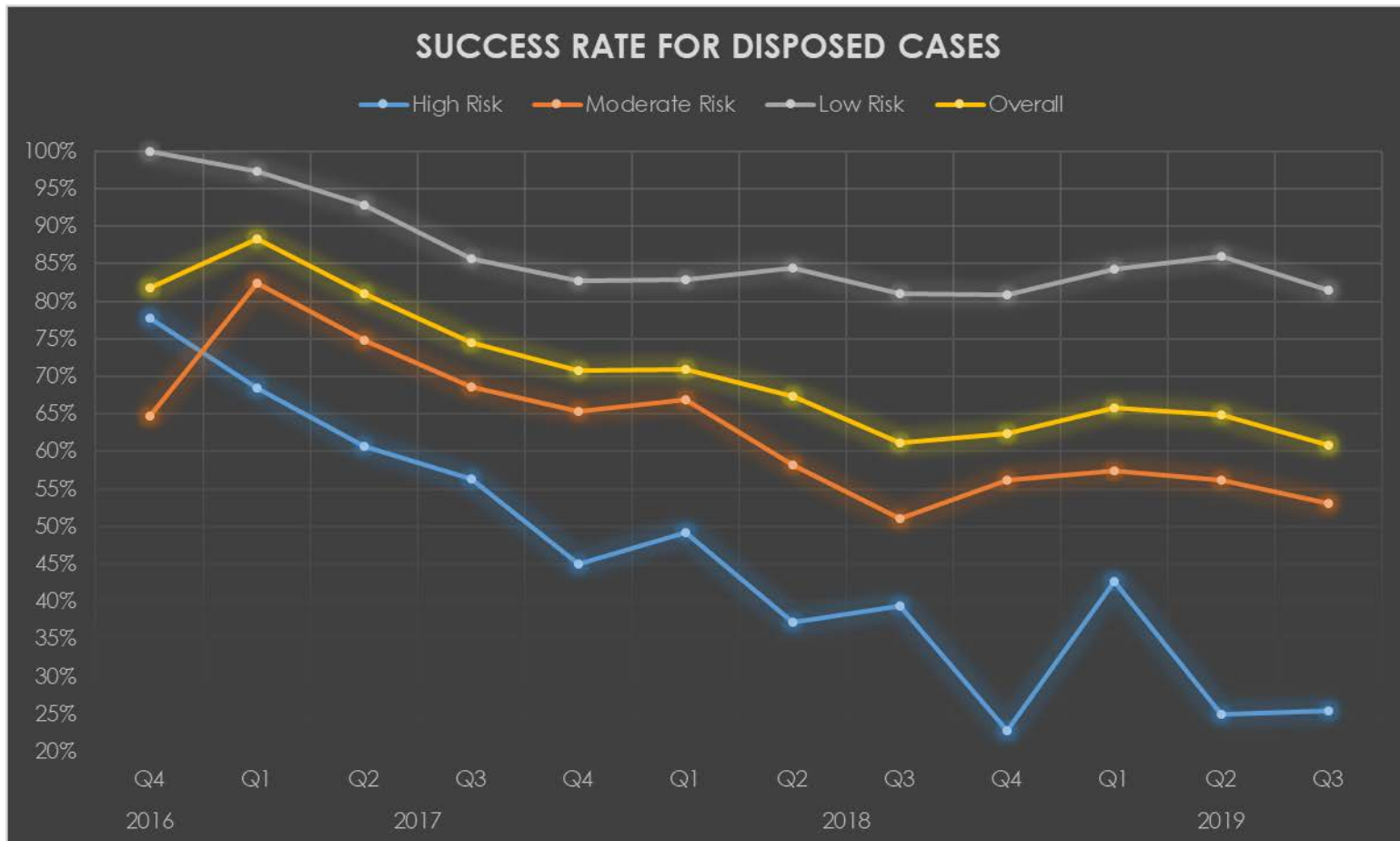
Safety Rate – The percentage of defendants in the target population whose case is disposed in the indicated quarter and who was not arrested for a new offense while their case was pending.

	2016	2017				2018				2019			Overall
	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	
High Risk	88.9%	85.0%	66.7%	69.2%	60.0%	64.4%	49.0%	50.8%	43.9%	59.0%	62.5%	37.3%	57.0%
Moderate Risk	76.5%	90.2%	79.0%	86.7%	78.0%	79.7%	75.9%	74.3%	69.1%	67.9%	71.1%	63.6%	74.2%
Low Risk	100.0%	98.7%	94.7%	91.6%	94.9%	91.8%	92.2%	85.9%	88.3%	90.1%	92.5%	88.2%	91.3%
Overall	88.6%	93.8%	84.6%	86.3%	83.4%	82.5%	79.8%	75.4%	74.0%	75.5%	79.3%	70.3%	79.2%



Success Rate – The percentage of defendants in the target population whose case is disposed in the indicated quarter and who was not arrested for a new offense, appeared for all scheduled court hearings, and had no pretrial monitoring violations filed with the court while their case was pending.

	2016	2017				2018				2019			Overall
	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	
High Risk	77.8%	68.4%	60.6%	56.4%	45.0%	49.2%	37.3%	39.3%	22.8%	42.6%	25.0%	25.4%	40.1%
Moderate Risk	64.7%	82.4%	74.7%	68.6%	65.4%	66.9%	58.2%	51.1%	56.2%	57.4%	56.2%	53.1%	60.3%
Low Risk	100.0%	97.3%	92.8%	85.7%	82.8%	82.9%	84.4%	81.0%	80.9%	84.2%	86.0%	81.5%	84.7%
Overall	81.8%	88.3%	81.1%	74.5%	70.8%	71.0%	67.3%	61.2%	62.4%	65.9%	64.8%	60.8%	68.0%



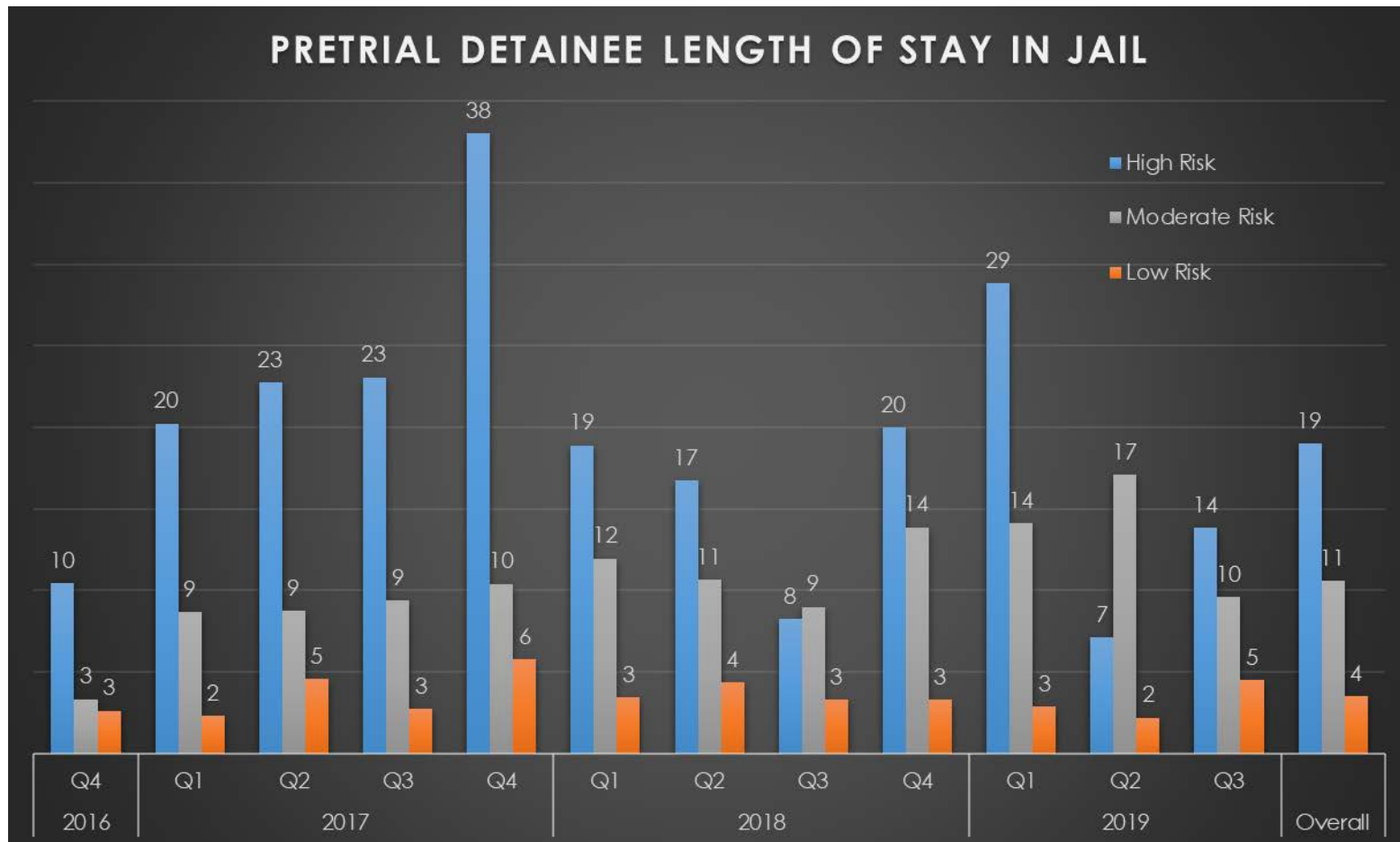
Violation Response Guide – The following represents the type of responses pretrial services officers may employ during the period of pretrial monitoring to address violations without court intervention, last revised November 30, 2017.

	Minor Violations	Moderate Violations	Severe Violations
Type of Violations	<ul style="list-style-type: none"> Defendant fails to report a change in address and/or phone number. Defendant fails to appear for a scheduled appointment. 	<ul style="list-style-type: none"> Defendant fails to report for two (2) consecutive face-to-face appointments AND all other attempts to contact the defendant are unsuccessful. Defendant fails to report for three (3) consecutive day reporting check-ins AND all other attempts to contact the defendant are unsuccessful. 	<ul style="list-style-type: none"> Defendant arrested or charged with a new misdemeanor or felony offense. Defendant violates a victim exclusion zone. Defendant removes electronic monitoring equipment and absconds. Defendant tests positive for alcohol at day reporting or while on electronically monitored alcohol testing. Defendant tests positive for illegal drugs and or medication without a valid prescription.
Type of Responses	<p>Pretrial services officer will address the violation(s) by administering one or more of the following:</p> <ol style="list-style-type: none"> Verbal warning; Written warning; Skill building assignment; Referral to treatment or other services; Change in reporting requirements.* 	<p>Pretrial services officer will file a status report and a notice of non-compliance with the court.</p> <p>A warrant will generally not be requested for low and moderate pretrial risk defendants.</p> <p>A warrant will be requested for high pretrial risk defendants at the discretion of the pretrial services officer.</p>	<p>Pretrial services officer will immediately contact the court to request the issuance of a warrant and will immediately file a notice of non-compliance with the court.</p>

*Pretrial services officers may administratively change community supervision requirements without court approval if the changes do not involve an assessment of fees (i.e. kiosk reporting, daily reporting to community corrections/probation office, increased office appointments, or home/work contacts, etc.). Changes that involve fees must be approved/ordered by the court (i.e. electronically monitored exclusion zones, curfew, or alcohol testing; home detention; day reporting program; or drug testing).

Pretrial Detainee Length of Stay in Jail – The average length of stay in jail for pretrial defendants in the target population who are eligible by statute for pretrial release. The following includes all those in the target population who have been released from jail and is reported in actual days of jail credit.

	2016	2017				2018				2019			Overall
	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	
High Risk	10.5	20.2	22.7	23.1	38.0	18.9	16.7	8.3	20.0	28.8	7.1	13.8	19.0
Moderate Risk	3.3	8.7	8.8	9.4	10.4	12.0	10.6	9.0	13.9	14.1	17.1	9.6	10.6
Low Risk	2.6	2.3	4.6	2.7	5.8	3.5	4.4	3.3	3.3	2.9	2.2	4.5	3.5
Overall	5.5	10.4	12.0	11.7	18.1	11.4	10.6	6.9	12.4	15.3	8.8	9.3	11.0

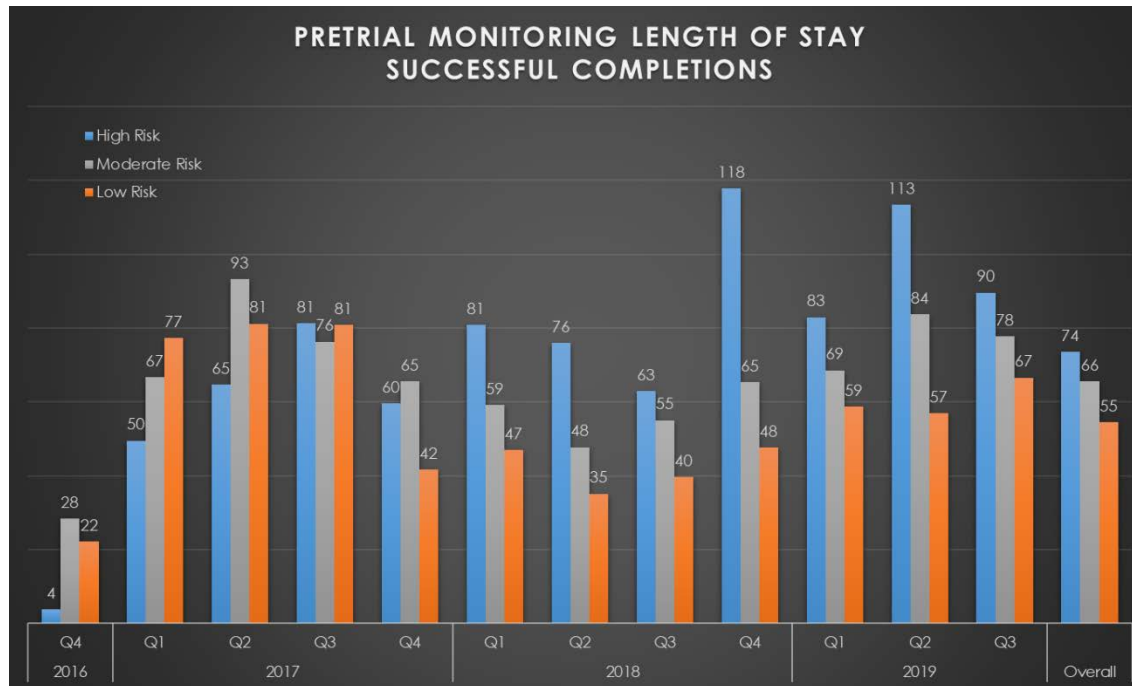


Release Rate – The percentage of pretrial defendants in the target population arrested during the indicated quarter and who were released within the time frame specified.

	2016	2017				2018				2019			Overall
	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	
Released Same Day as Arrest													
High Risk	0.0%	3.4%	1.7%	1.2%	0.0%	2.2%	0.0%	2.6%	2.9%	2.5%	1.3%	0.0%	1.5%
Moderate Risk	17.1%	15.3%	11.7%	10.9%	10.3%	9.3%	10.0%	14.1%	15.4%	15.0%	11.7%	14.0%	12.7%
Low Risk	41.6%	45.0%	42.7%	35.3%	34.1%	36.8%	36.2%	35.3%	33.8%	42.7%	39.9%	41.2%	38.7%
Released within Three (3) Days of Arrest													
High Risk	37.8%	36.2%	43.3%	40.7%	31.7%	46.1%	54.4%	57.1%	51.5%	43.0%	36.4%	52.9%	45.2%
Moderate Risk	78.3%	64.4%	70.3%	72.5%	60.3%	65.9%	58.2%	68.0%	70.5%	72.2%	64.1%	67.4%	67.3%
Low Risk	87.6%	94.8%	91.7%	95.3%	85.3%	89.0%	92.7%	84.2%	84.8%	89.4%	90.1%	88.7%	89.3%
Released within Seven (7) Days of Arrest													
High Risk	67.6%	51.7%	56.7%	60.5%	60.0%	76.4%	77.8%	76.6%	73.5%	77.2%	80.5%	76.5%	70.7%
Moderate Risk	91.4%	80.4%	84.2%	90.5%	86.0%	85.4%	82.4%	89.6%	86.8%	88.5%	85.7%	88.1%	86.6%
Low Risk	95.7%	98.4%	96.1%	98.3%	95.9%	98.1%	97.7%	97.4%	97.0%	96.7%	98.8%	96.0%	97.2%
Released within 14 Days of Arrest													
High Risk	83.8%	65.5%	76.7%	75.3%	65.0%	80.9%	90.0%	85.7%	80.9%	84.8%	92.2%	89.4%	81.6%
Moderate Risk	98.7%	91.4%	91.4%	93.8%	91.1%	90.3%	88.9%	94.6%	89.9%	92.3%	91.9%	93.3%	92.1%
Low Risk	97.8%	99.0%	97.1%	99.6%	96.3%	98.1%	99.1%	98.1%	97.8%	98.2%	99.2%	97.3%	98.1%
Released within 30 Days of Arrest													
High Risk	89.2%	81.0%	83.3%	86.4%	68.3%	82.0%	91.1%	90.9%	83.8%	88.6%	94.8%	95.3%	86.8%
Moderate Risk	100.0%	93.9%	93.2%	95.3%	92.5%	92.5%	92.7%	97.1%	93.8%	94.4%	93.4%	95.4%	94.4%
Low Risk	99.5%	99.0%	97.1%	99.6%	98.6%	99.0%	99.1%	98.9%	99.1%	99.3%	99.6%	98.3%	98.9%

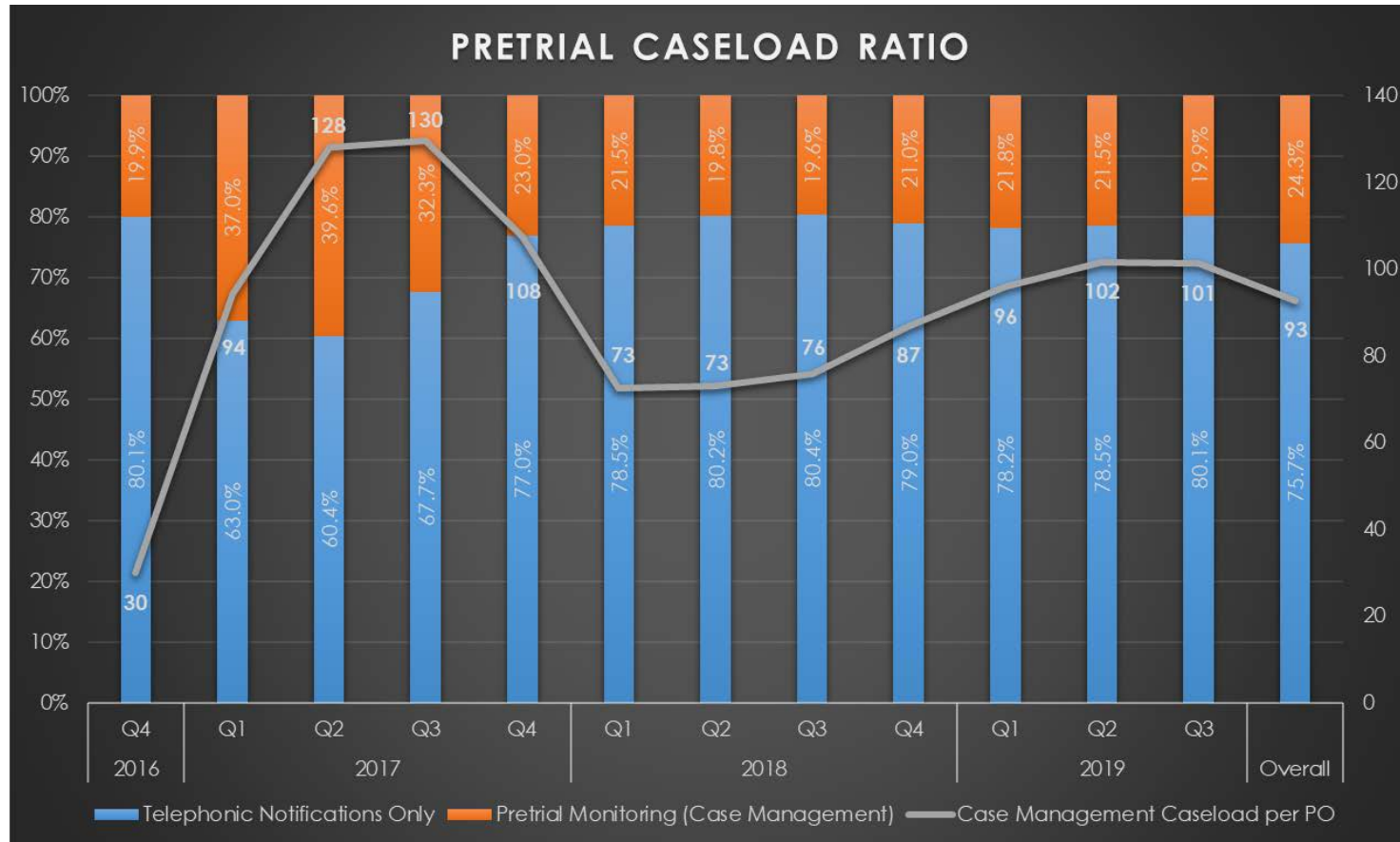
Time on Pretrial Monitoring – The average length of time in days a pretrial defendant in the target population is subject to pretrial monitoring (case management). The number of days is reported in the quarter when the defendant’s monitoring ended.

	2016	2017				2018				2019			Overall
	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	
Pretrial Monitoring Length of Stay - Successfully Completed													
High Risk	3.8	49.5	64.7	81.2	59.6	80.8	76.0	62.9	117.8	82.9	113.4	89.5	73.5
Moderate Risk	28.3	66.6	93.3	76.3	65.5	59.1	47.7	55.0	65.4	68.5	83.6	77.7	65.6
Low Risk	22.1	77.2	81.2	80.8	41.6	47.0	35.1	39.6	47.5	58.7	56.9	66.5	54.5
Pretrial Monitoring Length of Stay- Unsuccessfully Completed													
High Risk	18.4	33.1	40.8	45.2	40.6	54.2	42.9	39.5	34.1	39.5	45.2	42.9	39.7
Moderate Risk	21.2	56.9	57.3	54.9	46.4	45.1	36.5	43.0	46.7	46.6	40.4	41.8	44.7
Low Risk	8.3	25.7	17.8	64.7	22.1	5.7	30.3	12.0	37.9	25.9	22.7	52.6	27.1
Pretrial Monitoring Length of Stay - All Completions													
High Risk	17.8	40.3	51.5	60.2	48.9	64.8	56.3	53.7	47.0	54.9	61.0	56.5	51.1
Moderate Risk	25.2	61.6	74.8	69.9	58.8	53.1	44.5	49.4	53.4	57.5	58.1	60.4	55.6
Low Risk	26.3	70.4	78.4	75.3	37.0	45.5	33.8	36.9	45.7	51.8	51.7	61.6	51.2



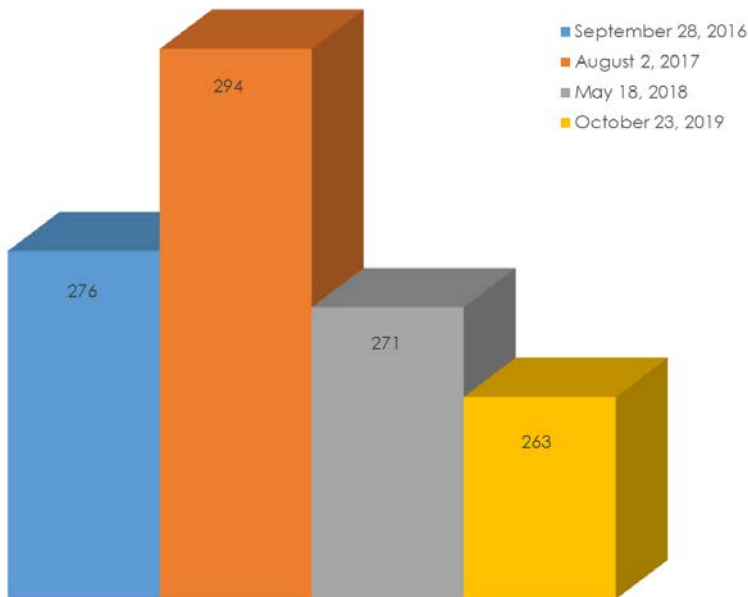
Pretrial Caseload Ratio – The percentage of pretrial defendants in the target population who are subject to pretrial monitoring (case management) versus those who only receive telephonic notifications for scheduled court hearings. Also included are the average number of pretrial defendants being monitored on case management per pretrial services officer. Two pretrial services officers operated from October 2016 thru January 2018 and three officers thereafter.

	2016	2017				2018				2019			Overall
	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	
Telephonic Notifications Only	80.1%	63.0%	60.4%	67.7%	77.0%	78.5%	80.2%	80.4%	79.0%	78.2%	78.5%	80.1%	75.7%
Pretrial Monitoring (Case Management)	19.9%	37.0%	39.6%	32.3%	23.0%	21.5%	19.8%	19.6%	21.0%	21.8%	21.5%	19.9%	24.3%
Case Management Caseload per Officer	30	94	128	130	108	73	73	76	87	96	102	101	93

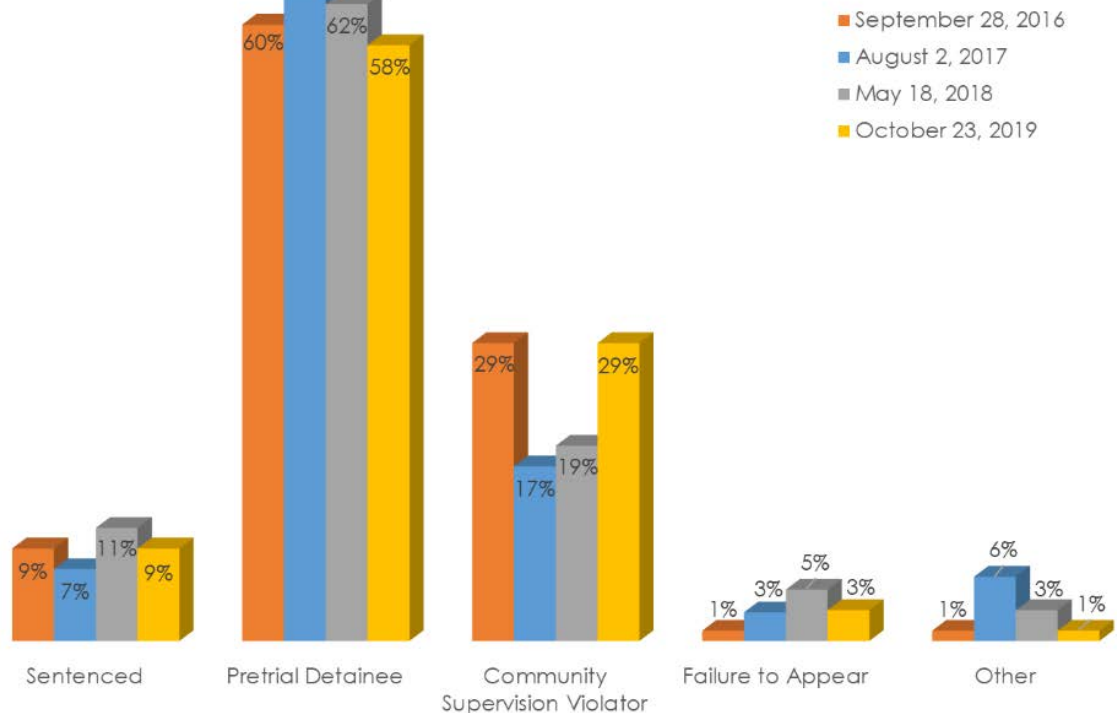


JAIL SNAPSHOT DATA – Snapshot data analyzes the jail population using four dates over the past three years. The oldest date immediately precedes the beginning of our formal pretrial services program. Each detainee was placed in a single category based on the reason they were being held. The following hierarchy was used in each snapshot: (1) sentenced; (2) pretrial detainee; (3) community supervision violator; (4) failure to appear; and (5) other. Thus, if a detainee was being held due to being arrested for a new offense and they were being held due to a violation of community supervision, they were counted as a pretrial detainee.

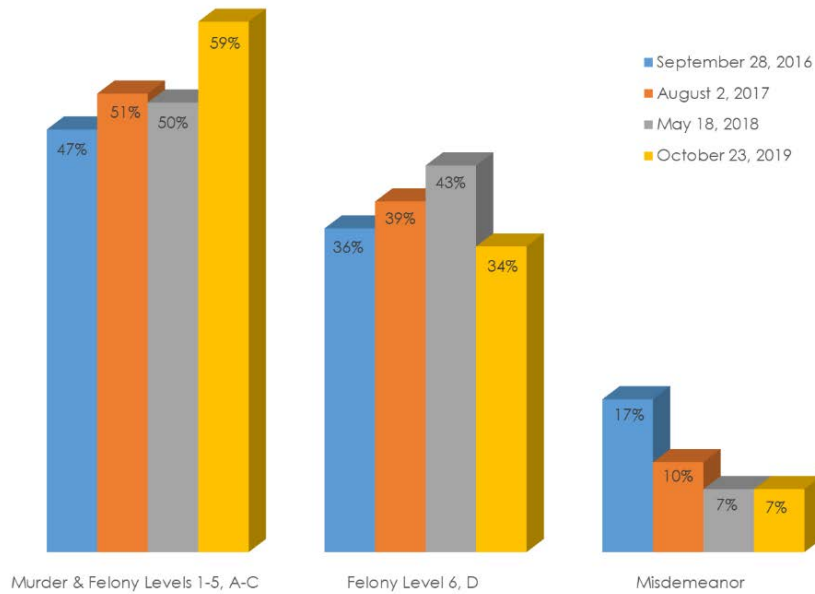
TOTAL JAIL POPULATION



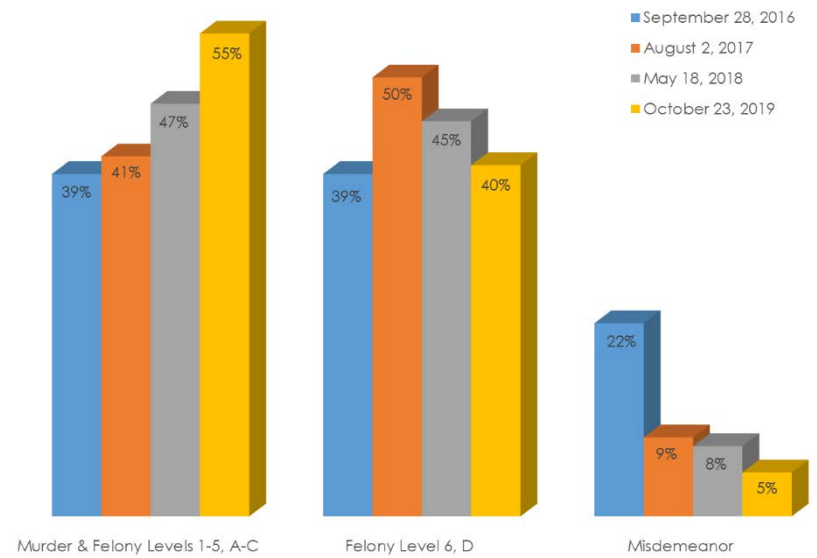
PERCENTAGE OF DETAINEES BY CATEGORY



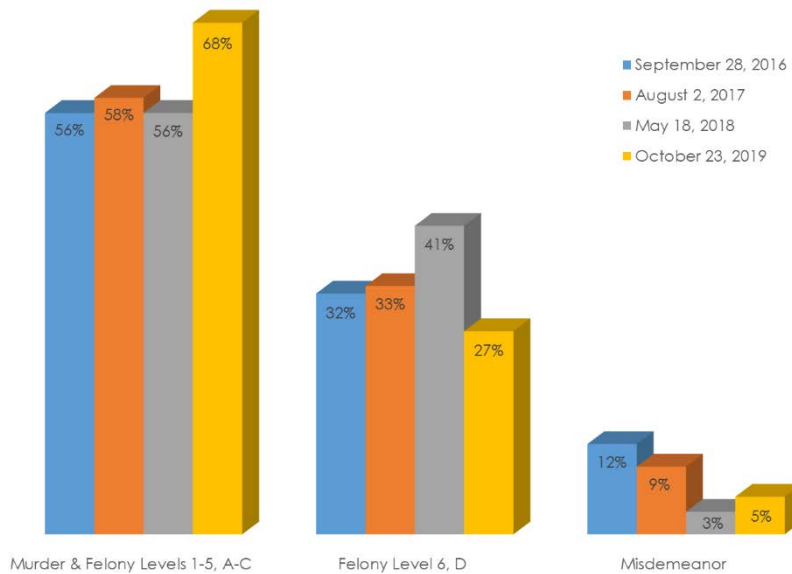
OVERALL JAIL UTILIZATION BY HIGHEST LEVEL OF OFFENSE



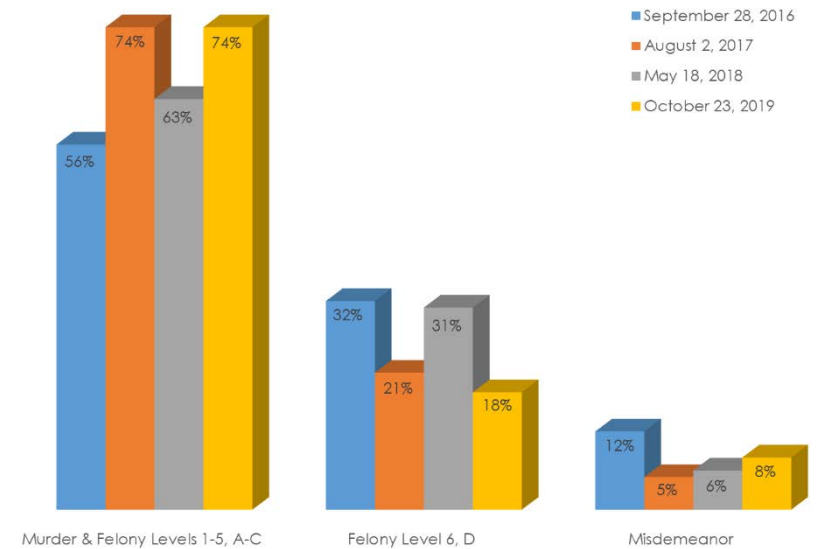
COMMUNITY SUPERVISION VIOLATORS BY HIGHEST LEVEL OF OFFENSE



PRETRIAL DETAINEES BY HIGHEST LEVEL OF OFFENSE



PRETRIAL DETAINEES WITH NO HOLDS BY HIGHEST LEVEL OF OFFENSE



Appendix E – Survey Results – Local Assessment of Criminal Code Reform (2019)

Survey Results – Local Assessment of Criminal Code Reform (2019)

Introduction

The purpose of this survey is to assess perceptions of local impacts of the criminal code reform (HEA 1006). IC 5-2-6-24 gives the Indiana Criminal Justice Institute the responsibility to evaluate HEA 1006, effective July 1, 2014. HEA 1006 sought to reform Indiana criminal code in a number of ways, including to decrease the rates of incarceration in state facilities for low level, non-violent offenders.

You are invited to participate in this survey because you have been identified as knowledgeable about services for adult offenders in your county. Your expertise is what makes our evaluation possible. Please be advised that some questions may ask you to enter information that may not be readily available, which may require additional time completing the survey. The estimated time of completion is 5 to 10 minutes.

Questions will ask you to report changes you have noticed, which will always pertain to your local agency. If you are a recent hire of the agency, this does not deter you from participation; please provide information to the best of your ability. We are seeking to understand your perception of the impact HEA 1006.

Your responses will be kept confidential.

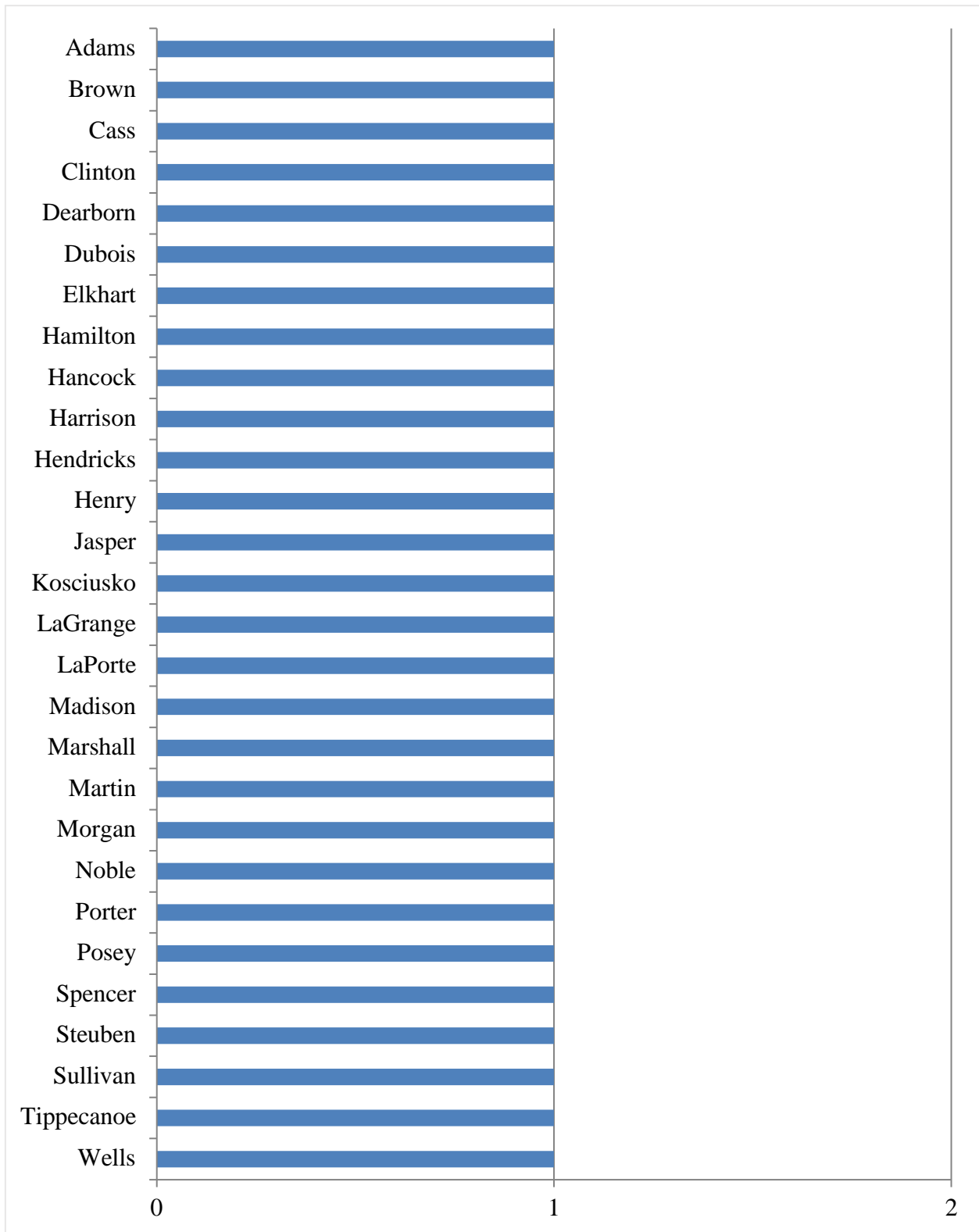
We appreciate your consideration to complete this survey on behalf of your agency. Your efforts will effectively help the state evaluate the impacts of HEA 1006. If you have any questions please feel free to email chrreynolds@cji.in.gov or call (317) 232-1233.

Q1. What type of agency do you work for?

Answer Choices	Responses	
Jail	11.29%	28
Probation	18.95%	47
Community Corrections	19.35%	48
Parole	1.61%	4
Judiciary	12.50%	31
Prosecution	16.13%	40
Public Defense	10.08%	25
Community Service Provider (mental health/substance abuse treatment)	10.08%	25
Total		248

Jail

Q2. What county does your facility serve?



Q3. What is the number of jail beds in your facility? Example: 340

Respondents	Responses
1	450
2	54
3	222
4	1000
5	512
6	207
7	220
8	157
9	117
10	424
11	367
12	532
13	604
14	84
15	208
16	440
17	94
18	178
19	185
20	252
21	242
22	81
23	110
24	302
25	112
26	263
27	239
28	79

Q4. What is your current jail population?

Respondents	Responses
1	331
2	79
3	155
4	812
5	840
6	303
7	210
8	212 in house, 38 in other jails

9	51
10	298
11	399
12	430
13	540
14	79
15	123
16	257
17	87
18	92
19	174
20	265
21	117
22	89
23	217
24	274
25	74
26	166
27	280
28	79

Q5. What is the current number of pretrial detainees (those who have not been convicted)? If you are unsure, please leave the textbox blank.

Respondents	Responses
1	560
2	264
3	156
4	137
5	25
6	213
7	353
8	158
9	76
10	183
11	49
12	52
13	198
14	48

15	194
16	65
17	92
18	231
19	57

Q6. What is the average cost to house an inmate? If you are unsure, please leave the textbox blank.

Respondents	Responses
1	\$55/day
2	75
3	85.00
4	55.00
5	49.50
6	approximately 50
7	55
8	41.39
9	\$64.00 per day

Q7. What is the average cost for an inmate's mental health needs? If you are unsure, please leave the textbox blank.

Respondents	Responses
1	It's contractual
2	137.71

Q8. How many inmates are using or enrolled in substance abuse programs offered in the jail? If you are unsure, please leave the textbox blank.

Respondents	Responses
1	97
2	103
3	30ish but the number would be greater if we had adequate facilities
4	0
5	46
6	14
7	32
8	15%

9	25
10	39
11	0
12	0
13	19
14	15
15	25
16	30
17	5

Q9. What was your average daily population for calendar year 2018? If you are unsure, please leave the textbox blank. Example: 125.

Respondents	Responses
1	360
2	178
3	875
4	280
5	221
6	64
7	45
8	328
9	380
10	360
11	503
12	320
13	99
14	87
15	265
16	120
17	193
18	79
19	144
20	210
21	66

Q10. Has your jail experienced a change in average daily population since 2018?

Answer Choices	Responses	
Yes, a decrease	17.86%	5
Yes, an increase	60.71%	17
No change	21.43%	6
Do not know	0.00%	0
Total		28

Q11. Since 2018, how much or little change in average daily population has your jail experienced?

Answer Choices	Responses	
A great deal	9.09%	2
A lot	18.18%	4
A moderate amount	31.82%	7
A little	36.36%	8
Do not know	4.55%	1
Total		22

Q12. How much or little of this change can be attributed to sentenced level 6 felony offenders?

Answer Choices	Responses	
A great deal	9.09%	2
A lot	4.55%	1
A moderate amount	36.36%	8
A little	31.82%	7
None at all	4.55%	1
Do not know	13.64%	3
Total		22

Q13. Does your county offer pretrial release services?

Answer Choices	Responses	
Yes	55.56%	15
No	44.44%	12
Total		27

Q14. Since January 1, 2019, has pretrial release had an effect on the jail population?

Answer Choices	Responses	
Yes, a decrease	33.33%	5
Yes, an increase	26.67%	4
No effect	40.00%	6
Do not know	0.00%	0

Total		15
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Q15. Since January 1, 2019, how much or little effect has pretrial release had on the jail population?

Answer Choices	Responses	
A great deal	10.53%	2
A lot	0.00%	0
A moderate amount	5.26%	1
A little	36.84%	7
Do not know	47.37%	9
Total		19

Q16. "Risk" refers to action taken by an offender that may affect the safety, security, order, and/or ability to provide offender care in a facility. Since January 1, 2019, has your jail housed offenders of lesser, greater, or the same degree of risk?

Answer Choices	Responses	
Lesser risk	4%	1
Greater risk	36%	9
Same degree of risk	60%	15
Do not know	0%	0
Total		25

Q17. Since January 1, 2019, has there been a change in the number of offenders who violated their conditions of probation?

Answer Choices	Responses	
Yes, a decrease	8%	2
Yes, an increase	36%	9
No change	40%	10
Do not know	16%	4
Total		25

Q18. Since January 1, 2019, which services or programs, if any, does your jail provide directly or through an outside vendor? (Please select all that apply)

Answer Choices	Responses	
Substance Abuse Treatment	76%	19
Mental Health Treatment	76%	19
Life Skills Curriculum (e.g., Thinking for a Change, Anger Management)	52%	13
Employment Assistance/Job Skills Training	28%	7
Education	60%	15
Re-Entry Services	24%	6

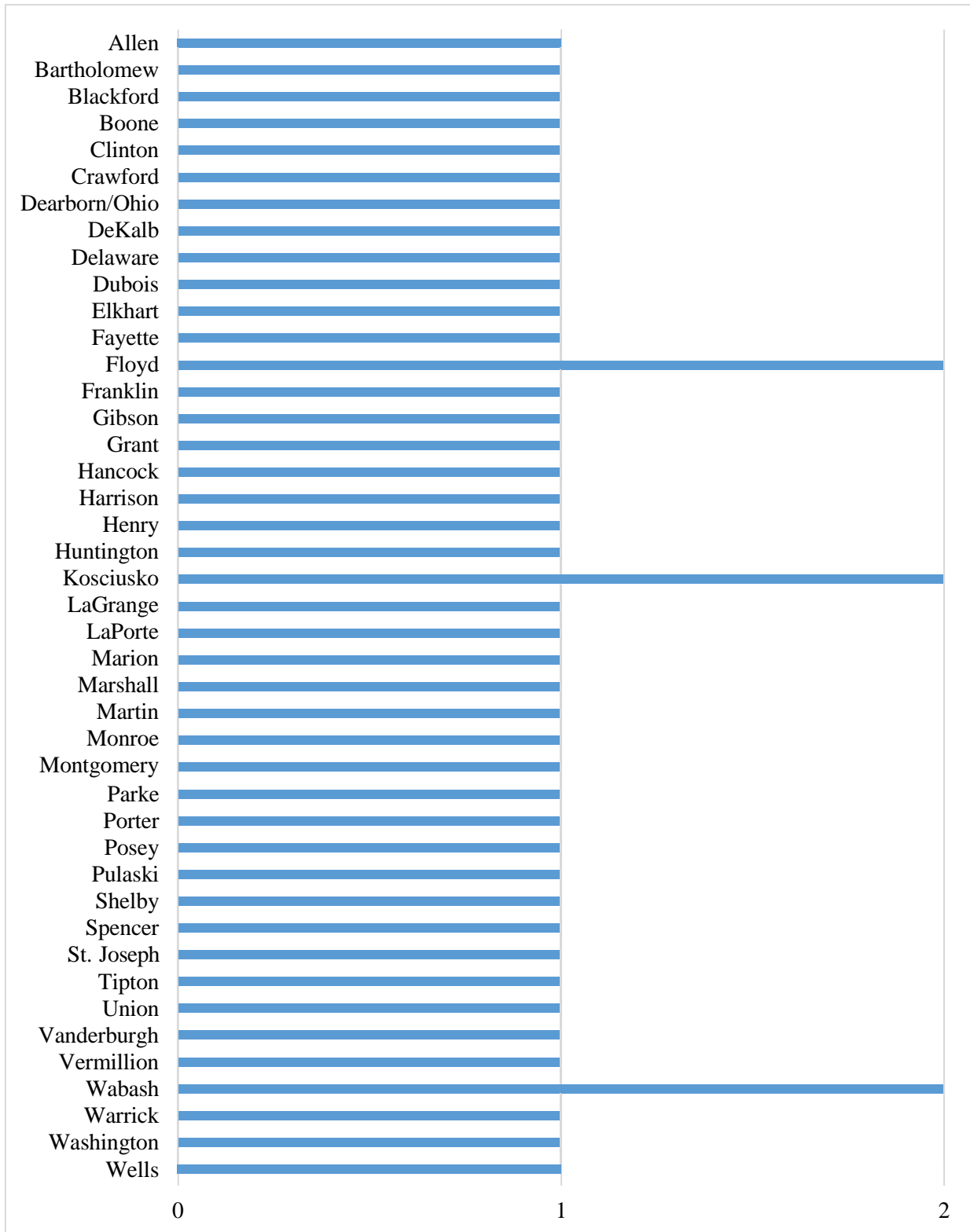
Medical services	80%	20
Food and Clothing Assistance	20%	5
Transportation Assistance	24%	6
Housing/Homelessness Services	20%	5
Linkages to Community Resources (Non-Agency)	40%	10
None	0%	0
Do not know	0%	0
Other (please specify)	16%	4
Total		25

Q19. Since January 1, 2019, what services or programs, if any, does your jail have difficulty providing? (Please select all that apply)

Answer Choices	Responses	
Substance Abuse Treatment	36%	9
Mental Health Treatment	24%	6
Life Skills (e.g., Thinking for a Change, Anger Management)	24%	6
Employment Assistance/Job Skills Training	28%	7
Education	20%	5
Medical services	4%	1
Re-Entry Services	24%	6
Food and Clothing Assistance	20%	5
Transportation Assistance	36%	9
Housing/Homelessness Services	36%	9
Linkages to Community Resources (Non-Agency)	12%	3
None	12%	3
Do not know	4%	1
Other (please specify)	8%	2
Total		25

Probation

Q20. What county does your department serve?



Q21. What is the average caseload across all probation officers in your department? If you are unsure, please leave the textbox blank. Example: 100

Respondents	Responses
1	100
2	92
3	110
4	55
5	150
6	106
7	200
8	40
9	100
10	200
11	150
12	125
13	190
14	150
15	115
16	130
17	80
18	100
19	105
20	175
21	100
22	152
23	112
24	130
25	88
26	180
27	100
28	125
29	200
30	100
31	250
32	100
33	200

34	221
35	150
36	100
37	112
38	250
39	80
40	150
41	140
42	250

Q22. What is your current caseload? If you are unsure, please leave the textbox blank. Example:
92

Respondents	Responses
1	We do not know what this question is referring to, Do you mean the Chief PO's personal caseload? IF yes, mine is -0-.
2	10
3	101
4	108
5	53
6	144
7	132
8	189
9	40
10	60
11	0
12	45
13	115
14	98
15	57
16	64
17	75
18	100
19	1
20	150
21	105
22	100
23	75
24	131
25	230

26	20
27	250
28	150
29	232
30	52
31	140
32	125
33	0
34	236

Q23. Have probation officers' average caseloads changed in the past year?

Answer Choices	Responses	
Yes, decreased	19.57%	9
Yes, increased	58.70%	27
No change	15.22%	7
Do not know	6.52%	3
Total		46

Q24. In the past year, how much or little change in average caseload has your department experienced?

Answer Choices	Responses	
A great deal	16.22%	6
A lot	16.22%	6
A moderate amount	51.35%	19
A little	16.22%	6
Do not know	0.00%	0
Total		37

Q25. How much or little of this change can be attributed to level 6 felony offenders?

Answer Choices	Responses	
A great deal	18.92%	7
A lot	21.62%	8
A moderate amount	29.73%	11
A little	16.22%	6
None at all	8.11%	3
Do not know	5.41%	2

Q26. Does your county offer pretrial release services?

Answer Choices	Responses
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Yes	58.70%	27
No	41.30%	19
Total		46

Q27. Has pretrial release affected your caseload?

Answer Choices	Responses	
Yes, decreased	12.00%	3
Yes, increased	32.00%	8
No effect	48.00%	12
Do not know	8.00%	2
Total		25

Q28. In the past year, what percent of arrestees released pretrial received court reminder calls/text only? If you are unsure, please leave the textbox blank.

Respondents	Responses
1	59%
2	100%
3	100%
4	100 %
5	100%
6	1%
7	100%
8	100%
9	0%
10	0%
11	10%

Q29. Of those who received court reminder calls/text only, what percent made all pretrial scheduled court appearances? If you are unsure, please leave the textbox blank.

Respondents	Responses
1	94.2%
2	95.0%
3	97.0%
4	1.00%
5	90.0%
6	0.00%

Q30. In the past year, what percent of supervised pretrial defendants failed to appear for scheduled court appearances? If you are unsure, please leave the textbox blank.

Respondents	Responses
1	9.6%

2	5.0%
3	3.0%
4	1.0%
5	5.0%

Q31. In the past year, what percent of pretrial defendants were charged with a new offense? If you are unsure, please leave the textbox blank.

Respondents	Responses
1	5.9%
2	13
3	8
4	1
5	10%

Q32. In the past year, has the number of probation violations changed?

Answer Choices	Responses	
Yes, decreased	11.36%	5
Yes, increased	47.73%	21
No change	22.73%	10
Do not know	18.18%	8
Total		44

Q33. In the past year, how much or little change has there been in the number of probation violations?

Answer Choices	Responses	
A great deal	14.81%	4
A lot	25.93%	7
A moderate amount	33.33%	9
A little	22.22%	6
Do not know	3.70%	1
Total		27

Q34. Which method of discharge accounts for most probation revocations in the past year?

Answer Choices	Responses	
Technical violation	48.84%	21
New offense	44.19%	19
FTA	2.33%	1
Other (please specify)	4.65%	2
Total		43

Q35. Please list the most common technical violations you have seen in the past year. If you are unsure, please leave the textbox blank.

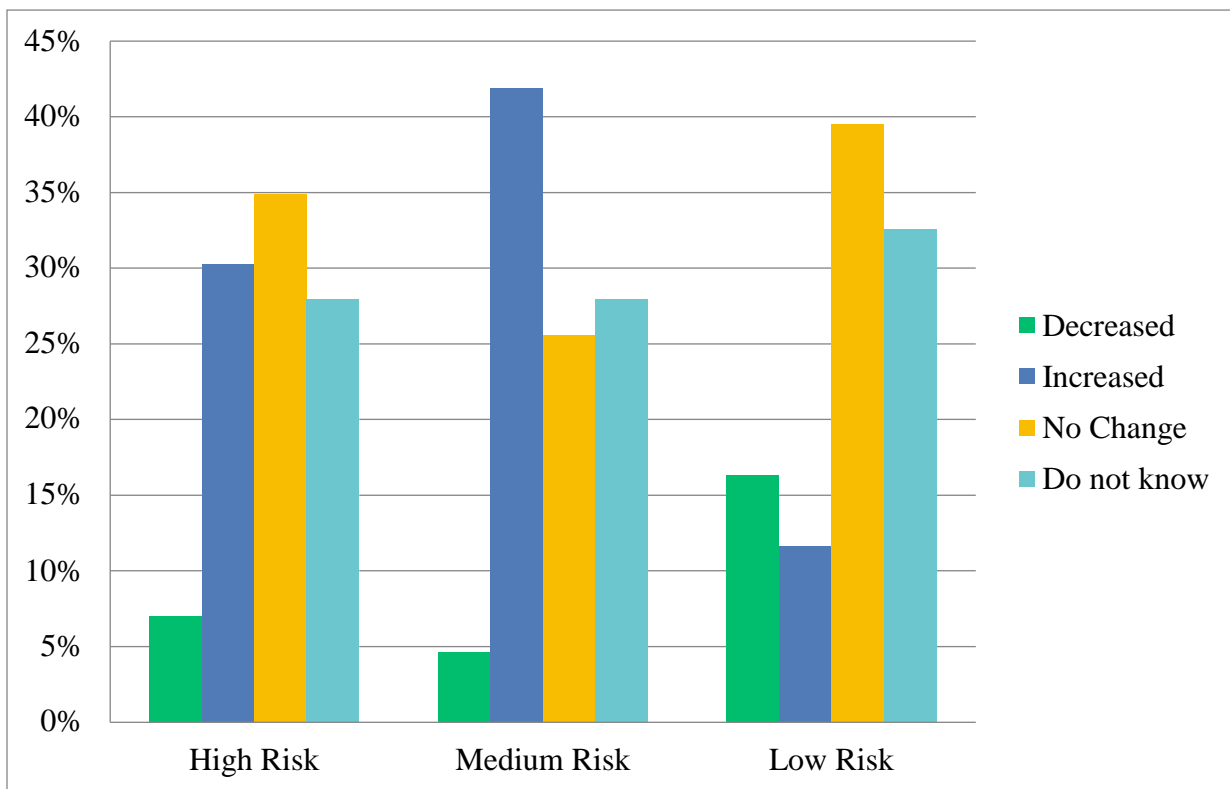
Respondents	Responses
1	positive drug tests
2	Failed drug tests (30%)
3	failed drug screen
4	Dirty Drug Screens and New Offenses
5	Failed drug screens
6	Failed Drug Test
7	Drug Use; Failure to report
8	Financial
9	Continued substance use, Failure to participate in substance abuse counseling
10	Positive Drug Tests
11	failed drug screens
12	drug use
13	Multiple positive drug screens.
14	Drug usage
15	Failed drug screens, treatment compliance violations
16	Several positive drug screens, after PO worked closely with the client to engage in services.
17	Use of alcohol or drugs/positive drug screens
18	15
19	Failure to complete treatment, continued positive drug screens, failure to appear for appointments.
20	Failed screens
21	Positive drug screen
22	Failure to attend and complete treatment
23	failed drug screen
24	Positive drug screens
25	Failed Drug screen, failure to attend treatment
26	Failure to attend treatment.
27	Positive drug screens and not failing to report to probation
28	Failed drug screens. Fail to report.
29	Positive drug screen
30	Failed Drug Screens; Failure to Comply with Treatment; Failure to Pay Fees; Failure to Report/Absconded
31	Heavy Drug Use
32	failure to report, failed drug screens, failure to comply with treatment services
33	failed drug tests; failed to appear for appointments
34	Positive drug screens - multiple- for meth.

35	Treatment failure
36	positive drug screens, failure to comply with treatment
37	Positive drug screens. Mostly Meth

Q36. In the past year, how much or little change has there been in the number of probationers who require services?

Answer Choices	Responses	
A great deal	27.91%	12
A lot	16.28%	7
A moderate amount	37.21%	16
A little	6.98%	3
Do not know	11.63%	5
Total		43

Q37. In the past year, has there been a change in the risk level (based on IRAS scores) of your probationers?



Q38. In the past year, which services or programs, if any, does your department provide directly or through an outside vendor to probationers? (Please select all that apply)

Answer Choices	Responses	
Substance Abuse Treatment	88.37%	38

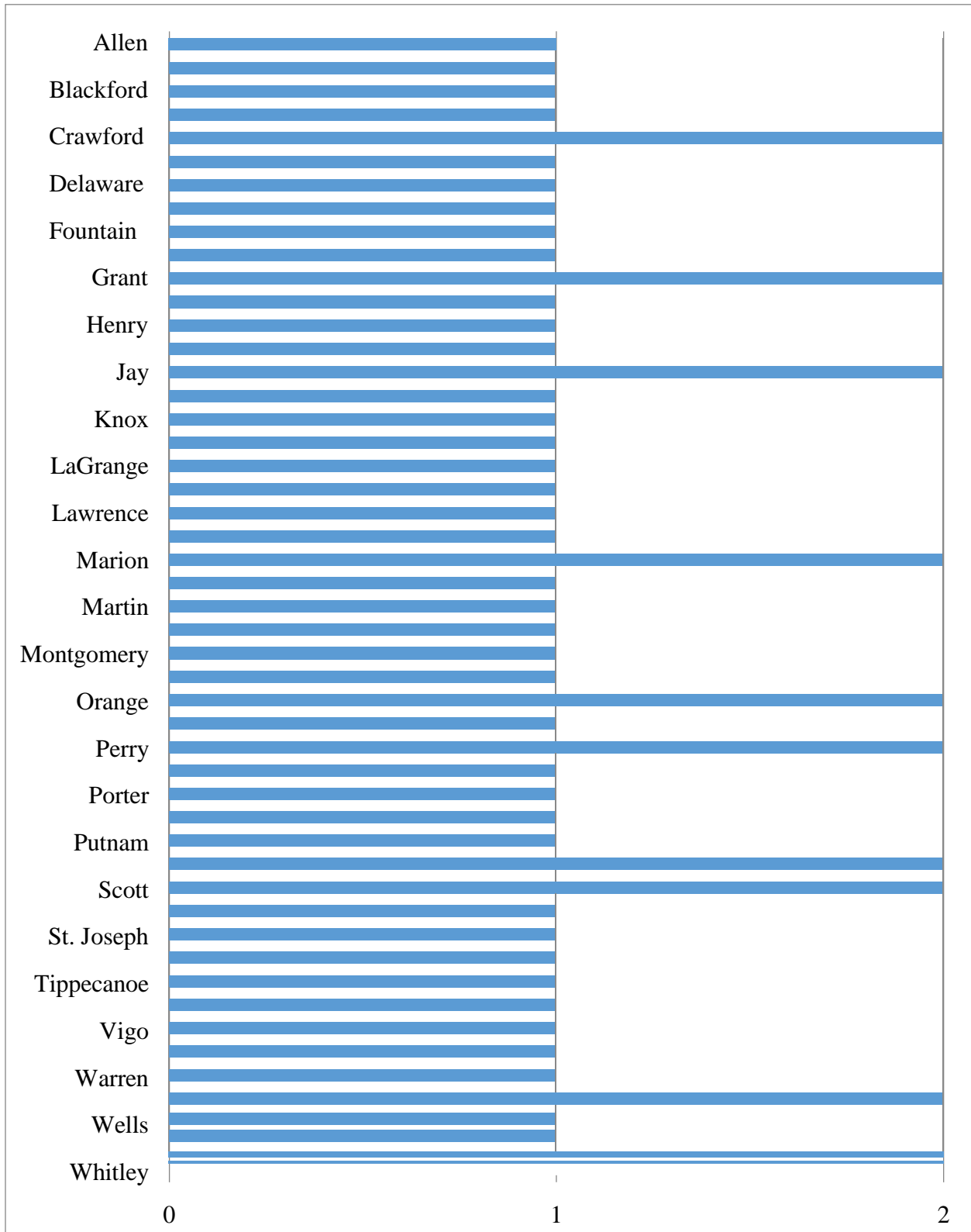
Mental Health Treatment	86.05%	37
Life Skills Curriculum (e.g., Thinking for a Change, Anger Management)	81.40%	35
Employment Assistance/Job Skills Training	58.14%	25
Education	67.44%	29
Re-Entry Services	23.26%	10
Medial Services	6.98%	3
Food and Clothing Assistance	34.88%	15
Transportation Assistance	32.56%	14
Housing/Homelessness Services	39.53%	17
Linkages to Community Resources (Non-Agency)	44.19%	19
None	4.65%	2
Do not know	2.33%	1
Other (please specify)	2.33%	1
Total		43

Q39. In the past year, which services or programs, if any, do probationers have difficulty obtaining? (Please select all that apply)

Answer Choices	Responses	
Substance Abuse Treatment	25.58%	11
Mental Health Treatment	53.49%	23
Medical care	32.56%	14
Life Skills Curriculum (e.g., Thinking for a Change, Anger Management)	11.63%	5
Employment Assistance/Job Skills Training	34.88%	15
Education	4.65%	2
Re-Entry Services	27.91%	12
Food and Clothing Assistance	20.93%	9
Transportation Assistance	67.44%	29
Housing/Homelessness Services	79.07%	34
Linkages to Community Resources (Non-Agency)	9.30%	4
None	0.00%	0
Other (please specify)	4.65%	2
Total		43

Community Corrections

Q40. Which county or counties does your office serve?



Q41. What is the average caseload across all case managers in your office? If you are unsure, please leave the textbox blank. Example: 200

Respondents	Responses
1	40
2	29
3	509
4	90
5	65
6	30
7	40
8	35
9	15
10	50-60
11	115
12	25
13	80
14	25
15	35
16	25
17	80
18	36
19	35
20	30
21	14
22	152
23	20
24	50
25	25
26	300
27	40
28	14
29	30
30	35
31	65
32	50
33	35

34	30
35	40
36	28
37	35
38	90
39	25
40	25
41	55
42	50
43	35 -50
44	45

Q42. What is your current caseload? If you are unsure, please leave the textbox blank. Example: 150

Respondents	Responses
1	35
2	N/A
3	46
4	22
5	35
6	35 transfers
7	15
8	50-60
9	120
10	27
11	45
12	0
13	259
14	20
15	1
16	9
17	146
18	38
19	0

20	0
21	40
22	0
23	119
24	107
25	36
26	35
27	25
28	0
29	85
30	22
31	0
32	0
33	175
34	34
35	45

Q43. Have case managers' average caseloads changed in the past year?

Answer Choices	Responses	
Yes, decreased	18.75%	9
Yes, increased	45.83%	22
No change	33.33%	16
Do not know	2.08%	1
Total		48

Q44. In the past year, how much or little change in average caseload have your case managers experienced?

Answer Choices	Responses	
A great deal	28.57%	8
A lot	17.86%	5
A moderate amount	32.14%	9
A little	21.43%	6
Do not know	0.00%	0
Total		28

Q45. How much or little of this change can be attributed to level 6 felony offenders?

Answer Choices	Responses
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A great deal	25.00%	7
A lot	7.14%	2
A moderate amount	32.14%	9
A little	28.57%	8
None at all	3.57%	1
Do not know	3.57%	1
Total		28

Q46. What is the average length of supervision for your clients? If you are unsure, please leave the textbox blank.

Respondents	Responses
1	1 year
2	130
3	About 90 days
4	18 month
5	1 year
6	136 days average between House Arrest and Day Reporting from 9/19/18-9/9/19
7	120 days
8	2.5 years
9	100 days
10	120 days
11	131
12	202
13	87 days
14	249 days
15	1 year
16	180
17	6-8 months
18	180 Days
19	Year and half
20	Approximately 12 months.
21	180 days
22	101
23	148 Days
24	45 days
25	1 year
26	One year
27	117 for felons
28	120 days
29	1 year

30	6 months
31	70

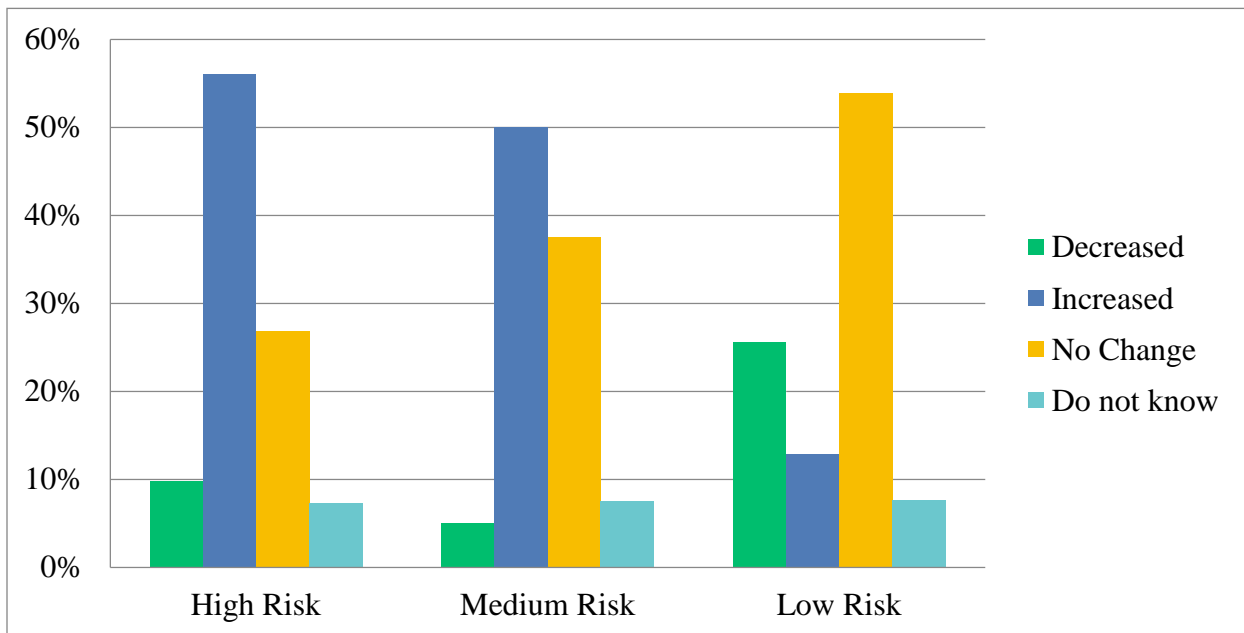
Q47. In the past year, has the average length of supervision for your clients changed?

Answer Choices	Responses	
Yes, decreased	16.67%	7
Yes, increased	40.48%	17
No change	33.33%	14
Do not know	9.52%	4
Total		42

Q48. In the past year, how much or little change has there been in average length of supervision?

Answer Choices	Responses	
A great deal	12.00%	3
A lot	12.00%	3
A moderate amount	44.00%	11
A little	32.00%	8
Do not know	0.00%	0
Total		25

Q49. In the last year, has there been a change in the risk level (based on IRAS scores) of your clients?



Q50. In the past year, has there been a change in the number of clients who require services?

Answer Choices	Responses	
Yes, a decrease	2.44%	1
Yes, an increase	82.93%	34
No change	14.63%	6
Do not know	0.00%	0
Total		41

Q51. In the past year, how much or little change has there been in the number of clients who require services?

Answer Choices	Responses	
A great deal	28.57%	10
A lot	25.71%	9
A moderate amount	31.43%	11
A little	14.29%	5
Do not know	0.00%	0
Total		35

Q52. In the past year, which services or programs, if any, does your office provide directly or through an outside vendor to clients? (Please select all that apply)

Answer Choices	Responses	
Substance Abuse Treatment	97.56%	40
Mental Health Treatment	90.24%	37
Life Skills Curriculum (e.g., Thinking for a Change, Anger Management)	90.24%	37
Employment Assistance/Job Skills Training	92.68%	38
Education	80.49%	33
Re-Entry Services	51.22%	21
Food and Clothing Assistance	75.61%	31
Medical services	58.54%	24
Transportation Assistance	48.78%	20
Housing/Homelessness Services	60.98%	25
Linkages to Community Resources (Non-Agency)	82.93%	34
None	0.00%	0
Do not know	0.00%	0
Other (please specify)	7.32%	3
Total		41

Q53. In the past year, which services or programs, if any, do clients have difficulty obtaining for reasons such as lack of availability or affordability? (Please select all that apply)

Answer Choices	Responses	
Substance Abuse Treatment	51.22%	21
Mental Health Treatment	63.41%	26
Life Skills Curriculum (e.g., Thinking for a Change, Anger Management)	2.44%	1
Employment Assistance/Job Skills Training	12.20%	5
Education	17.07%	7
Re-Entry Services	9.76%	4
Food and Clothing Assistance	12.20%	5
Medical services	31.71%	13
Transportation Assistance	60.98%	25
Housing/Homelessness Services	70.73%	29
Linkages to Community Resources (Non-Agency)	2.44%	1
None	0.00%	0
Do not know	2.44%	1
Other (please specify)	4.88%	2
Total		41

Parole

Q54. Which Parole District do you serve?

Answer Choices	Responses	
District 4A	25.00%	1
District 6	25.00%	1
District 7	50.00%	2
Total		4

Q55. What is the average caseload across all parole officers in your office? If you are unsure, please leave the textbox blank. Example: 200

Respondents	Responses
1	50
2	55
3	50
4	60

Q56. What is your current caseload? If you are unsure, please leave the textbox blank. Example: 150

Respondents	Responses
1	60

Q57. Have parole officers' average caseloads changed in the past year?

Answer Choices	Responses	
Yes, decreased	50.00%	2

Yes, increased	25.00%	1
No change	25.00%	1
Do not know	0.00%	0
Total		4

Q58. In the past year, how much or little change in average caseload has your office experienced?

Answer Choices	Responses	
A great deal	0.00%	0
A lot	0.00%	0
A moderate amount	33.33%	1
A little	66.67%	2
Do not know	0.00%	0
Total		3

Q59. In the past year, has your office experienced a change in the number of offenders being granted parole?

Answer Choices	Responses	
Yes, a decrease	25.00%	1
Yes, an increase	0.00%	0
No change	25.00%	1
Do not know	50.00%	2
Total		4

Q60. In the past year, how much or little change has there been in the number of offenders being granted parole?

Answer Choices	Responses	
A great deal	0.00%	0
A lot	100.00%	1
A moderate amount	0.00%	0
A little	0.00%	0
Do not know	0.00%	0
Total		1

Q61. In the past year, has the number of parole violations changed?

Answer Choices	Responses	
Yes, decreased	25.00%	1
Yes, increased	50.00%	2
No change	0.00%	0
Do not know	25.00%	1
Total		4

Q62. In the past year, how much or little change has there been in the number of parole violations?

Answer Choices	Responses	
A great deal	0.00%	0
A lot	0.00%	0
A moderate amount	66.67%	2
A little	33.33%	1
Do not know	0.00%	0
Total		3

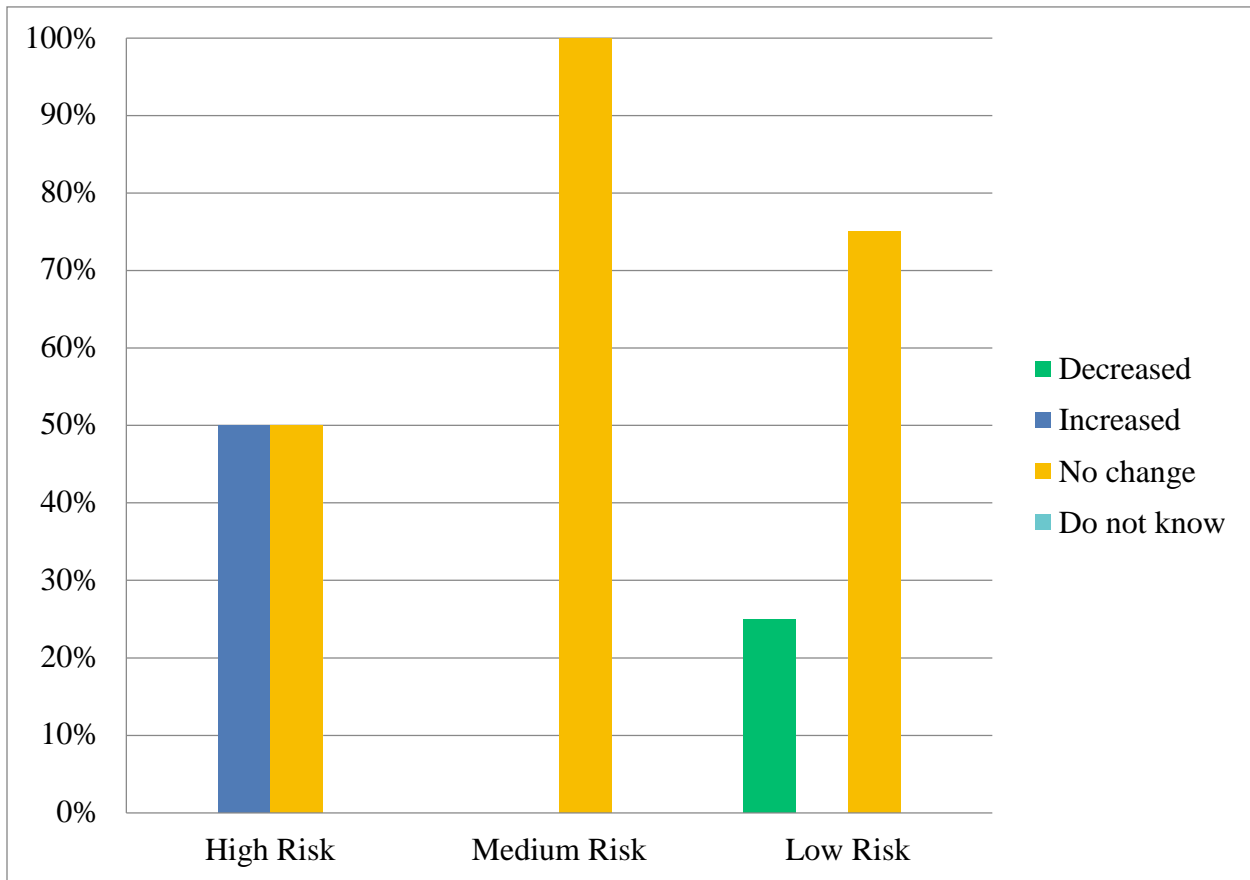
Q63. Which type of violation accounts for most parole violations in the past year?

Answer Choices	Responses	
Technical violation	75.00%	3
New offense	25.00%	1
Absconded or FTA	0.00%	0
Other (please specify)	0.00%	0
Total		4

Q64. Please list the most common technical violations you have seen in the past year. If you are unsure, please leave the textbox blank.

Respondents	Responses
1	positive drugs screens; failure to comply with treatment
2	Drug use, failure to report, unauthorized change of residence
3	Drug use. Failure to comply with instructions. Failure to report.
4	Drug Related

Q65. In the past year, has there been a change in the risk level (based on IRAS scores) of your offenders?



Q66. In the past year, have you noticed a change in the number of parolees who require services?

Answer Choices	Responses	
Yes, a decrease	0.00%	0
Yes, an increase	100.00%	4
No change	0.00%	0
Do not know	0.00%	0
Total		4

Q67. In the past year, how much or little change has there been in the number of parolees who require services?

Answer Choices	Responses	
A great deal	25.00%	1
A lot	25.00%	1
A moderate amount	50.00%	2
A little	0.00%	0
Do not know	0.00%	0
Other (please specify)	0.00%	0
Total		4

Q68. In the past year, which services or programs, if any, does your parole office provide directly or through an outside vendor to parolees? (Please select all that apply)

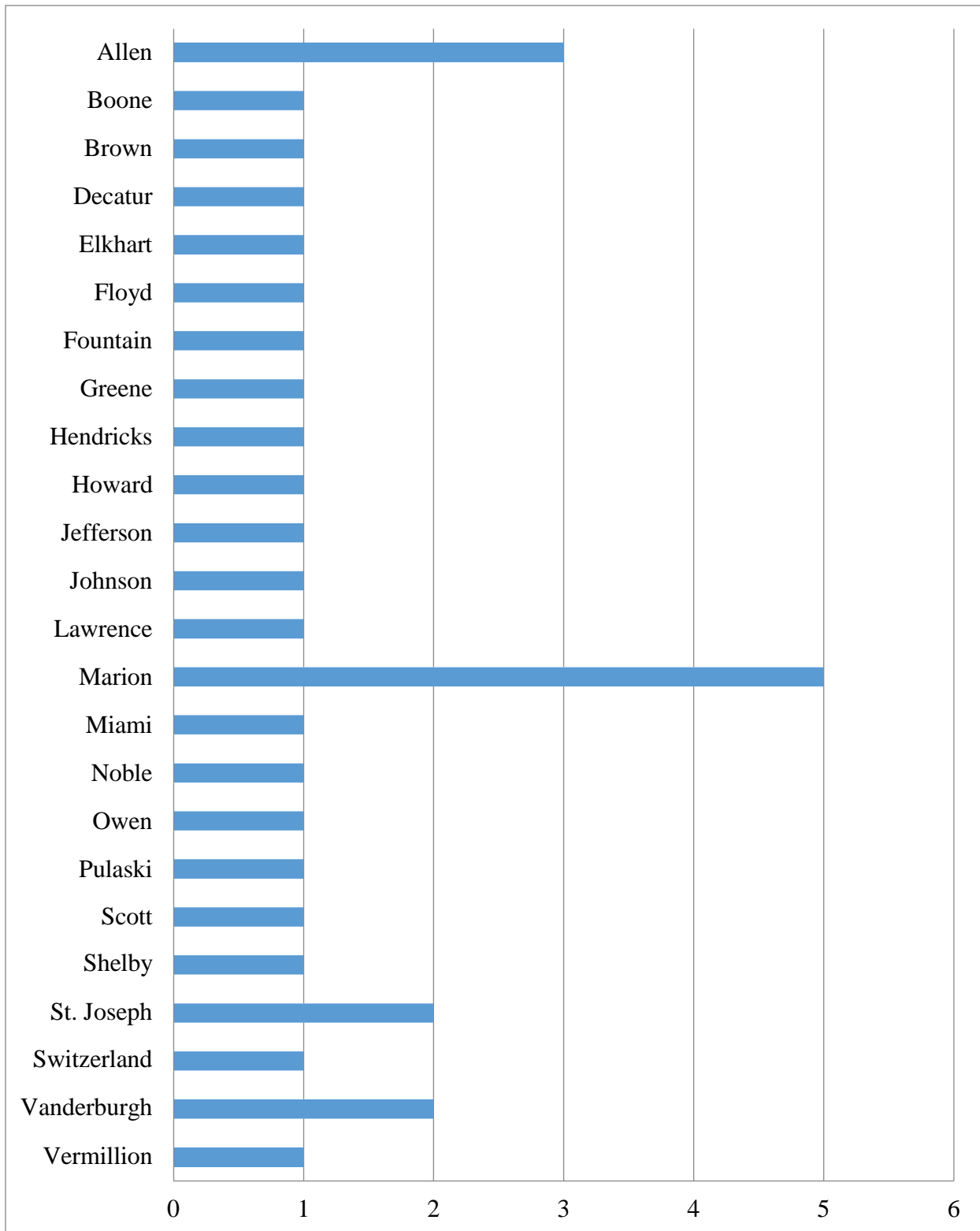
Answer Choices	Responses	
Substance Abuse Treatment	75.00%	3
Mental Health Treatment	75.00%	3
Life Skills Curriculum (e.g., Thinking for a Change, Anger Management)	75.00%	3
Employment Assistance/Job Skills Training	100.00%	4
Education	75.00%	3
Re-Entry Services	50.00%	2
Food and Clothing Assistance	75.00%	3
Transportation Assistance	50.00%	2
Housing/Homelessness Services	75.00%	3
Linkages to Community Resources (Non-Agency)	25.00%	1
None	0.00%	0
Do not know	0.00%	0
Other (please specify)	25.00%	1
Total		4

Q69. In the past year, which services or programs, if any, have parolees had difficulty obtaining for reasons such as lack of availability or affordability? (Please select all that apply)

Answer Choices	Responses	
Substance Abuse Treatment	75.00%	3
Mental Health Treatment	100.00%	4
Life Skills Curriculum (e.g., Thinking for a Change, Anger Management)	0.00%	0
Employment Assistance/Job Skills Training	0.00%	0
Education	0.00%	0
Re-Entry Services	0.00%	0
Food and Clothing Assistance	0.00%	0
Transportation Assistance	50.00%	2
Housing/Homelessness Services	25.00%	1
Linkages to Community Resources (Non-Agency)	0.00%	0
None	0.00%	0
Do not know	0.00%	0
Other (please specify)	25.00%	1
Total		4

Judiciary

Q70. What county does your agency serve?



Q71. Does your county have one or more problem-solving courts?

Answer Choices	Responses	
Yes	78.13%	25
No	21.88%	7
Total		32

Q72. To what extent are problem-solving courts meeting the needs of defendants in your county?
 Example: Selecting "all" means problem solving courts are meeting all the needs of defendants.
 Selecting "none" means problem solving courts are not meeting any needs of defendants.

Answer Choices	Responses	
All	4.00%	1
Most	32.00%	8
Some	52.00%	13
A few	12.00%	3
None	0.00%	0
Total		25

Q73. Has the number of defendants served by problem-solving courts changed in the past year?

Answer Choices	Responses	
Yes, decreased	12.00%	3
Yes, increased	48.00%	12
No change	8.00%	2
Do not know	32.00%	8
Total		25

Q74. In the past year, how much or little change has there been in the number of defendants served by problem-solving court?

Answer Choices	Responses	
A great deal	6.67%	1
A lot	6.67%	1
A moderate amount	53.33%	8
A little	26.67%	4
Do not know	6.67%	1
Total		15

Q75. In the past year, has there been a change in the number of requests for sentence modifications?

Answer Choices	Responses	
Yes, a decrease	9.38%	3
Yes, an increase	34.38%	11
No change	37.50%	12
Do not know	18.75%	6

Total		32
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Q76. In the past year, how much or little change has there been in the number of requests for sentence modifications?

Answer Choices	Responses	
A great deal	7.69%	1
A lot	15.38%	2
A moderate amount	53.85%	7
A little	15.38%	2
Do not know	7.69%	1
Total		13

Q77. In the past year, has there been a change in the number of plea agreements?

Answer Choices	Responses	
Yes, a decrease	6.67%	2
Yes, an increase	23.33%	7
No change	56.67%	17
Do not know	13.33%	4
Total		30

Q78. In the past year, how much or little change has there been in the number of plea agreements?

Answer Choices	Responses	
A great deal	22.22%	2
A lot	33.33%	3
A moderate amount	11.11%	1
A little	33.33%	3
Do not know	0.00%	0
Total		9

Q79. In the past year, has there been a change in the number of felony level 6 cases?

Answer Choices	Responses	
Yes, a decrease	3.45%	1
Yes, an increase	58.62%	17
No change	20.69%	6
Do not know	17.24%	5
Total		29

Q80. In the past year, how much or little change has there been in the number of felony level 6 cases?

Answer Choices	Responses	
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A great deal	16.67%	3
A lot	11.11%	2
A moderate amount	61.11%	11
A little	11.11%	2
Do not know	0.00%	0
Total		18

Q81. In the past year, has there been a change in the number of defendants who require services?

Answer Choices	Responses	
Yes, a decrease	0.00%	0
Yes, an increase	68.97%	20
No change	13.79%	4
Do not know	17.24%	5
Total		29

Q82. In the past year, how much or little change has there been in the number of defendants who require services?

Answer Choices	Responses	
A great deal	25.00%	5
A lot	25.00%	5
A moderate amount	45.00%	9
A little	5.00%	1
Do not know	0.00%	0
Total		20

Q83. In the past year, which services or programs, if any, does your court offer either directly or through an outside vendor to defendants? (Please select all that apply)

Answer Choices	Responses	
Substance Abuse Treatment	93.10%	27
Mental Health Treatment	82.76%	24
Life Skills Curriculum (e.g., Thinking for a Change, Anger Management)	86.21%	25
Employment Assistance/Job Skills Training	41.38%	12
Education	44.83%	13
Re-Entry Services	34.48%	10
Food and Clothing Assistance	10.34%	3
Transportation Assistance	17.24%	5
Housing/Homelessness Services	20.69%	6
Linkages to Community Resources (Non-Agency)	48.28%	14
None	3.45%	1
Do not know	0.00%	0

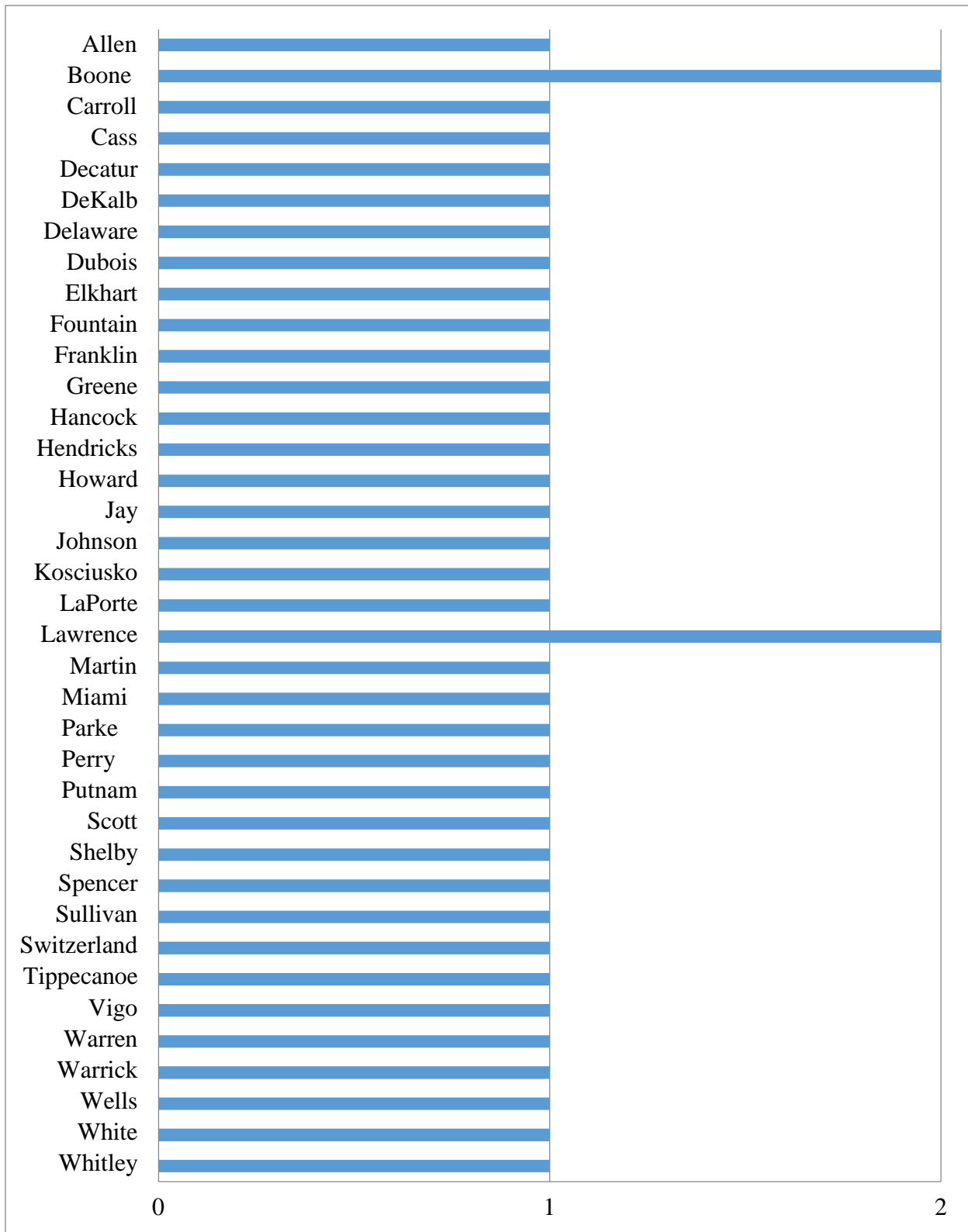
Other (please specify)	10.34%	3
Total		29

Q84. In the past year, which services or programs, if any, have defendants had difficulty obtaining for reasons such as availability and affordability? (Please select all that apply)

Answer Choices	Responses	
Substance Abuse Treatment	62.07%	18
Mental Health Treatment	65.52%	19
Life Skills Curriculum (e.g., Thinking for a Change, Anger Management)	34.48%	10
Employment Assistance/Job Skills Training	34.48%	10
Education	27.59%	8
Re-Entry Services	24.14%	7
Food and Clothing Assistance	20.69%	6
Transportation Assistance	48.28%	14
Housing/Homelessness Services	55.17%	16
Linkages to Community Resources (Non-Agency)	17.24%	5
None	6.90%	2
Do not know	10.34%	3
Other (please specify)	10.34%	3
Total		29

Prosecution

Q85. What county does your office serve?



Q86. What was the average number of cases for deputy prosecuting attorneys in your office for calendar year 2018? If you are unsure, please leave the textbox blank.

Respondents	Responses
1	800
2	250
3	95
4	200
5	250
6	350
7	400
8	1800
9	680, not including cases under review, probation violation, etc
10	350 adult cases per part-time deputy
11	600
12	250
13	1124.25
14	140

Q87. What is your current number of cases? If you are unsure, please leave the textbox blank.

Respondents	Responses
1	800
2	3000
3	94
4	75
5	90
6	20
7	1268
8	1000
9	250
10	750
11	2200
12	350
13	600
14	125

Q88. Have deputy prosecuting attorneys' average caseloads changed in the past year?

Answer Choices	Responses	
Yes, decreased	2.56%	1
Yes, increased	71.79%	28
No change	10.26%	4
Do not know	15.38%	6
Total		39

Q89. In the past year, has there been a change in the number of felony level 6 cases handled by your office?

Answer Choices	Responses	
Yes, a decrease	0.00%	0
Yes, an increase	71.79%	28
No change	15.38%	6
Do not know	12.82%	5
Total		39

Q90. In the past year, how much or little change has there been in the number of felony level 6 cases handled by your office?

Answer Choices	Responses	
A great deal	14.29%	4
A lot	39.29%	11
A moderate amount	39.29%	11
A little	7.14%	2
Do not know	0.00%	0
Total		28

Q91. Do prosecutors specialize in specific types of cases (e.g., exclusively higher level felony cases F1-5, low level felony cases F6, and misdemeanor cases) at your office?

Answer Choices	Responses	
Yes	66.67%	26
No	33.33%	13
Do not know	0.00%	0
Total		39

Q92. When did prosecutors begin specializing in specific types of cases at your office?

Answer Choices	Responses	
Before July 1, 2014	76.92%	20
Since July 1, 2015	0.00%	0
Since July 1, 2016	3.85%	1
Since July 1, 2017	7.69%	2
Since July 1, 2018	7.69%	2
Since July 1, 2019	3.85%	1
Total		26

Q93. In the past year, has there been a change in the number of requests for sentence modifications?

Answer Choices	Responses	
Yes, a decrease	5.13%	2
Yes, an increase	41.03%	16
No change	33.33%	13

Do not know	20.51%	8
Total		39

Q94. In the past year, how much or little change has there been in the number of requests for sentence modifications?

Answer Choices	Responses	
A great deal	11.11%	2
A lot	27.78%	5
A moderate amount	50.00%	9
A little	11.11%	2
Do not know	0.00%	0
Total		18

Q95. In the past year, has there been a change in the number of plea agreements?

Answer Choices	Responses	
Yes, a decrease	5.13%	2
Yes, an increase	17.95%	7
No change	64.10%	25
Do not know	12.82%	5
Total		39

Q96. In the past year, how much or little change has there been in the number of plea agreements?

Answer Choices	Responses	
A great deal	0.00%	0
A lot	37.50%	3
A moderate amount	37.50%	3
A little	12.50%	1
Do not know	12.50%	1
Total		8

Q97. In your opinion, has recidivism changed in the past year? (Please explain)

Respondents	Responses
1	No
2	It seems constantly high
3	It appears that it has, however our county does not have reliable data to know for sure. Anecdotally, it appears that we have had a notable increase in offenders committing new offenses while they

	are out of custody. pre-trial, as well as within three years of their release from supervision.
4	I believe that recidivism is up. A person gets arrested. They get released by the court pending trial and then get arrested for reoffending. Over and over again. Offenders on level 6 felonies can't go to DOC so they get probated sentences. They then reoffend.
5	Recidivism in drug offenses, with and/or without substance abuse counseling, has increased
6	No. With out Meth problem influencing a majority of our criminal cases, the recidivism has been consistent.
7	Recidivism has steadily increased since the revamp of the criminal code in 2014.
8	It has increased, especially in low level offenders. We need a habitual misdemeanant enhancement.
9	No noticeable change to report.
10	Potentially. We are filing more habitual enhancements to combat the recidivism of the higher level offenders. We have a lot of recidivism from those going to our community correction program and escaping.
11	No, we still see many of the same people cycle in and out of our courts.
12	Offenders who attend Recovery While Incarcerated at DOC largely are successful. Offenders who are released to local supervision seem to have a far worse success rate.
13	No noticeable change.
14	no
15	No
16	No
17	yes, increased due to substance or mental health issues
18	yes, increased.
19	Increased due to an increase in the number of repeat drug offenses. The court system has become a revolving door of people with drug addictions frequently the same people until the overdose and die or develop medical complications or get incarcerated elsewhere.
20	Yes, increased due to pre-trial release and subsequent re-arrest.
21	1. one year is too short a window for 2014 changes; 2. no. recidivism is up since 2014. Because they aren't contained, they keep offending, amassing 3-5 cases before we finish. And LOTS of probation violations
22	Has gotten worse
23	Yes, those with history of opiate addiction have switched to methamphetamine.
24	Recidivism seems to be decreasing. We often see more violations due to substance use and not the commission of a new crime.

25	seems worse
26	No, not at all.
27	no
28	No
29	I don't have access to the statistics necessary to accurately answer the question. It seems like there is more recidivism. The fact that overall case filings are up would seem to support that, especially since the population of the county is slowly decreasing over time.
30	Recidivism is still a problem. Our county has a problem with methamphetamine, and not incarcerating the people using meth is only making repeat offending worse. Methamphetamine users do not only use drugs, they are also the people burglarizing houses, committing thefts, battering their spouses, etc. We attempt to get most meth users into a rehab program, but some of these people do not want help and when we can't lock them up for their transgressions crime only gets worse in our county.
31	No
32	Recidivism is a tricky word but I would say more offenders means more repeat offenders.

Q98. In the past year, has there been a change in number of defendants who require services, such as substance abuse and/or mental health treatment?

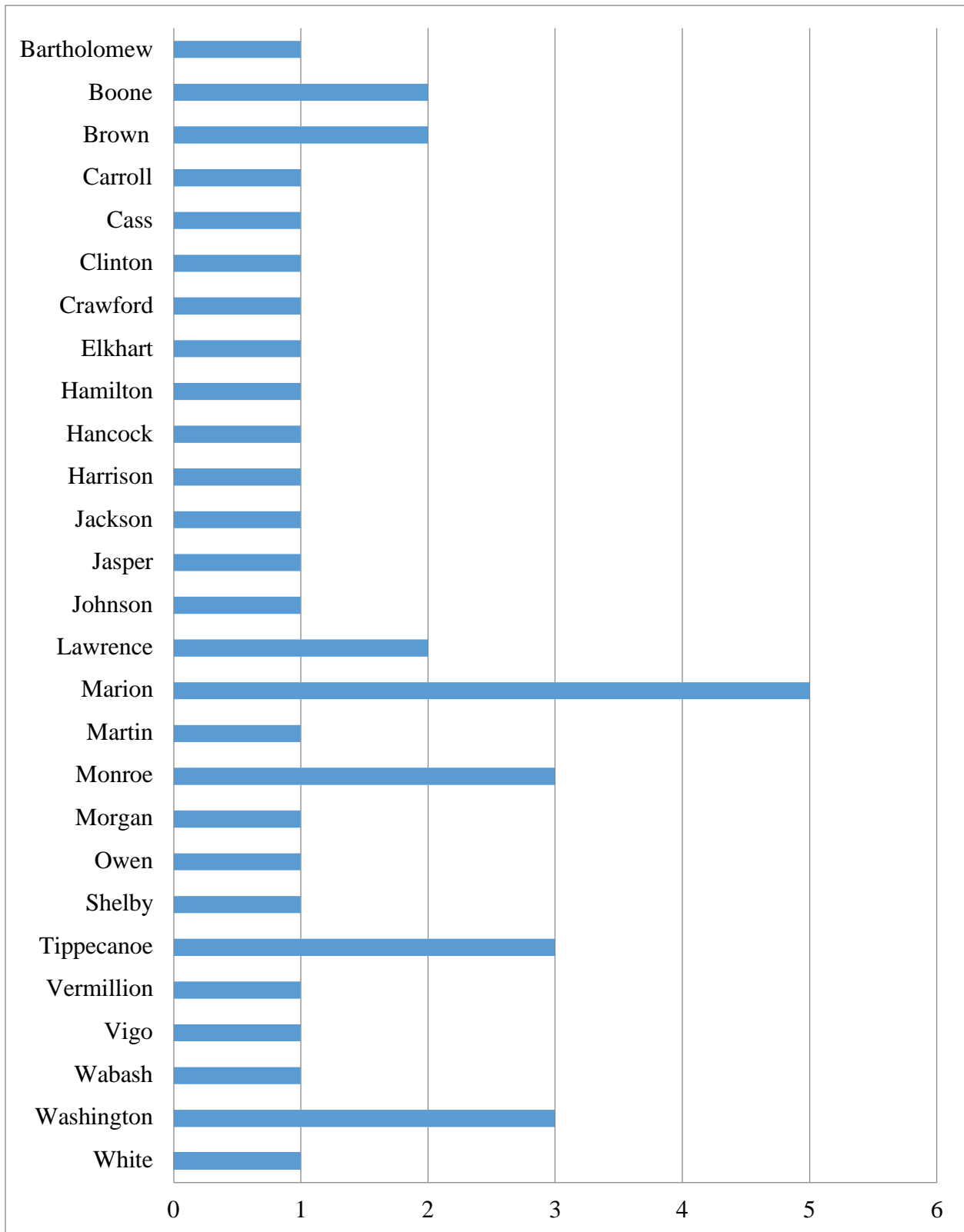
Answer Choices	Responses	
Yes, a decrease	0.00%	0
Yes, an increase	71.05%	27
No change	23.68%	9
Do not know	5.26%	2
Total		38

Q99. In the past year, how much or little change has there been in the number of defendants who require services, such as substance abuse and/or mental health treatment?

Answer Choices	Responses	
A great deal	29.63%	8
A lot	44.44%	12
A moderate amount	18.52%	5
A little	3.70%	1
Do not know	3.70%	1
Total		27

Public Defense

Q100. Which county or counties does your office serve?



Q101. What was the average number of cases for a single public defender in your office for calendar year 2018? If you are unsure, please leave the textbox blank.

Respondents	Responses
1	20
2	75
3	commission controlled
4	I am appointed ONLY as a special public defender in three counties
5	200
6	it depends on the level - misdemeanor attys can have as many as 700-100 cases / year; major felony attys have probably 60-100 / year
7	120
8	20
9	500

Q102. What is your current number of cases? If you are unsure, please leave the textbox blank.

Respondents	Responses
1	20
2	75
3	78
4	125
5	113
6	3
7	private criminal cases - about 25 and PD cases appointed now 1
8	250
9	35
10	29
11	85
12	12
13	100

Q103. Have public defenders' average caseloads changed in the past year?

Answer Choices	Responses	
Yes, decreased	0.00%	0
Yes, increased	52.00%	13
No change	16.00%	4
Do not know	32.00%	8
Total		25

Q104. In the past year, how much or little change in average caseload has your office experienced?

Answer Choices	Responses
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A great deal	18.18%	2
A lot	18.18%	2
A moderate amount	63.64%	7
A little	0.00%	0
Do not know	0.00%	0
Total		11

Q105. To what extent has your office been able to meet the needs of defendants? Example: Selecting "all" means the office is meeting all the needs of defendants. Selecting "none" means the office is not meeting any needs of defendants.

Answer Choices	Responses	
All	13.64%	3
Most	68.18%	15
Some	18.18%	4
A few	0.00%	0
None	0.00%	0
Total		22

Q106. In the past year, has there been a change in the number of requests for sentence modifications?

Answer Choices	Responses	
Yes, a decrease	0.00%	0
Yes, an increase	36.36%	8
No change	27.27%	6
Do not know	36.36%	8
Total		22

Q107. In the past year, how much or little change has there been in the number of requests for sentence modifications?

Answer Choices	Responses	
A great deal	12.50%	1
A lot	62.50%	5
A moderate amount	12.50%	1
A little	12.50%	1
Do not know	0.00%	0
Total		8

Q108. In the past year, has there been a change in the number of plea agreements?

Answer Choices	Responses	
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Yes, a decrease	13.64%	3
Yes, an increase	13.64%	3
No change	59.09%	13
Do not know	13.64%	3
Total		22

Q109. In the past year, how much or little change has there been in the number of plea agreements?

Answer Choices	Responses	
A great deal	0.00%	0
A lot	16.67%	1
A moderate amount	66.67%	4
A little	0.00%	0
Do not know	16.67%	1
Total		6

Q110. Do public defenders specialize in specific types of cases (e.g., exclusively higher level felony cases F1-5, low level felony cases F6, and misdemeanor cases) at your office?

Answer Choices	Responses	
Yes	36.36%	8
No	45.45%	10
Do not know	18.18%	4
Total		22

Q111. When did public defenders begin specializing in specific types of cases at your office?

Answer Choices	Responses	
Before July 1, 2014	62.50%	5
Since July 1, 2015	0.00%	0
Since July 1, 2016	12.50%	1
Since July 1, 2017	0.00%	0
Since July 1, 2018	0.00%	0
Since July 1, 2019	0.00%	0
Do not know	25.00%	2
Total		8

Q112. In the past year, has there been a change in the number of defendants who require specific services such as substance abuse and/or mental health treatment?

Answer Choices	Responses	
Yes, a decrease	0.00%	0
Yes, an increase	90.00%	18
No change	5.00%	1

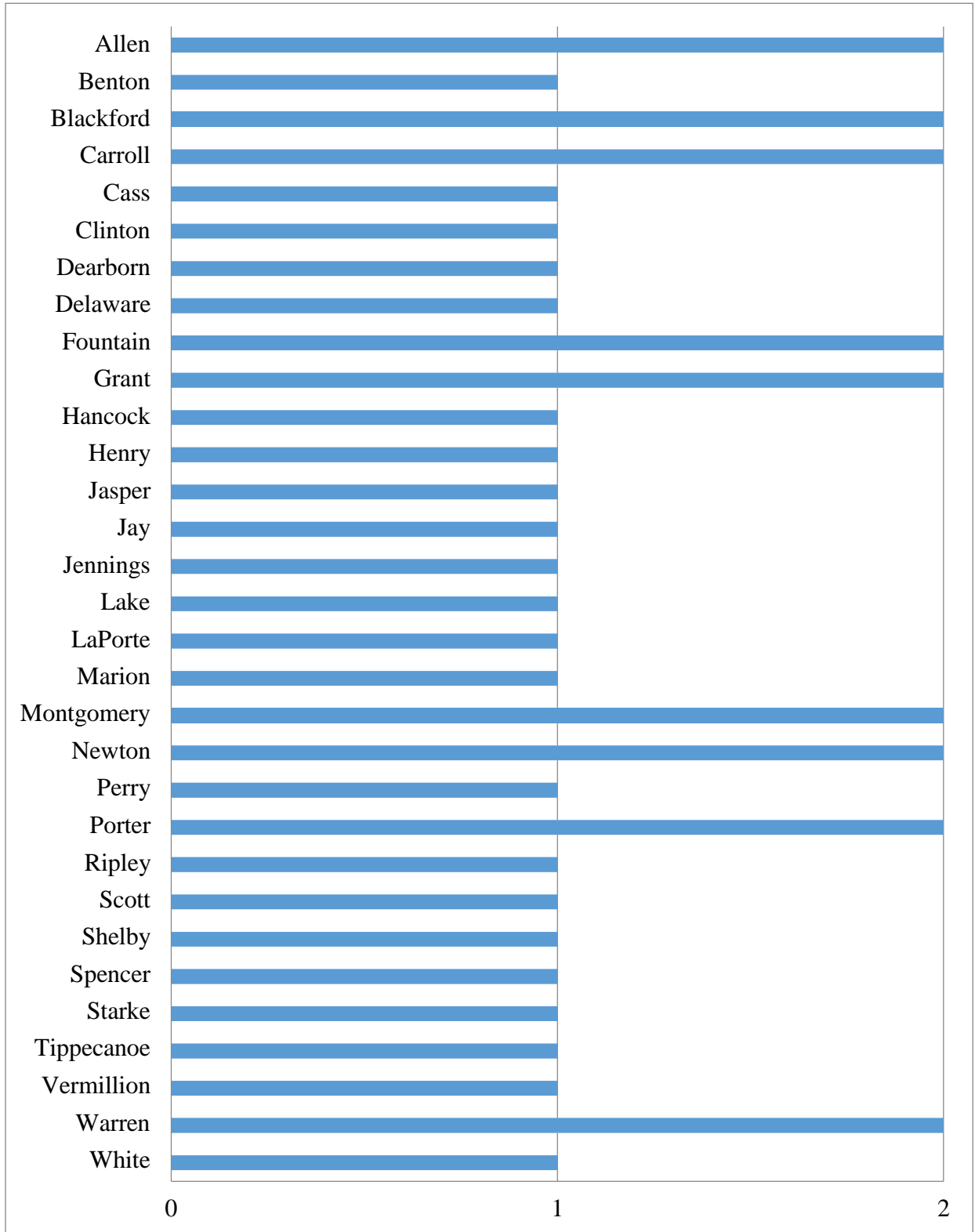
Do not know	5.00%	1
Total		20

Q113. In the past year, how much or little change has there been in in the number of defendants who require specific services, such as substance abuse and/or mental health treatment?

Answer Choices	Responses	
A great deal	44.44%	8
A lot	33.33%	6
A moderate amount	16.67%	3
A little	5.56%	1
Do not know	0.00%	0
Total		18

Community Service Providers

Q114. What county or counties does your agency serve?



Q115. A criminal justice-involved client is any client who is under the supervision of probation.

parole, community corrections, or other legal/court/diversion program(s). In the past year, has there been a change in the number of referrals from criminal justice agencies requesting that your agency provide services for criminal justice-involved clients?

Answer Choices	Responses	
Yes, a decrease	12.50%	3
Yes, an increase	41.67%	10
No change	20.83%	5
Do not know	25.00%	6
Total		24

Q116. In the past year, how much or little change has there been in the number of referrals?

Answer Choices	Responses	
A great deal	9.09%	2
A lot	18.18%	4
A moderate amount	22.73%	5
A little	13.64%	3
Do not know	36.36%	8
Total		22

Q117. Forensic programming refers to programming that specifically targets your criminal justice-involved clients. Does your agency have forensic programming that specifically addresses the needs of your criminal justice-involved clients?

Answer Choices	Responses	
Yes	27.27%	6
No	45.45%	10
Do not know	27.27%	6
Total		22

Q118. How does your agency fund its forensic program(s)?

Answer Choices	Responses	
Client's public and/or private insurance (including but not limited to Medicaid, Medicare, and HIP 2.0)	83.33%	5
Client out of pocket fees	66.67%	4
Recovery Works	83.33%	5
Other FSSA administered funding	16.67%	1
Department of Child Services funding	100.00%	6
Justice Reinvestment Advisory Council (JRAC) grant funds	0.00%	0
Local Funds	33.33%	2
Do not know	0.00%	0
Other (please specify)	33.33%	2
Total		6

Q119. In the past year, has funding been sufficient to carry out the mission of your forensic programming?

Answer Choices	Responses	
Yes	33.33%	2
No	50.00%	3
Do not know	16.67%	1
Total		6

Q120. In the past year, has your agency had enough staff to meet the needs of your criminal justice-involved clients?

Answer Choices	Responses	
Yes	59.09%	13
Yes, staff has increased	0.00%	0
No	27.27%	6
Do not know	13.64%	3
Total		22

Q121. In the past year, has there been a change in the overall intensity of services (e.g., the level of need, frequency of contact, and number of services required to meet the needs of the client) for your criminal justice-involved clients?

Answer Choices	Responses	
Yes, a decrease	0.00%	0
Yes, an increase	45.45%	10
No change	31.82%	7
Do not know	22.73%	5
Total		22

Q122. In the past year, which service or services, if any, does your agency directly provide to criminal justice-involved clients? (Please select all that apply)

Answer Choices	Responses	
Substance Abuse Treatment	50.00%	11
Mental Health Treatment	36.36%	8
Life Skills Curriculum (e.g., Thinking for a Change, Anger Management)	40.91%	9
Employment Assistance/Job Skills Training	13.64%	3
Education	22.73%	5
Re-Entry Services	9.09%	2
Food and Clothing Assistance	4.55%	1
Medical services	13.64%	3
Transportation Assistance	9.09%	2

Housing/Homelessness Services	13.64%	3
Linkages to Community Resources (Non-Agency)	36.36%	8
None	9.09%	2
Other (please specify)	40.91%	9
Total		22

Q123. In the past year, which services or programs, if any, do your criminal justice involved clients have difficulty obtaining for reasons such as lack of availability or affordability? (Please select all that apply)

Answer Choices	Responses	
Substance Abuse Treatment	36.36%	8
Mental Health Treatment	36.36%	8
Life Skills Curriculum (e.g., Thinking for a Change, Anger Management)	9.09%	2
Employment Assistance/Job Skills Training	13.64%	3
Education	9.09%	2
Re-Entry Services	9.09%	2
Food and Clothing Assistance	9.09%	2
Medical services	27.27%	6
Transportation Assistance	40.91%	9
Housing/Homelessness Services	40.91%	9
Linkages to Community Resources (Non-Agency)	4.55%	1
None	0.00%	0
Do not know	36.36%	8
Other (please specify)	9.09%	2
Total		22

Additional Comments

Q124. How effective or ineffective have the purposes of House Enrolled Act 1006 been since initiation in July of 2014?

	Extremely Effective	Very Effective	Somewhat Effective	Not so effective	Not at all effective	Unsure
Reducing crime by promoting rehabilitation of offenders in a community setting	1.41%	4.69%	25.35%	26.29%	21.13%	21.13%
Keeping dangerous offenders in prison by avoiding the use of scarce prison space for nonviolent offenders	1.88%	11.27%	34.27%	16.90%	13.15%	22.54%
Giving judges maximum discretion to impose sentences based on a consideration of all the circumstances related to the offense	6.10%	14.08%	33.80%	14.08%	10.33%	21.60%
Maintaining proportionality of penalties across the criminal code, with like sentences for like crimes	2.82%	10.33%	36.15%	16.43%	9.86%	24.41%
Making lengths of sentences served by offenders more certain for victims	2.35%	12.68%	29.11%	14.55%	14.55%	26.76%
213 Total Respondents						

Q125. Is there anything we did not address in this survey that you would like for us to know about the impact of HEA 1006 on your community?

Respondents	Responses
1	The availability of mental health and substance abuse treatment has not increased in order to support the impact on recidivism that was intended
2	The extensive cost to our community to keep low level offenders in our local facilities and pay for their medical needs is much higher. although the State may be saving some money, the locals are spending a great deal more.
3	Caps for treatment services from recovery works is not helping.
4	By putting all the level 6 folks back in the community. The first thing that happened was the local jail were now full. Then to get the jail numbers down they flowed to community correction. Now our numbers are up but there is no new money for more case managers to handle the increase.

5	Unfortunately, the promotion of rehabilitation within the community (which is a great concept) was not coupled with resources for our community to expand services within the community. So people were and are being released without prompt access to services, defeating the purpose.
6	The decrease in penalties for drug dealers that was imposed in 2014 has had a direct effect on increasing all types of crimes (drugs, thefts, violent crimes, etc.). Until we get control of our drug problem and drug dealers, our crime level is going to continue to increase. I understand the rationale behind decreasing the prison population, but the reality is that some people need to be in prison. I feel like a lot of discretion has been taken from prosecutors. Our office doesn't automatically send everyone to prison. If we choose to write a plea for prison or seek a prison sentence, it's generally someone that we've tried to rehabilitate in the past and it hasn't worked. Some people don't want to be fixed. The code revision has taken away our power to send a lot of people to prison. There have to be consequences for actions, and I feel like the current code doesn't impose severe enough consequences to deter criminal behavior.
7	Giving judges discretion has not resulted in them sentencing the most serious offenders to maximum sentences. Many judges express the opinion that they cannot sentence an offender to the maximum charge, and are concerned their sentences will be overturned on appeal and so do not give victims satisfaction of the longest possible sentence when it is well justified.
8	Yes, the number of level 6 filings has skyrocketed since 2014. Our local jail population increased to the point that we had to build a new jail addition. The reality is that we can't provide the substance abuse and mental health treatment most of our offenders need at the local level. The DOC is better-equipped to do that.
9	1006 put the cart before the horse by pushing offenders down to the local level before creating an infrastructure for treatment. This has resulted in low level offenders being pushed out of jails and back into their circumstances without the changes necessary to rehabilitation. Moreover, the legislature has studiously pursued treatment for opioids, when it was never more than 25% of our drug problem. In the meantime, almost no money has been spent on treating methamphetamine addiction, which is well over 50% of our drug problem. Morale among law enforcement is low because offenders aren't being held accountable, supervised or rehabilitated. Morale in the community is low because the revolving door continues. Morale among local leadership is low because we were forced to build a new jail to accommodate the offenders no longer being housed at DOC. Secondary question: if this was meant to save the State money, why haven't DOC's budget appropriation requests diminished? Why, conversely, have they grown in the past couple years? And why do they have so many empty beds, which could be used for the highly successful Recovery While Incarcerated program? Just wait until we double down by implementing bail reform. It's time to reverse course, not double down.
10	Significantly increased need for local services and increased our jail population.

11	Hate it. So many exceptions that the law as written is not the law as practiced. Difficult to plead out cases because the Court insists on open sentences and defendants want tight ones. Revolving door because people out of control will not be held. Lots of psychotic defendants who are not getting help and are dangerous. Sentences "certain" for victims? EVERY sentence is modified or violated before completed. We spend more time post sentencing than pre-conviction on cases now. It has been a chaotic disaster.
12	Terrible Law, has overpopulated jails, increased repeat offenders since there is no real punishment for them. Cannot get them into DOC where all the proven programs are.
13	It served to "dump" felons on our local jail, which is not equipped nor funded adequately to house them for substantial sentences.
14	Until the State provides sufficient community resources for substance abuse, recidivism will remain high
15	overcrowding in county jails
16	I'm Coordinator for the LCC and this survey doesn't apply to my role
17	need more community resources for F6 offenders; need to make theft a misdemeanor crime in all circumstances; need to make pot possession a misdemeanor offense in all circumstances
18	Court systems taking programmings into their facility to operate does not create a positive resource ongoing for offenders. Courts should leave services to the professionals that are trained to complete these tasks.
19	Number of people languishing in the jail serving a sentence
20	Yes, what has happened after 28 years of experience in this area of law (I also do family law, which is about 45% of my practice) is Defendants don't understand why they have to serve 75% and I think - respectfully - that the Prosecuting Attorney Council really hoodwinked the legislature saying some nonsense (I know this folks who advocated otherwise) that people won't know how to calculate their time (with 2 for 1) so the result is MORE folks going to prison for LONGER or about the same even though the amount of years for the total offenses were reduced. Put another way, the intent of the legislature was perverted by the 75% time for all offense greater than F6 and it is a TERRIBLE mistake.
21	The question about how many cases a public defender has is impossible to answer (how many we were assigned this year, how many new cases we have, how many current cases we have, etc.). This question should be more specific. I cannot easily answer how many cases I have or how many clients I have, without more explanation.
22	Changes results in people serving more time.
23	People are serving longer sentences because of the change in credit time, and the Marion County Prosecutor's Office is over charging the drug cases. There are SO MANY people charged with dealing who are addicts themselves trying to support a habit. The "dealers" end up serving significantly longer sentences than violent offenders in regular major felony court.
24	This has definitely overcrowded our county jails due to the inability to move level 6 felony convictions to the state system.

25	Yes, considering the fact there is an opioid epidemic occurring , our community does not have much money for resources which have resulted in No women housing for individuals in need of a safe place after or before incarceration . Once released for jail, the only option for most all woman is to return to the same environment which encourages negative behavior and substance use. With no option for any other place to stay or live, the cycle will continue.
26	Increase in L6 for jail and probation supervision
27	The decrease in the ability to motivate offenders to receive the services they most need due to the decrease in the penalties. Offenders often choose to just do time in jail or on CC since the time commitment is shorter. They are opting out of problem solving courts and treatment.
28	It has taken awhile for the judges/prosecutors to come around to the idea that sending people to prison is not the only way to deal with these offenders. PACT is now getting more referrals for felons (Mod. to High risk).
29	While an individual may be convicted of a lesser felony offense or even a non-violent offense, it does not gauge their past criminal involvement which may indicate they are a violent or dangerous individual so it takes away a judge's ability to determine appropriate placement in the IDOC for those offenders. It increased our county jail numbers which caused those that would normally be ordered to serve time to be released without executed time. In instances where a victim is involved, they do not understand jail capacity limits and the inability to sentence someone to the IDOC.
30	the recovery works system is a good idea but it is set up totally wrong and there is not enough to treat the people we serve
31	Jail population has exploded. Inmates are serving longer sentences locally with no immediate support or relief given by the State. Felon probation violators often do not qualify for community corrections due to continued non-compliance, drug abuse, and escapes are unable to receive prison sentences despite multiple and frequent failure. This has in-turn put pressure back on the Courts and Probation to provide more service and supervision with no more staff despite the rising caseloads. Allowing the IDOC to be in charge of money for county Probation Departments is beyond ludicrous. DOC staff have neither the experience or understanding of the court system or the supervision provided by it. Its akin to allowing he BMV to preside over funds designated for INDOT because they both work with drivers.
32	We find ourselves explaining and "apologizing" to our community partners for the limitations of Recovery Works and the frequent failures of consumers to qualify for HIP or especially Medicaid. RW is grossly limited and excessively controlled.
33	We need more resources in the community to meet the needs to our Probationer's. We are able to dedicate more time to the Probationer's but the services are just not there.
34	The funding distributed to Comm. Corrections and or local government comes nowhere near the cost of this legislation to local government. You have turned county jails into small prisons with little to no resources to provide needs of offenders.
35	I am new to the judiciary this year so my responses are not as complete. I know that the restrictions on ordering DOC commitments for level 6 offenders has caused repeat level 6 substance offenders to not have the

	opportunity for treatment at DOC. The revised statute may impact this.
36	1. Should ask how many inmates are being housed in other county jails due to overcrowding? Hancock County holding 38 inmates in other counties due to overcrowding. 2. Community Corrections programs are not an effective approach with opiod addicted inmates. Most opiod addicted inmates violate their terms of community corrections and find themselves back in jail to serve out the remainder of sentences in jail, leading to overcrowding of jails.
37	The increase in the jail population for Level 6 offenders. The increased financial burden on the community to provide appropriate supervision with no increase in IDOC grant.
38	We are required to house level 6 inmates in our jail and now that we get this one lump sum average we have lost a great deal of money. I think DOC should go back to housing level 6 inmates.
39	Our county jail is busting at the seams. With the rise in Level 6 cases, those Defendants are taking up all the room at the jail. More people are on probation, and therefore, more Petitions to Revoke are being filed, which leads to more people in jail.
40	For 1006 to be effective there has to be funding and training to go along with it. It is really difficult for probation officers to effect change without the appropriate training, time, and resources. Thank you!
41	The inability of courts to send many Level 6 offenders to DOC following a violation of probation and/or community corrections has adversely impacted county jail numbers.
42	Providing the thought through keeping dangerous felons in prison and not housing level six felons is very misleading. Placing the burden to house "Prisoners" in a county jail which is established to house "Pre-Trial Detainees" and then not compensating them as the statute "Directs" is completely and utterly ridiculous. This move was again used to place the burden on the local government so the state wouldn't have to build more prisons. Reducing the penalty on "Meth". was an example of poor judgement, and we are beginning to see and will continue to see the increase of sales and use.....
43	Probation and local community correction need the money DOC saves to implement more programs. Small rural counties with housing, transportation and few jobs need larger grants to provide programs that meet the needs of defendant . If you don't have food or a place to stay each night you will not be successful with probation or community corrections. Basic needs and services must be met first otherwise no hope or true ability to quit violating the law.
44	Requiring the level 6 felons to serve their sentences locally is not an effective policy. Jails are seriously over crowded.
45	Complexity of the law has increased for no discernible benefit or reason. The jail is less safe. The public regards prosecutors and courts as soft. Defense attorneys are busting their humps to chase down community corrections assessments and approvals. Resolution of criminal cases is taking longer.
46	Housing the F6 convicted felons is a tremendous burden on the county jails. It has made our facilities overcrowded and less safe due to the nature of the persons we now see. Please take them back.

47	In spite of what the DOC and their statistics will tell you, it has done nothing more than fill the local jails to the max with Level 6 or similar people. There is an overcrowding crisis going on at most local jails with no end in sight. Moreover, local jails aren't designed to house people long term and they do not have the space or resources needed to deal with longer term populations. There aren't sufficient medical facilities including dental facilities, there aren't programs like at the DOC and there aren't places to hold the classes if they were available. HB 1006 dumped 1,000's of people into local jails that do not have the resources, people, or money to help them.
48	Increased inmates incarcerated with reduction of proper funding from the state to house those inmates. The payment was based on 2017 housing, however 2018 was significantly higher for our jail due to the sentencing delays and arrest of those individuals.
49	Jail overcrowding and due to this, the prosecutors office is not wanting to revoke probationers or they are giving fully suspended sentences on violent crimes; or giving fully suspended sentences on new offenses that were committed while on probation.
50	Community Corrections agencies have not had base fund expense increases, nor additional funds beyond HEA 1006 to continue to provide Evidence Based programs. The higher level offenders, having more needs increases all supervision costs, even if they end up pleading to L6 offenses. Ultimately, we are going broke through our Project Income to sustain effective programs without support to not only base funds, but also increases for staff and healthcare (not paid by county entities). We are serving more high and moderate offending populations with static funding.
51	Not being able to send Level 6s to DOC has created overcrowding in local jails, and helped create a revolving door whereby Level 6 offenders continue to commit crimes knowing there is little risk of DOC time.
52	Most cases are settled through plea agreements. This gives the judge a lot less discretion in sentencing. Many times, local offenders, are released with time served due to the length of time they spend in jail awaiting trial. Prosecutors seem to still be willing to negotiate to lesser charges.
53	Agencies need resources on data collection and analysis. Many answers to this survey are not going to be accurate due to inability to analyze data.
54	this survey did not address: a) the issue of state under-funding reimbursement local jail beds the actual cost to the county compared to cost approved for reimbursement by the state b) the complicated nature of sending an offender to the DOC on a level 6 felony under 35-38-3-3
55	Due to our increased caseloads our 2 officers are being less effective in working with our clients. Our county has no money to get us another officer. We are exploring funding sources but have not found any that cover insurance. Our small county is having a difficult time funding us at all. We have 2 officers and with almost 500 people to include juveniles, it is difficult to help a large portion of our clients properly.

56	#19 - third question - I'm not sure that 1006 gave more discretion to judges for imposing sentences. The Appellate Court and Supreme Court certainly do not give more discretion for sentences. #19 - fifth question - This question is offensive. Victims NEVER know the actual length of their perpetrator's sentence if the sentence involves the Department of Corrections! The different credit class levels, time cuts, Monday/Thursday releases only, language all contribute to an offender's outdate as being a poor estimate.
57	Criminal Justice remains a pretty closed community. For example our Comm. Correct. program got their staff training (a couple of weeks) on substance abuse and Trauma resolution so they could provide the service themselves with existing staff. While these are intended folks I have reservations about the effectiveness of such treatment.
58	How HEA 1006 has affected county jail populations and the overcrowding problem our county jail now has.
59	The increase in law enforcement has greatly increased the number of arrests and caseloads for prosecutors and probation/community corrections. There does not seem to be a huge deterrent for committing crimes, just more people getting caught.
60	It has merely transferred the overcrowding situation from the state (DOC) and put them back on local agencies to try to supervise with no additional staff, funding or services. It has not solved the problem!