



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

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ANNUAL EVALUATION OF INDIANA'S CRIMINAL CODE REFORM

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Table of Contents

Acknowledgements	3
Executive Summary.....	9
Definitions	15
Introduction	22
Legislative History	23
Sources and Methods.....	24
Court Data	24
Abstract Counts.....	25
Placement Data	28
New Filings.....	31
Disposed Cases	32
Guilty Plea	33
Days Sentenced to DOC.....	34
Days sentenced to Jail.....	36
Probation.....	37
Suspendible and Non-Suspendible.....	40
Department of Correction and Community Corrections Data	45
Total Adult Offenders Supervised.....	45
DOC Facility Population.....	47
Admissions and Releases	49
Admissions.....	49
Releases.....	51
Risk for Reoffending Upon Intake.....	52
Recidivism	54
DOC Programs.....	54
Average Time to Serve.....	55
Facility Capacity	56
Community Transition Program	59
Community Corrections	59
Jail Data.....	66
Juvenile Waivers.....	79
Justice Reinvestment Advisory Council (JRAC).....	89
Recovery Works	90
Focus Groups.....	91
Strengths of HEA1006.....	92
Challenges of HEA1006	93
Focus Group Recommendations	97
Survey.....	98
Summary.....	98
Summary of Jail Responses	99
Summary of Probation Responses.....	101
Summary of Community Corrections Responses	103
Summary of Judiciary Responses	105
Summary of Prosecutors' Responses	107
Summary of Public Defenders' Responses	108
Summary of Community Service Provider Responses	109
Recommendations	112

Status of previous Recommendations:	112
Data Collection, Management, and Sharing.....	112
Assignment of Offender Numbers	112
Probation and Parole Reform	112
Re-Entry Reform.....	112
Recommendations for 2017	112
Time and Funding	112
Data	113
Pretrial services	113
Mental Health and Substance Abuse programs.....	113
Appendix A	115
Survey – Local Assessment of 1006	115
Introduction.....	115
Jail.....	116
Probation.....	124
Community Corrections	132
Judiciary.....	142
Prosecution.....	149
Public Defense	161
Community Service Providers	167
Appendix B.....	173
County Focus Group Questions	173
Service Provider Focus Group Questions	173

Figures

Figure 1: All Abstracts per Quarter, 2012-2017	26
Figure 2: Original Abstracts by Felony Type and Quarter, 2012-2017	27
Figure 3: Placements by Type per Quarter, 2012-2017	29
Figure 4: Percentage of Placements by Type, Pre- and Post-1006	30
Figure 5: Placement Type Comparing Pre-1006 FDs and Post-1006 F6s and FDs	30
Figure 6: New Filings for All Levels by Year, 2012-2017*	31
Figure 7: Disposed Cases for All Levels by Year, 2012-2017*	32
Figure 8: Guilty Pleas Accepted by FDs and F6s by Year, 2012-2017*	34
Figure 9: Total Days Sentenced to DOC by Level and Quarter, 2012-2017	34
Figure 10: Credit Time in Days for Total Sentenced DOC Days by Level per Quarter, 2014-2017*	36
Figure 11: Average Number of Felons on Probation by Year, 2012-2017	37
Figure 12: Felons on Probation by Offense Type, 2012-2017*	38
Figure 13: Offenders Released from Probation by Release Type, 2012-2017	39
Figure 14: Methods of Release from Probation, Pre- and Post-1006	39
Figure 15: Non-Suspendible Sentences for All Levels by Quarter, 2012-2017*	41
Figure 16: Suspendible Sentences for All Levels by Quarter, 2012-2017	42
Figure 17: Suspendible versus Non-Suspendible Sentences for All Levels, Pre- and Post-1006	44
Figure 18: Non-Suspendible Sentences for FDs and F6s by Quarter, 2012-2017*	44
Figure 19: Suspendible Sentences for FDs and F6s by Quarter, 2012-2017	45
Figure 20: Total DOC Facility Population, July 1, 2014 to October 1, 2017	46
Figure 21: Total Community Corrections Population, July 1, 2014 to October 1, 2017	46
Figure 22: Total DOC County Hold Population, July 1, 2014 to October 1, 2017	47
Figure 23: Total F6 Diversion Population, July 1, 2014 to October 1, 2017	47
Figure 24: Offender Population by Felony Type, 2012-2017	48
Figure 25: Pre- and Post-1006 Comparison of Median Population by Most Serious Offense*	49
Figure 26: Comparison of Admissions and Releases by Month, January 2012-August 2017	50
Figure 27: Median Monthly Admission by Commitment Type, Pre- and Post-1006	51
Figure 28: Median Monthly Releases by Type, Pre- and Post-1006	52
Figure 29: IRAS Level by Year of DOC Admission, 2013-2016	53
Figure 30: Proportion of IRAS Level at Admission and Offense Type, 2013-2016	54
Figure 31: Educational and Program Time Earned by Program Type and Year, 2013-2016*	55
Figure 32: Average Time to Serve by Felony and Commitment Year, 2012-2017	56
Figure 33: DOC Adult Male Facility Operational Availability by Year and Security Level, 2012-2017	57
Figure 34: DOC Adult Female Facility Operational Availability by Year and Security Level, 2012-2017	58
Figure 35: DOC Funded Jail Beds, January 1, 2012-October 1, 2017	58
Figure 36: CTP Utilization by Conviction Type and Month, 2012-2017	59

Figure 37: Community Corrections Felony Population, April 2014-October 2017.....	60
Figure 38: Community Corrections Misdemeanor Population, April 2014-October 2017.....	61
Figure 39: Community Corrections Pretrial Population, April 2014-October 2017.....	61
Figure 40: Community Corrections Monthly Average Participants by Conviction Type.....	62
Figure 41: Community Corrections Population: Electronic Monitoring, April 2014-October 2017.....	62
Figure 42: Community Corrections Population: Community Service, April 2014-October 2017.....	63
Figure 43: Community Corrections Population: Work Release, April 2014-October 2017.....	63
Figure 44: Community Corrections Population: Day Reporting, April 2014-October 2017.....	64
Figure 45: Community Corrections Population: Forensic Diversion, April 2014-October 2017.....	64
Figure 46: Community Corrections Population: Problem-Solving Courts, April 2014-October 2017.....	65
Figure 47: Community Corrections Monthly Average Participants by Supervision Type.....	65
Figure 48: Jail Utilization Breakdown by Degree, 2017.....	76
Figure 49: F6 Jail Inmates by Hold Type, 2017.....	76
Figure 50: Total Indiana Jail Utilization by Hold Type, 2017.....	77
Figure 52: Juvenile Waivers to Adult Court, 2012-2017*.....	79
Figure 53: Survey Respondents by Agency Type.....	98
Figure 54-62: Survey Question Responses.....	100-112

Tables

Table 1: Number of Abstracts by Type per Quarter	26
Table 2: Percentage of Abstracts per Year	27
Table 3: Number of Original Abstracts by Felony per Quarter	28
Table 4: Placement Type by Pre-1006 FDs and Post-1006 F6s and FDs	31
Table 5: New Filings by All Levels by Year	32
Table 6: Disposed Cases for All Levels by Year	33
Table 7: All Methods of Disposal by Level, 2012-2017.....	33
Table 8: Total Days Sentenced to DOC by Level and Quarter, 2012-2017.....	35
Table 9: Average Days Sentenced to DOC and Credit Time, Pre- and Post-1006	36
Table 10: Offenders on Probation by Offense Type	38
Table 11: Releases from Probation by Type, 2012-2017.....	40
Table 12: Non-Suspendible Sentences for All Levels by Quarter, 2012-2017	41
Table 13: Suspendible Sentences for All Levels by Quarter, 2012-2017	43
Table 14: Comparison of Median Offender Population Pre- and Post-1006	49
Table 15: Comparison of Median Monthly Admission by Commitment Type, Pre- and Post-1006.....	51
Table 16: Median Monthly Releases by Type, Pre- and Post-1006.....	52
Table 17: IRAS PIT Level by Year of Intake	53
Table 18: IRAS Level by Offense Types, 2013-2016	54
Table 19: 2013 Jail Inspection Data	67
Table 20: 2014 Jail Inspection Report Data.....	69
Table 21: 2015 Jail Inspection Data	71
Table 22: 2016 Jail Inspection Data	73
Table 23: Summary Profile of County Jails.....	75
Table 24: Total Jail Utilization by Category.....	77
Table 25: Juvenile Offenses Waived to Adult Court, 2012	80
Table 26: Juvenile Offenses Waived to Adult Court, 2013	82
Table 27: Juvenile Offenses Waived to Adult Court, 2014	84
Table 28: Juvenile Offenses Waived to Adult Court, 2015	86
Table 29: Juvenile Offenses Waived to Adult Court, 2016	87
Table 30: Juvenile Offenses Waived to Adult Court, January to September 2017.....	88
Table 31: Focus Group Counties	91

Executive Summary

House Enrolled Act 1006 (HEA1006; July 1, 2014), also known as Public Law 168, mandates that the Indiana Criminal Justice Institute (ICJI) provide a comprehensive annual report of HEA1006's impact on the Indiana criminal justice system. Annual reports in 2015 and 2016 were completed by the Sagamore Institute.¹ ICJI sought to build on the Sagamore Institute's impressive body of knowledge from the previous two years. This report represents the year three evaluation of HEA1006.

Pursuant to HEA1006, ICJI gathered and analyzed data from the Department of Correction and Community Corrections, courts, probation, and county jails. Further, ICJI sought out the voices of criminal justice, mental health, and addictions practitioners at local and state levels in public and private agencies to contextualize the story of Indiana criminal code reform through surveys and focus groups.

Ind. Code §5-2-6-24 outlines ICJI's ("the institute") duties in collecting, analyzing, and reporting on the impact of criminal code reform:

- (a) As used in this section, "criminal code reform" refers to statutory provisions relating to criminal law enacted by P.L.158-2013 and HEA1006-2014.
- (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 judicial center.
- (d) The institute shall prepare an annual report containing the results of its analysis before December 1 of each year. The report shall be provided to the governor 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;

¹ Sagamore Institute's year one report can be accessed at <http://www.in.gov/cji/files/Final%20Draft%20-%20ICJI%202015%201006%20Report.pdf>; the year two report is located at http://www.in.gov/cji/files/2016-Report_on_1006-Final.pdf

(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; and

(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.

(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 judicial center, shall assist the institute by providing requested data in a timely manner.

(h) Based on its analysis, the institute 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 shall include research data relevant to its analysis and recommendations in the report.

HEA1006 took effect on July 1, 2014. Since that time, significant amendments to the legislation have taken place. For these reasons, the full effect of these changes at all levels of the criminal justice system are just now being actualized. It may still take several years for the data to stabilize, so that future analyses can make meaningful inferences about the data.

This report has four main goals. First, ICJI wanted to continue to build on the body of knowledge created by the Sagamore Institute. As was noted by Sagamore, these reports can only provide information on preliminary trends due to considerable and ongoing legislative changes. Second, 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, Department of Correction (DOC), 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 HEA1006 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

Data from the Office of Judicial Administration, Trial Court Technology demonstrated several trends about new case filings, abstracts of judgment, dispositions, and placements.

New Filings

- At this time, it is difficult to identify if new filings have changed.

Abstracts of Judgement

- Since HEA1006 took effect, total abstracts have increased, mostly due to an increase in revocation abstracts; there was also a noticeable decrease in sentence modification abstracts. This finding aligned with prosecutors' survey responses that they noticed an increase in defendant recidivism.
- Original abstract numbers show that there are more F6 abstracts post-1006 than there were FD abstracts pre-1006.

Placements

- There was an observable increase in overall placements. By design, there was a decrease in placements with DOC. Post-1006, DOC continues to be the most common placement. However, jail and probation placements are a close second, followed by jail only, and then probation only.
- As was the goal of HEA1006, FD and F6 placements have changed. Pre-1006, the most common placement was DOC. Post-1006, the most common placement is jail and probation or jail only.
- Compared to pre-1006, Community Corrections placements have slightly increased.

Disposals

- There is a slight decrease in total disposals, including average guilty pleas. Public defender survey respondents said they have noticed no change in the number of plea agreements since the enactment of HEA1006.

Days Sentenced

- Days sentenced to DOC, adjusting for credit time, have increased as would be expected.
- A substantial increase in total days sentenced to jail has also been observed.

Non-Suspendible Sentences

- As would be expected, a substantial decrease in non-suspendible sentences was observed.

Probation

- Probation caseloads decreased substantially to its lowest point in 2015. Sentences to probation have increased in 2016 and through the first nine months of 2017. Based on the data, sentences in 2017 are projected to surpass 2016. This was echoed in the probationers' survey responses. One in three respondents indicated significant increases in their average caseloads. Only about half reported they were able to hire enough staff to meet their increased needs.

Department of Correction (DOC) and Community Corrections

Overall DOC and Community Corrections Populations

- Overall adult population under supervision has increased 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 DOC) housed at the county jails.

DOC Facilities

- Facility and county jail hold (awaiting transfer to DOC) populations have decreased slightly. Facility population decrease is a direct result of no longer allowing FDs and F6s to enter DOC unless they meet special requirements according to statute.
- In early 2017, the DOC facility/county jail hold population began to increase and is projected to continue increasing.

DOC Facility Capacity

- Both male and female adult maximum security facilities have been running at full or near full capacity since 2012.
- Medium security facility operational bed availability is only slightly better and appears to improve starting in 2015.

Offender Risk and Need

- Offender risk for reoffending upon intake has changed, comparing pre- and post-1006. With regard to criminogenic risk and need, the proportion of felons coming into DOC with low criminogenic risk and need has increased, while the proportion of those with high and very risk has decreased. This suggests that the volume of FD and F6 offenders with high and very high risk are no longer being admitted to the DOC.
- These findings were reflected in the focus groups; many counties interviewed indicated that they are struggling to manage an offender population that is reoffending more frequently and requires more intensive community-based services than are currently available.

Recidivism

- Recidivism has remained fairly stable, with about 37% of felons returning to DOC within three years of release. DOC is seeing an increase in recidivism for offenders who are committing technical violations while under some type of community supervision (e.g. Probation, Parole, or Community Transition Program (CTP)).

Community Transition Program (CTP)

- CTP utilization has stayed the same, comparing pre- and post-1006. About 27% of felons eligible for CTP will be released on CTP.

Community Corrections

- Community Corrections has increased its capacity since the effective date of HEA1006 from a little under 16,000 felons under community supervision to nearly 20,000 felons in late 2017.
- One in three Community Corrections survey respondents did not believe their agencies were able to hire enough staff to meet the demands of the increase in felons.

- Nearly all reported that their agencies provided substance abuse, mental health, and life skills curriculum, such as anger management.
- Over half of agencies saw a significant increase in the number of felons who require services, such as substance abuse and mental health.

Jails

- In 2017, approximately 75% of county jails were at or exceeded 80% capacity, which is the National Institute of Corrections' definition of overcrowded.²
- Based on the jail inspection reports, the total jail inmate population is at its highest in four years.
- In 2017, 56% of county jail inmates were held on pretrial status.
- In 2017, 45% of all jail inmates were F6s.³
- The majority of the jails that completed the ICJI survey indicated that they need more staff and infrastructure changes in order to safely run their facilities. Most report that they are not able to adequately address these problems.
- The majority of jails reported an increase in risk levels of their offenders' populations and that these individuals are impacting the safe operation of their facilities.
- Most county jails are able to provide substance abuse, mental health, and educational services. Most do not provide any re-entry services. It should be noted that there are no set standards as to how the services are provided.

Juvenile Waivers

- The number of juveniles waived to adult court held steady in the mid-300s from 2012 to 2016.
- Incomplete data from 2017 does not allow for an accurate depiction of the current year trend.
- The most common reasons for a waiver are armed robbery followed closely by burglary.

Justice Reinvestment Advisory Council (JRAC)

- Since its first meeting in June of 2015, JRAC has made funding recommendations to DOC, where 50 million dollars has been distributed. The funding has created and/or expanded programming and staff positions in courts, probation, Community Corrections, jail treatment, and prosecutor's diversion programs.

Recovery Works

- From November 1, 2015 to the end of fiscal year 2017, Recovery Works funded over 13 million dollars in treatment services distributed by DMHA, a division of FSSA.
- Over 14,500 participants have been enrolled. Seventy-seven agencies are designated Recovery Works providers.

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>

³ Office of Judicial Administration's testimony on 9/19/17 to the Interim Study Committee on Corrections and Criminal Code

Focus Groups

Criminal justice practitioners and community mental health and addictions agencies provided invaluable feedback during focus groups held throughout the state. They candidly spoke about the positive and negative effects their areas and counties have experienced since the implementation of HEA1006.

Strengths

- Respondents indicated the challenges created from the sentencing reform led to increased collaboration and communication among agencies, which has resulted in better interagency relationships and improved programming for offenders.
- The collaboration in some counties had resulted in novel, evidence based programming, such as pretrial and forensic diversion.
- Several respondents indicated that they felt more serious crimes received lengthier sentences compared to the old code.
- Further, every focus group expressed gratitude for increased funding through additional grant monies and Recovery Works.
- Many respondents felt that HEA1006 is a good start toward criminal justice reform. With continued funding, communication, and restructuring, HEA1006 could change Indiana's criminal justice system in a positive way.

Challenges

Focus group participants identified sentencing, mental health and substance abuse, and availability and staffing in the jails as their biggest, ongoing challenges.

- Every group expressed concern about sentence structuring for F6s. For example, criminal justice practitioners were struggling to manage F6 offenders who were repeat supervision violators. They indicated there were some offenders who demonstrated no motivation to complete community supervision, were continuing to violate the terms of their supervision, and preferred to complete their sentences in county jail. Respondents felt there was no recourse to hold these offenders accountable in a meaningful way.
- Respondents also expressed concern that their offender populations demonstrate high levels of need for mental health and substance abuse treatment. In general, service delivery to this population is frequently difficult due to a lack of stability in housing, transportation, and income.
- Further, jails are frequently not equipped to meet the needs of an offender in acute mental health distress or undergoing a potentially life threatening detox from substances.
- Finally, as mentioned above, the majority of Indiana jails are at or over capacity. The county jails were originally designed to hold offenders for a short-time either until release into the community or transfer to the Department of Correction. Respondents reported that jails are now being used to house offenders for their entire sentence. Jails were not originally constructed to manage a large number of offenders for this duration. They also indicated that they are often understaffed, which creates safety and security issues within the jails and for their communities.

Community Service Providers

Information about the experiences of community service providers, such as mental health and addictions providers, was collected through a focus group and the ICJI survey.

- One in three community service providers observed a significant increase in referrals from criminal justice agencies.
- A little less than half of respondents reported they had created forensic programming specifically for clients since HEA1006 was enacted.
- The most common methods of payment for forensic programming was out of pocket fees, followed by Recovery Works, and then client insurance (public or private).
- Less than half of all agencies who needed to hire staff were able to hire enough staff to meet the agency's demands.
- One in three respondents observed a significant increase in the intensity of services required to treat criminal justice involved clients.

Definitions

Abstracts 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 Department of Correction (DOC).

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 DOC 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 judgement.

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 Service Provider

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

Community Service

Performance of services directly for a victim, nonprofit entity, or government entity without compensation (IC 35-31.5-2-50).

Community Transition Program (CTP)

This program is intended to give an incarcerated offender a head start to re-entry. Offenders committed to the DOC 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).

Criminal Convictions

HEA1006

Felony Level	Example	Sentencing		Fine
		Range	Advisory	
Murder	Murder	45-65 yrs.	55 yrs.	≥\$10,000
1	Sex crimes, attempted murder, voluntary and involuntary manslaughter, reckless homicide, aggravated battery, kidnapping, battery, burglary	20-40 yrs.	30 yrs.	≥\$10,000
2	Sex crimes, attempted murder, voluntary and involuntary manslaughter, reckless homicide, aggravated battery, kidnapping, battery, burglary, robbery	10-30 yrs.	17.5 yrs.	≥\$10,000
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.	≥\$10,000
4	Battery, burglary, robbery, carjacking, arson, escape, drug dealings	2-12 yrs.	6 yrs.	≥\$10,000
5	Battery, burglary, robbery, carjacking, arson, assisting a criminal, escape, prostitution	1-6 yrs.	3 yrs.	≥\$10,000
6	Drug possession, false reporting, resisting arrest	6 mo-2.5 yrs.	1 yr.	≥\$10,000

Pre-1006 (enacted in 1976)

Felony Class	Example	Sentencing		Fine
		Range	Advisory	
Murder	Murder	45-65 yrs.	55 yrs.	≥\$10,000
A	Kidnapping, voluntary manslaughter with a deadly weapon, arson involving bodily injury	20-50 yrs.	30 yrs.	≥\$10,000
B	Aggravated battery, rape, child molesting, carjacking, armed robbery	6-20 yrs.	17.5 yrs.	≥\$10,000
C	Involuntary manslaughter, robbery, burglary, reckless homicide	2-8 yrs.	4 yrs.	≥\$10,000
D	Theft, receiving stolen property, computer tampering and fraud	6 mo-1 yr.	1.5 yrs.	≥\$10,000

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 place offender in a diversion program.

Department of Correction (DOC)

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). In September 2017, the DOC and its contractors employed over 7,500 staff. Per statute, DOC is responsible for managing a substantial amount of programs and services, including the Indiana sex and violent offender registry. The Department is also responsible for inspecting county jails annually to ensure jails are in compliance with jail operations standards.

Discharge

Termination of commitment to the DOC (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).

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).

Failure to Return (FTR)

Also called escape, failure to return to lawful detention (IC 35-44.1-3-4).

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 also 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.⁴

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 two or more prior convictions for unrelated felonies, and at least one was not a class D or level 6 offense.

HEA1006

House Enrolled Act 1006, also known as Public Law 168, was signed into law by Governor Pence in March 2014. It is also referred to as 1006 in the report.

Indiana Risk Assessment System (IRAS)

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.⁵

Infraction

A violation of a statute for which a person may be fined but not imprisoned (IC 33-23-1-6).

Jail Inspection Report

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 DOC. Report contents are based on the statewide jail standards for county jails (210 IAC 3).

Jail

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

- detain arrestees;
- hold individuals who have not yet been sentenced;

⁴ For more information about FSSA DMHA, please go to <http://www.in.gov/fssa/dmha/4521.htm>

⁵ For more information about the IRAS, please visit <https://www.in.gov/judiciary/pscourts/2762.htm>

- house felony level 6 diversion offenders who, per statute, may not go to DOC 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 Waiver to Adult Court

Also called waiver of jurisdiction, juvenile waiver, or waiver in this report; an order of the juvenile court that 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; consists of classes A through D (IC 33-23-1-9).

New Commitment

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

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 DOC 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.

Other disposition

Any case disposition that is not otherwise accounted for in the preceding categories. Example: a case was opened in error.

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 Offender

An offender who is being held in jail, but has yet to be sentenced.

Probation

A sentence whereby an offender is released from confinement but is still under court supervision.

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.⁶

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.⁷

Public Defense

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

Recidivism

In this report, recidivism was only discussed in the section about the Department of Correction (DOC). DOC defines recidivism as an offender's return to DOC incarceration within three years of release from a state correctional institution.⁸

Recovery Works

Provides vouchers to DMHA certified 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.⁹

⁶ For more information about Indiana's problem-solving courts, please go to <http://www.in.gov/judiciary/pscourts/2337.htm>

⁷ For more information about Indiana Prosecutors, please go to <https://www.in.gov/ipac/index.htm>

⁸ For more information about DOC's recidivism rates, visit <http://www.in.gov/idoc/2376.htm>

⁹ For more information about Recovery Works, please visit <https://www.in.gov/fssa/dmha/2940.htm>

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 DOC, after either escaping custody or being discharged and receiving a new sentence.

Revocation

Process by which an individual convicted of a felony and sentenced to community supervision and/or court supervision.

Sentence Modification

Process by which the court can modify a defendant's sentence up to any sentence it could have given the defendant at the time of the original sentencing.

Suspendible Sentence

The court may suspend any part of a sentence for felonies 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.

Time cut

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

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.

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 DOC.

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 also offer a number of programs in-house to aid in offender rehabilitation and re-entry.

Introduction

In 2013, the Indiana General Assembly introduced House Bill 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).

This report seeks to evaluate the effects of the criminal code on the entirety of the Indiana criminal justice system. 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.

The ICJI Research Division sought to collect as much data from as many sources as possible. The Division interviewed criminal justice practitioners in ten counties and statewide leaders in the mental health and addictions community. The Division surveyed 372 individuals from around the state representing jails, probation departments, community corrections agencies, courts, prosecuting attorneys, defense attorneys, and mental health and addictions providers. The Division also collected facts and figures from several state-level agencies including the Office of Judicial Administration, Community Corrections, DOC, and the Indiana Prosecuting Attorneys Council (IPAC).

This report seeks to present a sound interpretation of the quantitative and qualitative data amassed from these efforts. However, this report cannot make causal inferences about the effect of the criminal code reform on Indiana's criminal justice system for several reasons. First, the reform is only in its third year. Second, a number of changes to the code have taken place since 2014. Third, there are a number of social, political, and economic factors that are difficult to measure and control for in this analysis.

Legislative History

The legislative history in this report only covers changes to applicable legislation with an effective date after June 30, 2016. The extensive legislative history and background regarding the enactment of HEA1006 and the progress of criminal code reform up to June 30, 2016 is provided in previous years' reports completed by the Sagamore Institute.

Since the last report submitted to the Legislative Council in 2016, there have been several laws enacted that directly impacted criminal code reform, changing how HEA1006 impacts the criminal justice system in Indiana. Such pieces of legislation are related to:

- Funding distributed by the DOC for mental health programs
- Several drug related bills further criminalizing the sale and production of certain scheduled drugs, predominately methamphetamine and heroin, and making the same convictions non-suspendible;
- Juvenile waiver to criminal justice system and return if not convicted of an offense requiring a waiver; and finally,
- Bills related to habitual offender enhancements and labels.

As with the impact of HEA1006, the effects of these changes will not be known in the immediate future.

The 2016 legislative session had more of an impact on criminal code reform than in the previous two years. The most significant changes are outlined below:

- Of most importance was HEA1102, which addressed the funding released by the DOC to the counties for criminal justice services. HEA1102 allowed DOC to award grants to county jails for forensic mental health services and to the counties directly for pretrial release and diversion programs. This provided funding to develop much needed services the counties may not be able to afford or provide otherwise. It also allowed those charged or convicted with a felony to begin treatment at an earlier stage. The counties were then encouraged to work with all stakeholder members in developing these services and plans for funding and forensic treatment.
- HEA1235 and SEA160 became effective on July 1, 2016. HEA1235 made sentences for certain drug offenses non-suspendible, removing discretion from the local judges. Those convicted of F2s are now required to serve the minimum 75% of the imposed sentence. SEA160 impacted both the juvenile and the adult justice systems. SEA160 allowed the courts to transfer juveniles waived to adult court for offenses requiring a mandatory waiver back to juvenile court jurisdiction. This transfer would happen when a juvenile waived to adult court is not convicted of an offense that would require mandatory waiver.
- SEA290: allows for a one to one credit time for certain offenders placed on home detention or pretrial diversion. Though limited in scope this bill will hopefully help to alleviate some of the individuals housed in the county jails pretrial.

The 2017 legislative session had substantially less impact on criminal code reform than the previous three years, with the exception of HEA1010. HEA1010 amended the circumstances by which a F6 may be committed to DOC. Though several other bills were authored and heard, few

were passed that have an impact on criminal code reform. As with previous legislation, additional time is required to truly assess the impacts of the programs and laws that arose during the 2016 and 2017 sessions.

Sources and Methods

The ICJI Research and Planning Division 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 HEA1006.

ICJI used three methods for evaluating the impact of HEA1006, including offender and agency outcome data, survey, and focus groups. First, the Indiana Office of Court Services provided all court data, including filings, sentences, placements, and dispositions. DOC supplied data related to the commitment of felons to DOC. DOC also furnished county jail data. Community Corrections provided all data related to the offenders supervised and methods used to supervise their offenders. IPAC provided juvenile waiver information.

Next, a survey was created to send to criminal justice agencies. Several of the survey questions used were adapted from the 2014 *Assessing the Local Fiscal Impact of HEA 1006*.¹⁰ The survey was administered to staff from Indiana jails, probation departments, community corrections agencies, courts, 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 Judicial Administration assisted ICJI in distributing the survey link via email to representatives of each agency.

Finally, ICJI facilitated eleven focus groups. One focus group consisted of Indiana mental health and substance abuse providers. The DMHA and ICCHMC were instrumental in putting this group together. The other ten focus groups were held in ten counties, Brown, Clark, Grant, Greene, Hendricks, Lawrence Marion, Parke, Porter, and St. Joseph. These groups were composed of local criminal justice stakeholders. In each focus group, ICJI invited participants to express the strengths and challenges of HEA1006 reforms. Probation departments and Local Coordinating Council Coordinators (LCC) greatly assisted in finding the stakeholders for each county focus group.

Court Data

To assess how the courts have been effected by HEA1006, ICJI received numerous data files from the Indiana Office of Judicial Administration's Office of Trial Court Technology. Data included numbers of abstracts of judgement, new filings, case dispositions, suspendible and non-suspendible sentences, placement following sentencing including DOC, Jail, Probation (Pro), and Community Corrections (CC), and days sentenced to DOC, from July 1, 2012 to September 30th,

¹⁰ Written by G. Roger Jarjoura, Nathan Zaugg, and Konrad Haight from the American Institutes for Research. Report can be accessed here: <http://www.air.org/resource/assessing-local-fiscal-impact-hea-1006>

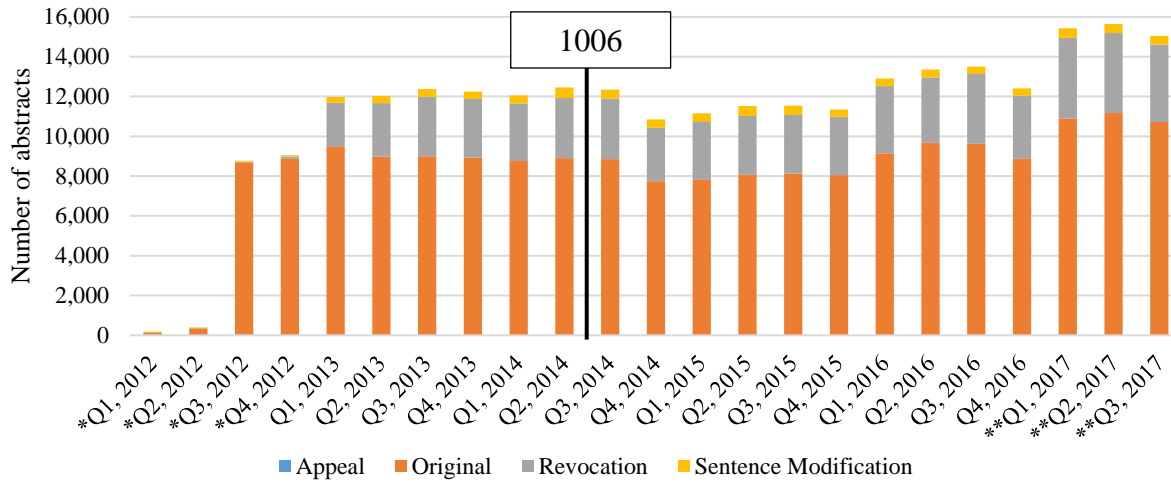
2017. This time frame was broken into pre-HEA1006 (July 1, 2012 to June 30, 2014) and post-HEA1006 (July 1, 2014 to September 30, 2017) time periods. The Office of Trial Court Technology did provide an analysis of days sentenced to jail for this report. A majority of court data was analyzed by calendar year quarters, instead of months, for an easier to follow comparison.

All sections mentioned above demonstrated a change, comparing pre-HEA1006 and post-HEA1006 time periods. Abstracts of judgement counts, including original abstracts, appeals, revocations, and sentence modifications showed an upward trend. Placement data illustrated where offenders were placed following sentencing. One goal of HEA1006 was to decrease the number of low level offenders being sent to DOC; thus, it was expected and observed that the number being sentenced to DOC would decrease. The new filings section provided insight into the number of filings for each felony level. This is important to note, because HEA1006 created six felony levels. New filings showed how many offenders were being charged at each level. Disposed cases, with the exception of guilty pleas, may not be as important when looking at all cases together. The number of guilty pleas is significant, because the focus group counties mentioned they felt there are more guilty pleas being accepted now by F6s than FDs accepted before HEA1006. Days sentenced to DOC and jail displayed the impact of the new sentencing structure. 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. The final section compared the number of suspendible and non-suspendible sentences. HEA1006 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 provide a full scope view of the impact HEA1006 has had on the functions of the court.

Abstract Counts

Figure 1 below shows the total number of abstracts per quarter from January 1, 2012-September 30, 2017. As seen below, the number of abstracts prior to the enactment of HEA1006 on July 1, 2014 was fairly consistent. Once enacted, Indiana witnessed a small decline in the number of abstracts for the first six months. An upward trend began in the first quarter of 2015 and abstracts have steadily increased since. By 2016, the total number of abstracts produced exceeded those prior to July 1, 2014. By 2017, there were about 3,000 more abstracts than before HEA1006. *Table 1* provides the data from which *Figure 1* was created.

Figure 1: All Abstracts per Quarter, 2012-2017



*Data not reliable until Q1, 2013

**2017 data is January 1, 2017-September 30, 2017

Table 1: Number of Abstracts by Type per Quarter

Quarter and Year	Appeal	Original	Revocation	Sentence Modification
*Q1, 2012	1	130	26	32
*Q2, 2012	-	325	34	39
*Q3, 2012	3	8,667	49	62
*Q4, 2012	6	8,869	107	59
Q1, 2013	5	9,488	2,195	292
Q2, 2013	3	8,984	2,688	344
Q3, 2013	1	9,001	2,994	374
Q4, 2013	5	8,935	2,935	375
Q1, 2014	11	8,748	2,887	404
Q2, 2014	13	8,889	3,027	527
Q3, 2014	6	8,854	3,037	439
Q4, 2014	6	7,731	2,691	420
Q1, 2015	4	7,807	2,908	432
Q2, 2015	10	8,057	2,953	500
Q3, 2015	11	8,118	2,948	462
Q4, 2015	14	8,033	2,935	367
Q1, 2016	11	9,128	3,382	391
Q2, 2016	6	9,662	3,290	397
Q3, 2016	9	9,610	3,516	373
Q4, 2016	6	8,866	3,158	382
**Q1, 2017	8	10,889	4,058	471
**Q2, 2017	7	11,167	4,019	444
**Q3, 2017	7	10,710	3,896	435
Total	153	190,668	59,733	8,021

*Data not reliable until Q1, 2013

**2017 data is January 1, 2017-September 30, 2017

Table 2 below shows the percentage breakdown for each type of abstract by year. There has not been an increase in original abstracts, but there has been a slight increase in the number of

revocations. Sentence modifications had an upward trend from 2013-2015, but those began to decrease again in 2016. Even though the percentage table describes that there is beginning to be an increase in abstracts, it is not because of any one abstract type increasing. Abstracts as a whole are increasing.

Table 2: Percentage of Abstracts per Year

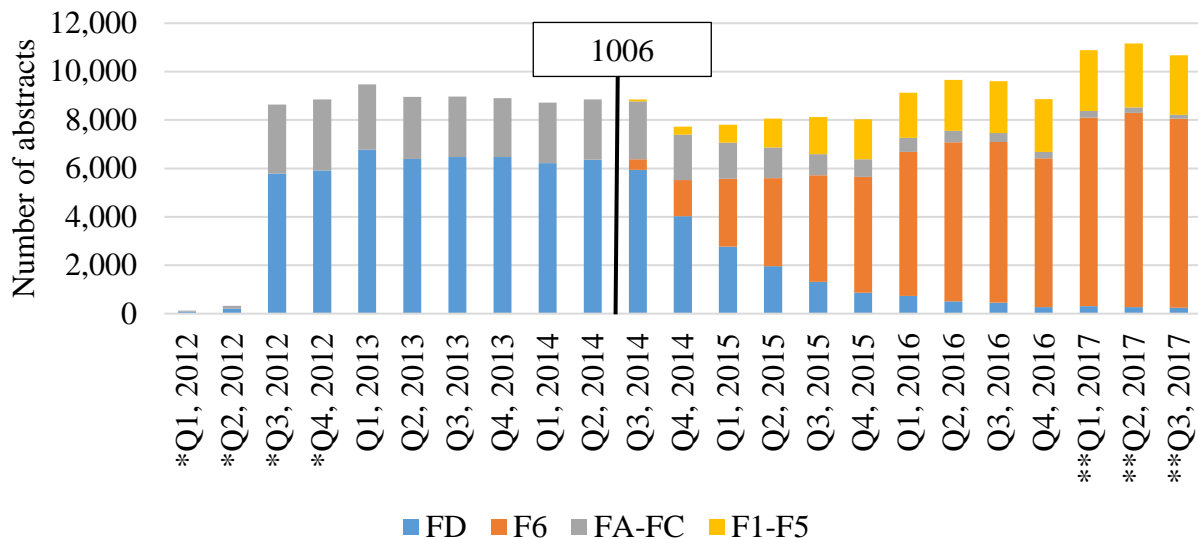
Year	Appeal	Original	Revocation	Sentence Modification
2012*	0.05%	98.40%	0.88%	0.68%
2013	0.03%	74.89%	22.24%	2.85%
2014	0.08%	71.76%	24.41%	3.75%
2015	0.09%	70.27%	25.78%	3.87%
2016	0.06%	71.41%	25.57%	2.96%
2017**	0.05%	71.06%	25.97%	2.93%

*Data not reliable until Q1, 2013

**2017 data is January 1, 2017-September 30, 2017

Figure 2 below shows the total number of original abstracts by level per quarter from January 1, 2012-September 30, 2017. Prior to the enactment of HEA1006 approximately 70% of all original abstracts were for FD convictions and the remaining 30% was composed of all FC through FA convictions. The enactment of 1006 caused a similar trend shown in the graph of all abstracts above. There was an immediate decrease within the first six months and then began an upward trend. Over time the number of original abstract cases with a felony charge of A-D has decreased and the new felony levels 1-6 has increased. By 2017, less than 5% of original abstracts were an A-D charge. Though a direct comparison cannot be made, there has been more F6 original abstracts than similar FD abstracts under the prior felony classifications. If the trend continues Indiana will likely continue to see an increase of the number of original F6 abstracts. Table 3 following provides the data from which Figure 2 was created.

Figure 2: Original Abstracts by Felony Type and Quarter, 2012-2017



*Data not reliable until Q1, 2013

**2017 data is January 1, 2017-September 30, 2017

Table 3: Number of Original Abstracts by Felony per Quarter

Quarter and Year	FD	F6	FA-FC	F1-F5
*Q1, 2012	83		47	
*Q2, 2012	201		123	
*Q3, 2012	5,784		2,857	
*Q4, 2012	5,910		2,940	
Q1, 2013	6,777		2,692	
Q2, 2013	6,397		2,563	
Q3, 2013	6,468		2,501	
Q4, 2013	6,473		2,426	
Q1, 2014	6,219		2,503	
Q2, 2014	6,361		2,490	
Q3, 2014	5,943	433	2,397	81
Q4, 2014	4,031	1,489	1,870	340
Q1, 2015	2,774	2,792	1,494	746
Q2, 2015	1,968	3,626	1,269	1,194
Q3, 2015	1,318	4,393	882	1,525
Q4, 2015	862	4,791	719	1,661
Q1, 2016	736	5,951	578	1,861
Q2, 2016	507	6,577	469	2,109
Q3, 2016	450	6,644	366	2,145
Q4, 2016	263	6,151	267	2,183
**Q1, 2017	315	7,782	274	2,516
**Q2, 2017	269	8,025	230	2,642
**Q3, 2017	237	7,823	154	2,467
Total	70,346	66,477	32,111	21,470

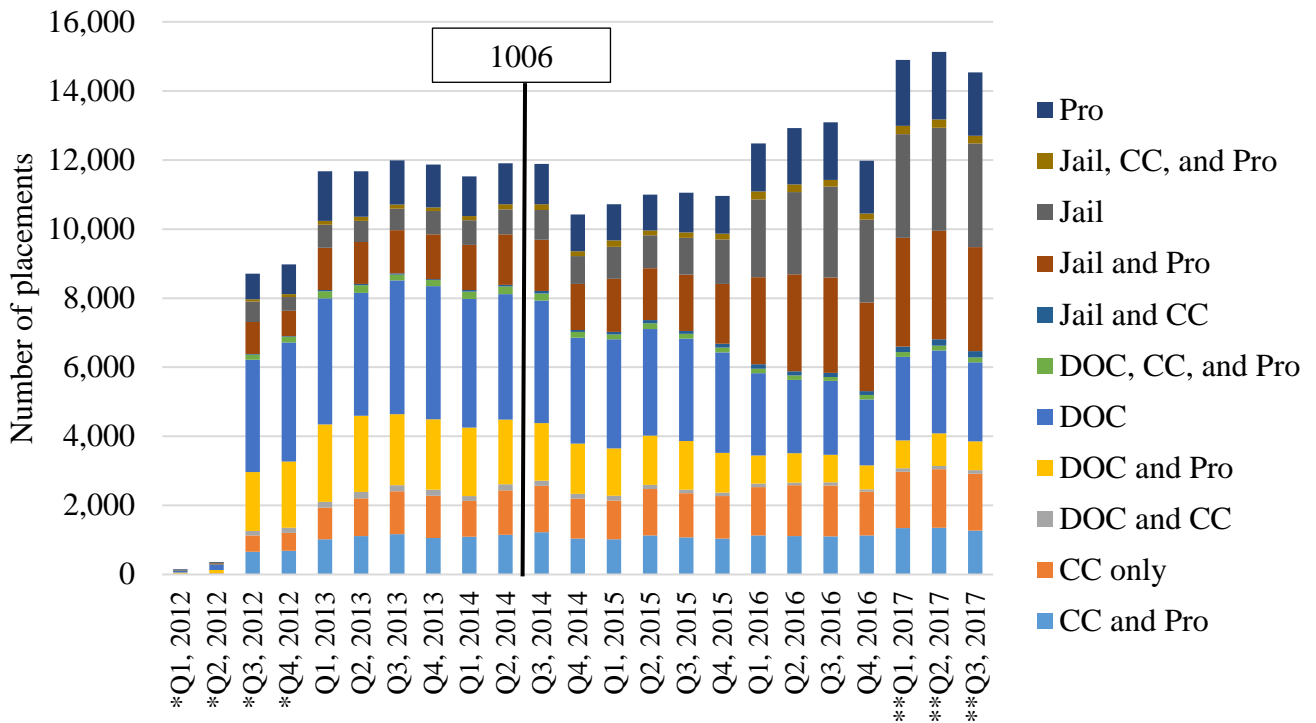
*Data not reliable until Q1 of 2013

**2017 data is January 1, 2017-September 30, 2017

Placement Data

Figure 3 shows that great progress has been and continues to be made toward one of the goals of HEA1006. The figure below gives a few insights into how many offenders were being sentenced and where they were placed. Figure 3 illustrates that there has been a large increase in the number of offenders being sentenced. When comparing 2017 to 2013, over 3,000 more offenders are being sentenced per quarter. When analyzing this data for sentences and placements prior to July 1, 2014, the data showed that placements in the DOC were consistent from January 1, 2012 through June 30, 2014. The second and third quarters of 2014 showed fewer sentenced overall, but the number of offenders being sentenced to DOC stayed fairly static. This data includes both original sentences and revocations. In 2015, which represents the first year after 1006 was effective, over 3,000 offenders were being sentenced to DOC only. DOC placements did not drastically change until the start of 2016, but have been declining every quarter. As can be seen in the figure below, jail placements have steadily increased since January 2016.

Figure 3: Placements by Type per Quarter, 2012-2017

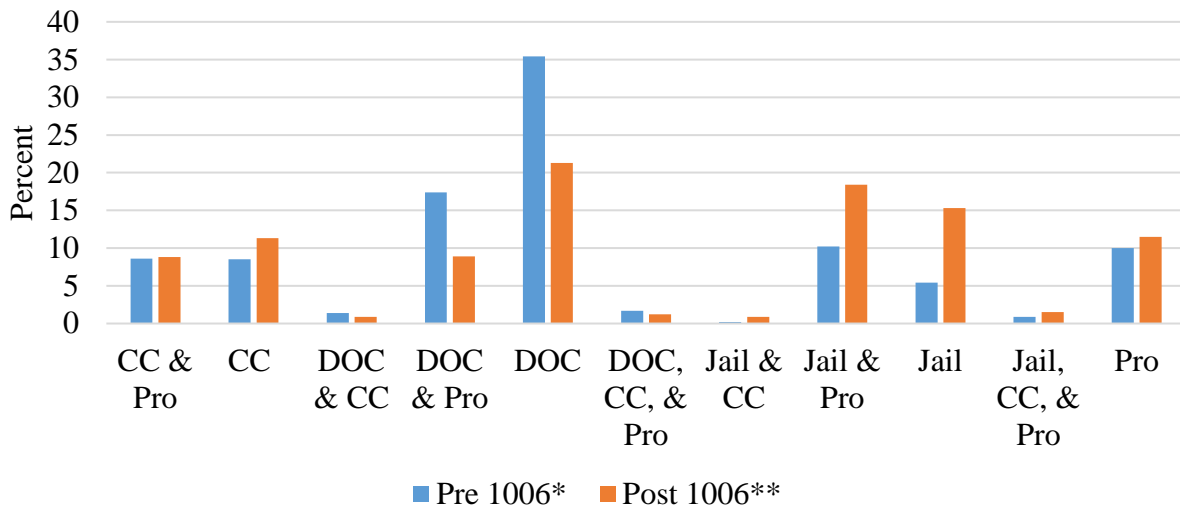


*Data not reliable until Q1 of 2013

**2017 data is January 1, 2017-September 30, 2017

As seen below in *Figure 4*, before the enactment of HEA1006 most sentences resulted in placement with the DOC (35.4%) whereas placement in a jail along with community corrections was used the least (less than 1%). This trend started to change after HEA1006 became effective. Currently more inmates are being placed with the DOC (21.3%), but the second most prevalent sentence is jail combined with probation (18.4%), an 8.4% change increase over the same sentence prior to July 1, 2014 (10.2%). When looking at data from 2017, the data shows most offenders were sentenced to jail and probation (20.9%) with the second most prevalent sentence being jail only (20.2%). In 2017, 15.8% of offenders have been sentenced to DOC only. The least given sentence was DOC and Community Corrections (less than 1%). As stated previously since the enactment of HEA1006 there has been a 33% increase in felony sentences. *Table 4* following provides the data from which *Figure 4* was created.

Figure 4: Percentage of Placements by Type, Pre- and Post-1006



*Data not reliable until Q1 of 2013

**2017 data is January 1, 2017-September 30, 2017

Figure 5 below compares pre-HEA1006 FDs to F6s and post-HEA1006 FDs placements. The figure displays the percentage of offenders, with an FD or F6 charge, placement for pre- and post-HEA1006. This figure shows that F6s and post-1006 FDs are being sentenced to either jail, community corrections, probation, or a combination of those more than being sentenced to the DOC. Prior to the enactment of HEA1006 about 46% of FDs were sentenced to DOC, whereas less than 20% of F6s and post-1006 FDs are being sentenced to DOC. Between 20-25% of F6/FD offenders are being sentenced to jail with probation. This is the most common sentence for F6/FD offenders, post-HEA1006. Table 4 following provides the data from which Figure 5 was created.

Figure 5: Placement Type Comparing Pre-1006 FDs and Post-1006 F6s and FDs

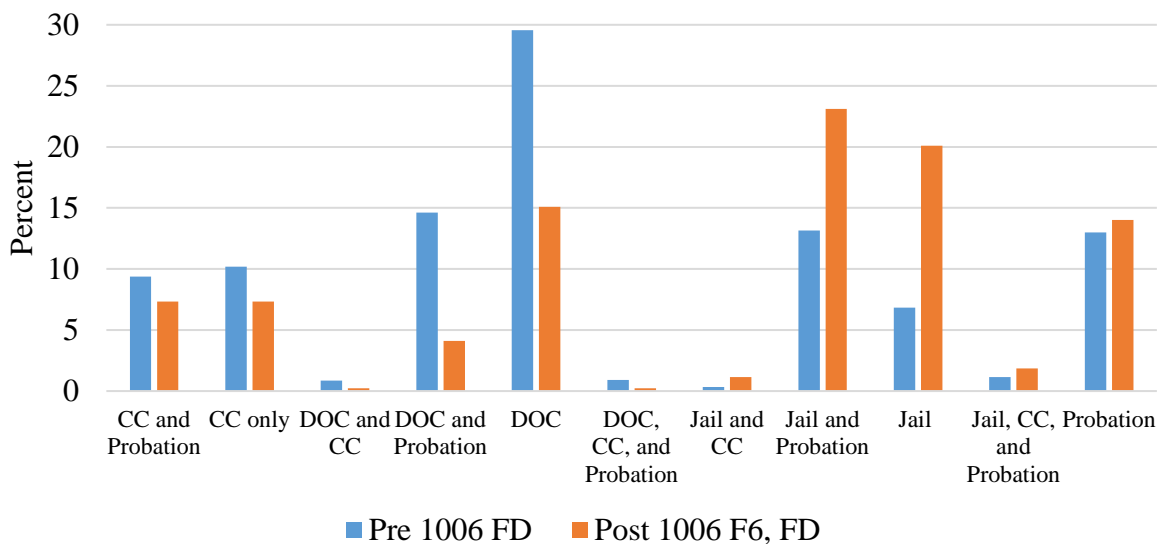


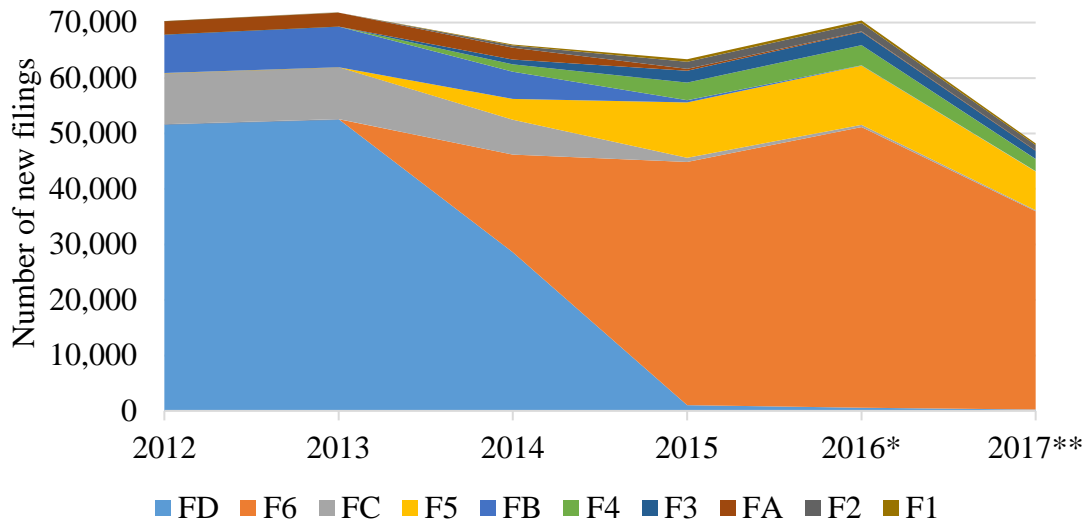
Table 4: Placement Type by Pre-1006 FDs and Post-1006 F6s and FDs

Placement Type	Pre-1006 FD	Post-1006 FD, F6
CC and Probation	5,865	8,410
CC only	6,366	14,650
DOC and CC	542	279
DOC and Probation	9,138	4,724
DOC	18,490	17,286
DOC, CC, and Probation	578	268
DOC, CC, and Probation	209	1,309
Jail and Probation	8,229	26,465
Jail	4,281	22,989
Jail, CC, and Probation	716	2,114
Probation	8,129	16,049
Total	62,543	114,543

New Filings

Figure 6 below shows the number of new filings by year for all felony types from January 1, 2012 to September 30, 2017. As can be seen, there was a slight decrease in the number of new filings across all felony types from 2014 and the beginning of 2015. During 2015 these numbers started to increase until the start of 2016. As 2016 progressed and thus far in 2017, the number of new filings have again decreased. If the trend continues through the end of 2017, there will likely be fewer total filings in 2017 than in 2015 and 2016. Many factors will impact the number of new filings, which cannot be addressed until the remainder of the data can be analyzed during the 2018 calendar year. Table 5 provides the data from which Figure 6 was created.

Figure 6: New Filings for All Levels by Year, 2012-2017*



*2016 data is the last full year

**2017 data is January 1, 2017-September 30, 2017

Table 5: New Filings by All Levels by Year

	2012	2013	2014	2015	2016*	2017**
FD	51,664	52,579	28,597	1,021	559	244
F6			17,601	43,836	50,581	35,734
FC	9,239	9,391	6,285	763	407	182
F5			3,755	9,993	10,679	7,008
FB	6,926	7,300	4,922	394	85	42
F4			1,283	3,167	3,592	2,200
F3			869	2,158	2,374	1,454
FA	2,443	2,514	2,173	348	141	62
F2			409	1,260	1,467	984
F1			159	426	487	310
Total	70,272	71,784	66,053	63,366	70,372	48,220

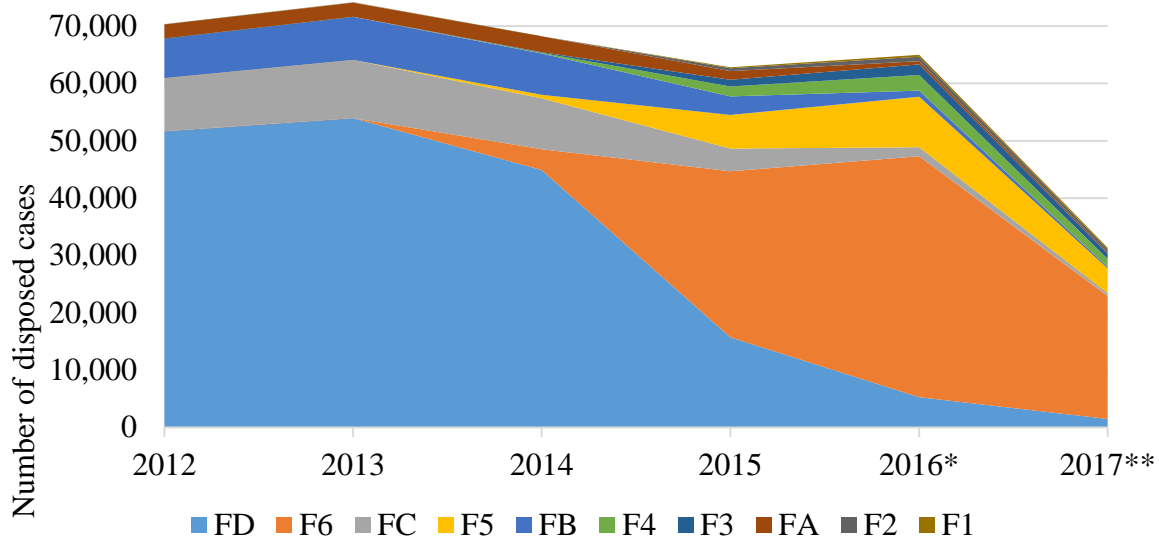
*2016 data is the last full year

**2017 data is January 1, 2017-September 30, 2017

Disposed Cases

Figure 7 below shows the number of cases disposed for each felony level. Disposed cases are cases that have either been dismissed or have resulted in a conviction and sentencing. There are seven different ways in which a case is disposed, including bench disposition, bench trial, deferred, dismissed, guilty plea, jury trial, and other. Even though there had been an increase in 2016, more cases were disposed before HEA1006. Approximately 90% of disposed cases are either dismissed (20% of all disposals) or a guilty plea (70% of all disposals) is accepted. Tables 6 and 7 below provide the data for the figure and percentages represented in Figure 7.

Figure 7: Disposed Cases for All Levels by Year, 2012-2017*



*2016 data is the last full year

**2017 data is January 1, 2017-September 30, 2017

Table 6: Disposed Cases for All Levels by Year

Felony	2012	2013	2014	2015	2016*	2017**
FD	51,664	53,954	44,903	15,694	5,268	1,483
F6			3,613	28,970	42,008	21,460
FC	9,239	10,143	8,894	3,958	1,575	450
F5			601	5,900	8,851	4,354
FB	6,926	7,524	7,192	3,232	1,026	258
F4			135	1,734	2,757	1,402
F3			80	1,142	1,806	940
FA	2,443	2,467	2,785	1,510	601	191
F2			25	505	784	530
F1			13	153	308	256
Total	70,272	74,088	68,241	62,798	64,984	31,324

*2016 data is the last full year

**2017 data is January 1, 2017-September 30, 2017

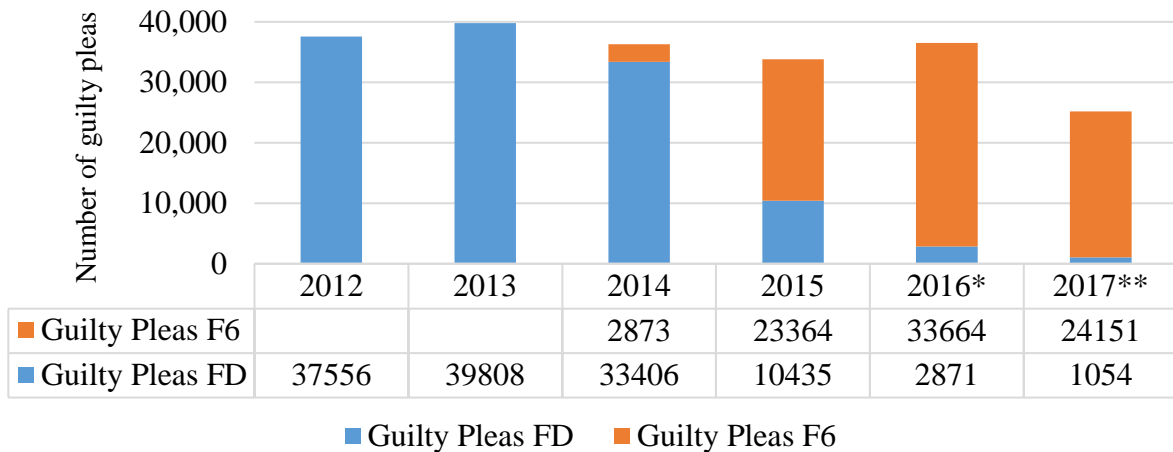
Table 7: All Methods of Disposal by Level, 2012-2017

Methods of Disposal	Felony Type										Total
	FA	FB	FC	FD	F1	F2	F3	F4	F5	F6	
Bench Disposition	326	799	1,184	2,296	23	56	202	206	929	1,308	7,329
Bench Trial	135	228	508	891	20	17	55	46	134	488	2,522
Deferred/Diverted	24	117	222	6,447	1	23	16	60	341	3,637	10,888
Dismissed	1,289	3,079	4,945	34,946	92	100	676	820	2,827	14,571	63,345
Guilty Plea Admission	7,137	20,132	26,098	125,130	545	1,660	2,831	3,362	4,733	22,357	213,985
Jury Trial	639	724	574	1,006	111	78	156	112	276	429	4,105
Other	582	1,178	892	2,272	-	9	20	13	45	107	5,118
Total	10,132	26,257	34,423	172,988	792	1,943	3,956	4,619	9,285	42,897	307,292

Guilty Plea

Figure 8 below shows that there are over 3,000 fewer guilty pleas being signed when comparing the most recent post-1006 full year (2016) to the most recent pre-1006 full year (2013). The total guilty pleas for felony Ds from 2012 through September 30, 2017 was 125,130. For F6s the total was 84,052 from 2014 through September 30, 2017.

Figure 8: Guilty Pleas Accepted by FDs and F6s by Year, 2012-2017*



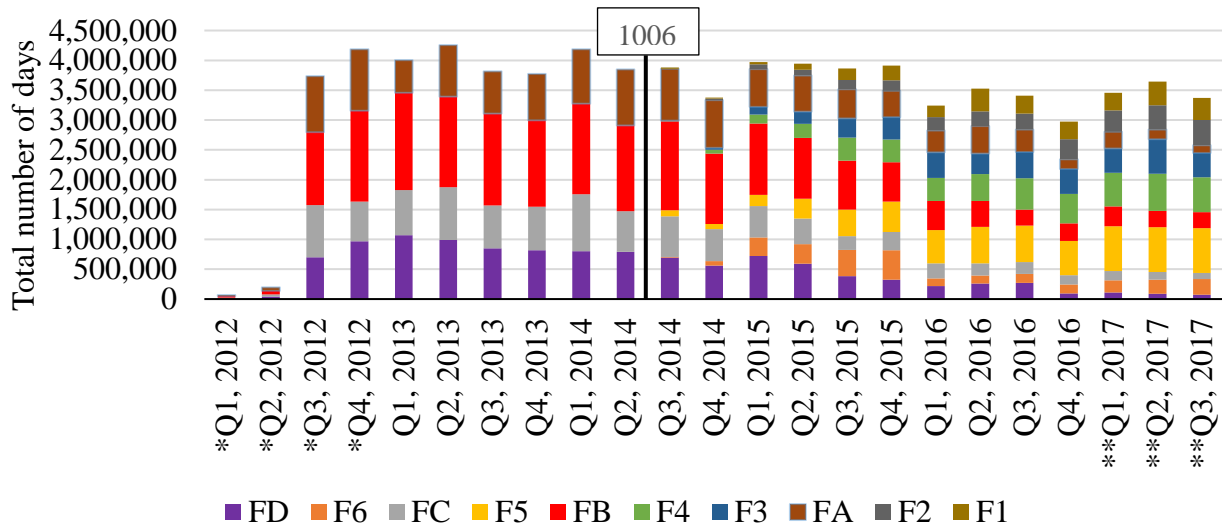
*2016 data is the last full year

**2017 data is January 1, 2017-September 30, 2017

Days Sentenced to DOC

Figure 9 below shows the total number of days each felony level is sentenced to DOC. Before HEA1006 FBs had the most days in DOC. FAs faced the longest sentences, but there were far fewer offenders getting an FA charge than felons getting an FB, explaining the increase in days.

Figure 9: Total Days Sentenced to DOC by Level and Quarter, 2012-2017



*Data not reliable until Q1 of 2013

**2017 data is January 1, 2017-September 30, 2017

After 1006, F4s and F5s have the most days, because there are more offenders with an F4 or F5 charge than F1, F2, and F3. F6 offenders were still being sentenced to DOC in the first year and a half after HEA1006, but on January 1st, 2016 F6s were no longer allowed to be sentenced to DOC. There are a limited number of circumstances where an F6 can be sentenced to DOC by statute. This explains why there were still F6 days represented. Table 8 below provides the data that was used to create Figure 9.

Table 8: Total Days Sentenced to DOC by Level and Quarter, 2012-2017

Quarter and Year	FD	F6	FC	F5	FB	F4	F3	FA	F2	F1
*Q1, 2012	11,824		14,184		27,425			13,514		
*Q2, 2012	42,955		35,880		61,054			57,707		
*Q3, 2012	701,598		870,437		1,222,351			943,464		
*Q4, 2012	970,434		661,869		1,525,881			1,025,189		
Q1, 2013	1,070,574		757,926		1,628,262			547,387		
Q2, 2013	990,875		883,204		1,518,154			863,503		
Q3, 2013	852,180		714,391		1,543,111			705,595		
Q4, 2013	820,303		726,542		1,450,882			776,927		
Q1, 2014	801,390		954,527		1,520,132			908,785		
Q2, 2014	792,983		679,103		1,437,590			940,846		
Q3, 2014	693,754	14,196	678,468	102,569	1,491,991	6,301	4,109	868,483	-	19,432
Q4, 2014	562,493	75,738	533,280	85,162	1,182,241	62,680	30,678	800,797	26,652	14,518
Q1, 2015	723,828	311,216	521,661	188,082	1,199,339	145,892	130,517	634,983	75,681	39,916
Q2, 2015	592,407	326,031	432,396	332,965	1,017,570	234,100	203,634	607,285	94,024	102,053
Q3, 2015	383,468	438,937	229,642	449,116	821,118	381,175	325,462	486,575	155,062	195,171
Q4, 2015	322,472	496,104	302,666	512,024	658,149	381,770	377,430	440,142	176,602	242,557
Q1, 2016	216,205	128,711	254,020	554,812	487,670	390,493	429,572	362,415	224,270	195,739
Q2, 2016	259,069	134,266	205,661	608,732	434,987	450,240	342,721	463,754	247,118	381,663
Q3, 2016	270,825	153,032	197,806	611,072	268,358	524,088	437,640	375,261	271,351	297,508
Q4, 2016	95,510	149,073	153,708	576,833	295,506	491,667	415,713	165,013	335,839	294,755
**Q1, 2017	111,229	204,617	153,326	749,184	335,727	563,518	406,103	278,210	360,398	292,137
**Q2, 2017	88,060	239,226	123,827	753,701	270,768	626,766	574,776	162,522	405,601	401,091
**Q3, 2017	75,446	259,834	103,543	749,205	269,371	581,679	407,381	131,819	423,552	369,313
Total	11,449,882	2,930,981	10,188,067	6,273,457	20,667,637	4,840,369	4,085,736	12,560,176	2,796,150	2,845,853

*Data not reliable until Q1 of 2013

**2017 data is January 1, 2017-September 30, 2017

HEA1006 changed credit classes for felonies. Any offender charged and convicted under the old felony structure may serve only 50% of their sentence, notwithstanding any circumstances that may arise that negates their credit time. Individuals convicted of a felony 6, also have the ability to serve only 50% of their sentence, however the credit time has changed for felony levels 1 - 5. As opposed to prior felony convictions, those who receive an F1-5 conviction must serve at least 75% of their sentence. The end result is that F1 through F5 offenders are staying in DOC longer. Another goal of the reform was to increase the number of days served by the offender. Based on the data, it would appear this goal is being achieved. Table 9 below shows the average days sentenced per level and credit time. The data for this table came from taking total days sentenced and dividing it by total placed in DOC. The credit time was calculated by taking the post-1006 number and multiplying by either 0.5 or 0.75 depending on the felony. This table will likely change for the next few years while the new felony code matures.

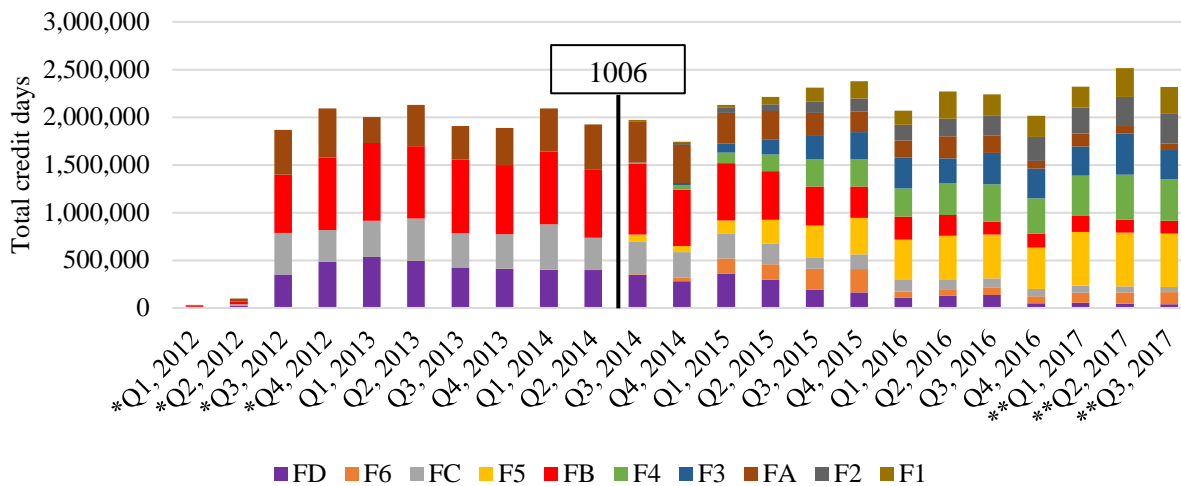
Table 9: Average Days Sentenced to DOC and Credit Time, Pre- and Post-1006

Felony	Pre-1006 (Average Days)		Post-1006 (Average Days)	
	Sentenced	Credit Time	Sentenced	Credit Time
A	6,871	3,435	4,855	2,428
1			9,486	7,115*
2			3,562	2,672*
B	1,001	500	4,011	2,005
3			2,125	1,594*
4			1,394	1,046*
C	638	319	618	309
5			784	588*
D	217	109	346	173
6			353	176

*Must serve 75% of sentence.

Figure 10 below depicts the information discussed in the previous paragraph. The data, broken down by quarter, highlights the increase in the number of days served in the DOC. The information contained in the credit time figure again details that despite pre-HEA1006 offenders being sentenced to more days in the DOC, post-HEA1006 offenders are serving more time based on the 75% time served requirements.

Figure 10: Credit Time in Days for Total Sentenced DOC Days by Level per Quarter, 2014-2017*



*Data not reliable until Q1 of 2013

**2017 data is January 1, 2017-September 30, 2017

Days sentenced to Jail

Before the enactment of HEA1006 FDs were able to be sentenced to DOC. Effective January 1, 2016, outside of certain circumstances, F6 felons cannot be sentenced to DOC. This is a direct result of HEA1006 reform. The Indiana General Assembly sought to keep low level offenders like F6s in the community. This was accomplished by requiring judges to sentence F6s to jail,

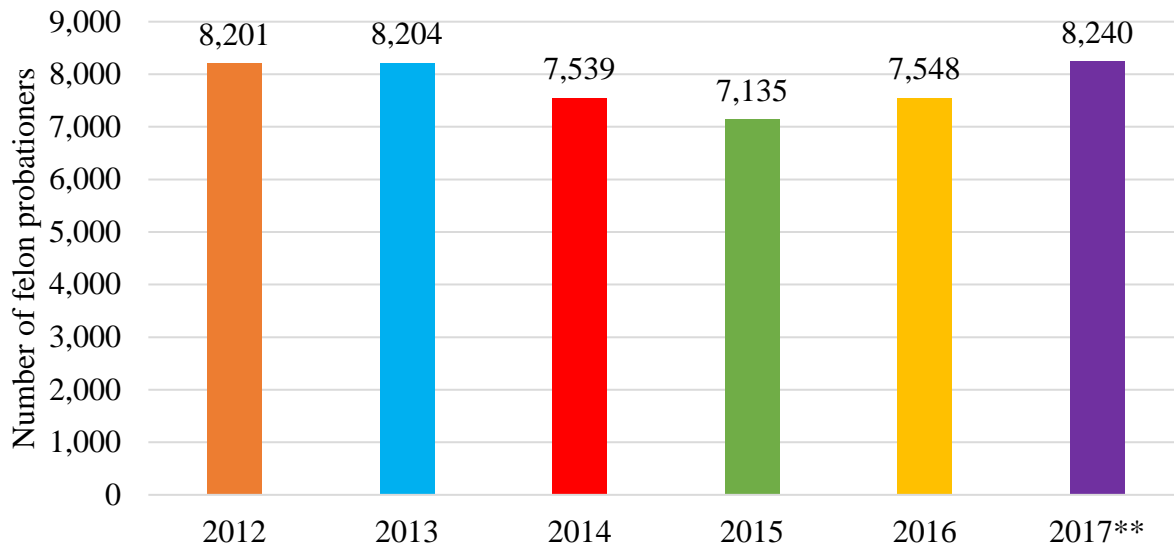
probation, or community corrections. The courts provided an example of comparing pre-1006 FDs serving time in jail to F6s. The courts stated:

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 pretrial, 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.

Probation

Figure 11 represents the average number of offenders on probation per quarter from January 1, 2012-September 30, 2017. The number of offenders on probation had a downward trend from 2012 to 2015, but began to increase in 2016. Based on preliminary data from 2017, Indiana is likely to see a substantial increase in offenders being sentenced to probation. By September 30, 2017, an average of 8,240 offenders each quarter had been sentenced to probation in 2017. This is almost 700 more offenders than the 2016 average number of offenders per quarter. The total number of offenders on probation will continue to grow each year, and as figure 11 shows 2017 will likely surpass the number of offenders on probation before 1006.

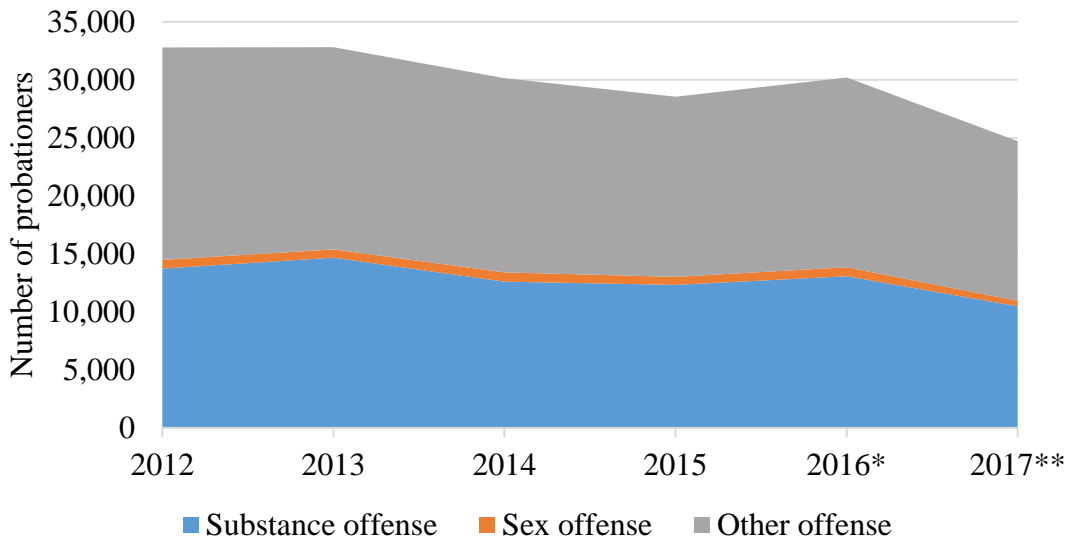
Figure 11: Average Number of Offenders on Probation Per Quarter by Year, 2012-2017



**2017 data is January 1, 2017-September 30, 2017

Figure 12 below shows the total number of offenders on probation by offense. A majority of those on probation committed an offense other than a sex offense or a drug related offense. Drug related offenders make up about 43% of offenders and sex offenders make up between 2-3% of offenders. The number of sex offenders has stayed consistent even after the enactment of 1006. Substance abuse offenders dropped slightly in 2014 and 2015, but started to trend back up in 2016. Table 10 provides the data from which Figure 12 was created.

Figure 12: Offenders on Probation by Offense Type, 2012-2017*



*2016 data is the last full year

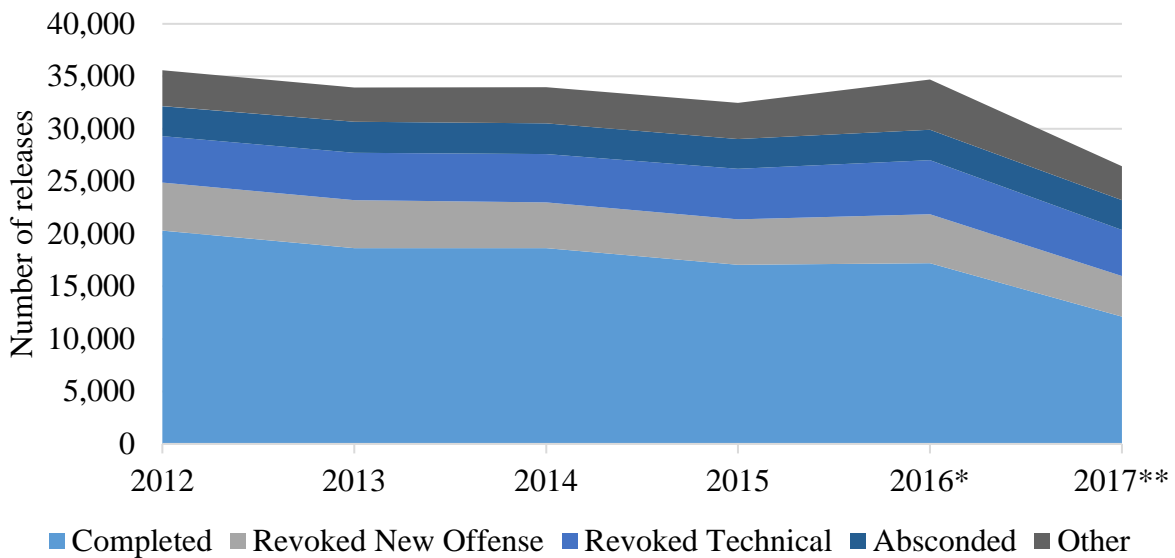
**2017 data is January 1, 2017-September 30, 2017

Table 10: Offenders on Probation by Offense Type

Probationers by Offense Type						
	2012	2013	2014	2015	*2016	**2017
Substance offense	13,739	14,675	12,608	12,332	13,063	10,480
Sex offense	748	709	799	693	775	460
Other offense	18,316	17,430	16,750	15,513	16,354	13,781
Total	32,803	32,814	30,157	28,538	30,192	24,721

As seen below in *Figure 13* the number of offenders being released from probation showed a downward trend from 2012-2015. In 2016, the number of offenders released from probation began to increase. The number being released from probation in 2016 was only 869 fewer offenders than in 2012. The number of offenders released from probation has continued to increase throughout 2017. By September 30, 2017, an average of 8,811 offenders each quarter had been released from probation in 2017.

Figure 13: Offenders Released from Probation by Release Type, 2012-2017



*2016 data is the last full year
 **2017 data is January 1, 2017-September 30, 2017

There are different methods of release from probation; discharged (probation was completed), revoked for new offense, revoked for a technical violation (e.g. a drug test came back positive), absconded (offenders whereabouts are currently unknown), and other. As shown in Figure 14 below, a majority of offenders released from probation have completed their probation sentence. More offenders were being discharged for completion before 1006 (56%) and there has been a slight decrease in offenders who are being released for completion post-1006 (50%). There was a 10% increase in offenders on probation post-1006 being released for a reason besides completion as compared to offenders on probation pre-1006. Table 11 below provides the data from which the chart was created.

Figure 14: Methods of Release from Probation, Pre- and Post-1006

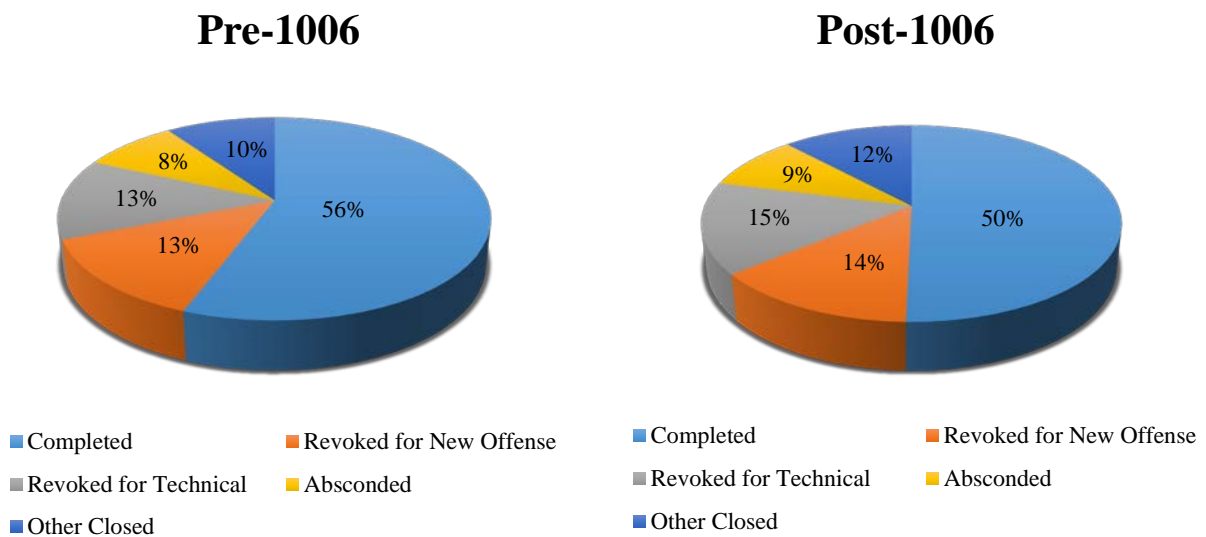


Table 11: Releases from Probation by Type, 2012-2017

Releases from Probation						
	2012	2013	2014	2015	*2016	**2017
Completed	20,309	18,632	18,647	17,055	17,196	12,122
Revoked New Offense	4,579	4,591	4,346	4,331	4,669	3,865
Revoked Technical	4,419	4,506	4,613	4,819	5,153	4,387
Absconded	2,848	2,962	2,921	2,827	2,909	2,838
Other	3,428	3,240	3,445	3,443	4,787	3,220
Total	35,583	33,931	33,972	32,475	34,714	26,432

*2016 is the last full year

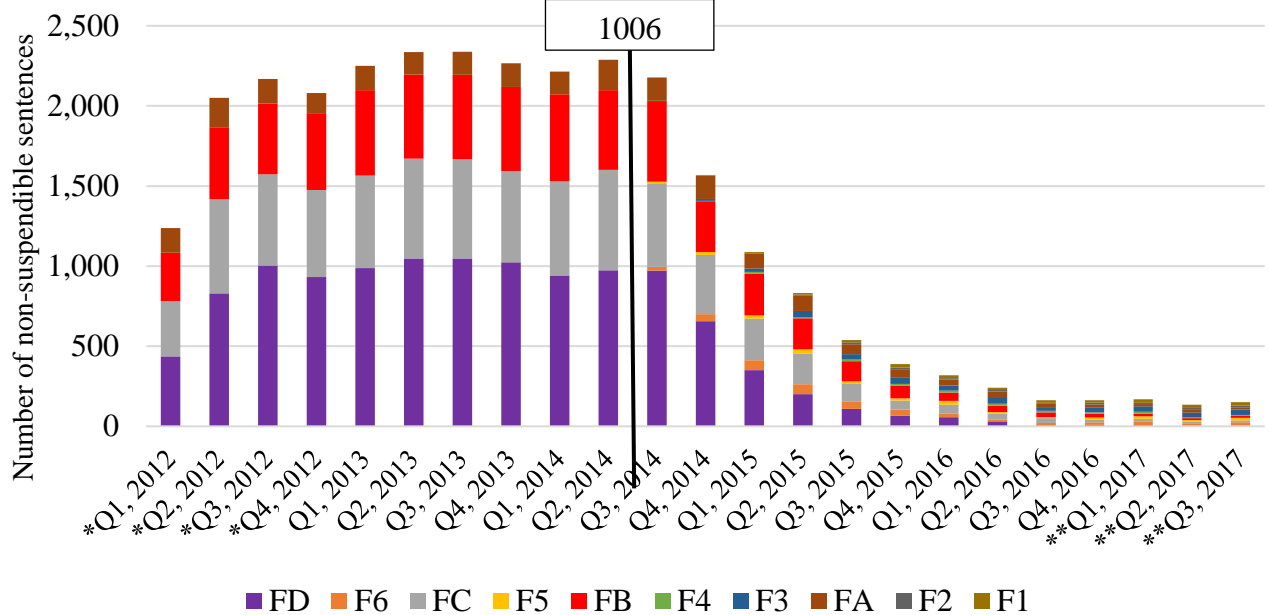
**2017 data is January 1, 2017-September 30, 2017

Suspendible and Non-Suspendible

Another significant feature of 1006 is that many sentences that were formerly non-suspendible may be suspended. By way of background, once an offender is convicted, a probation officer prepares a presentence investigation report (PSI) before the offender is sentenced to make a determination. 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. HEA1006 eliminated many situations in which an offense is non-suspendible.

Figure 15 below shows the total number of non-suspendible sentences. As evidenced by the data, there was a sharp decrease in the number of non-suspendible sentences post-HEA1006. The downward trend was evident within the last two quarters of 2014, and has stayed fairly consistent since the third quarter of 2016. Since July 1, 2014 there has been a 63% decrease in the number of non-suspendible sentences. Table 12 below provides the data from which the figure was created.

Figure 15: Non-Suspendible Sentences for All Levels by Quarter, 2012-2017*



*Data not reliable until Q1 of 2013

**2017 data is January 1, 2017-September 30, 2017

Table 12: Non-Suspendible Sentences for All Levels by Quarter, 2012-2017

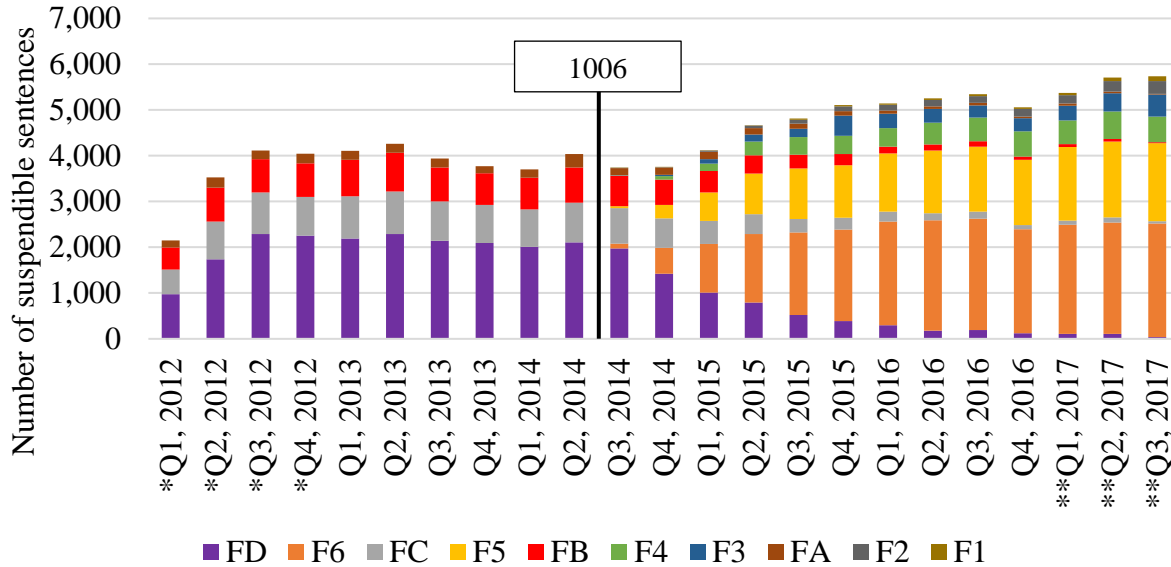
Quarter and Year	FD	F6	FC	F5	FB	F4	F3	FA	F2	F1
*Q1, 2012	437		345		301			154		
*Q2, 2012	831		586		450			184		
*Q3, 2012	1,003		571		440			154		
*Q4, 2012	932		544		478			126		
Q1, 2013	988		578		533			152		
Q2, 2013	1,047		625		524			140		
Q3, 2013	1,047		620		527			144		
Q4, 2013	1,023		571		525			148		
Q1, 2014	942		587		544			142		
Q2, 2014	973		628		497			190		
Q3, 2014	972	24	522	9	503	2	1	144	1	-
Q4, 2014	657	44	368	18	318	2	12	145	2	3
Q1, 2015	351	61	260	21	258	12	22	93	4	6
Q2, 2015	201	61	193	26	193	9	37	98	5	9
Q3, 2015	109	44	111	17	125	11	33	63	12	13
Q4, 2015	66	38	57	14	80	9	38	54	10	23
Q1, 2016	56	23	55	24	52	12	33	38	8	17
Q2, 2016	27	16	35	11	40	12	35	40	10	14
Q3, 2016	8	13	30	5	30	10	19	26	6	15
Q4, 2016	9	16	18	12	24	8	32	17	12	15
**Q1, 2017	7	25	14	17	16	11	35	13	8	22
**Q2, 2017	6	14	10	10	10	5	30	17	12	20
**Q3, 2017	6	20	12	14	13	6	33	15	10	21
Total	11,698	399	7,340	198	6,481	109	360	2,297	100	178

*Data not reliable until Q1 of 2013

**2017 data is January 1, 2017-September 30, 2017

Figure 16 shows that suspendible cases have steadily increased since July 1, 2014. This is expected, because the previous data shows 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. Table 13 below provides the data used to create the suspendible figure.

Figure 16: Suspendible Sentences for All Levels by Quarter, 2012-2017



*Data not reliable until Q1 of 2013
 **2017 data is January 1, 2017-September 30, 2017

Table 13: Suspendible Sentences for All Levels by Quarter, 2012-2017

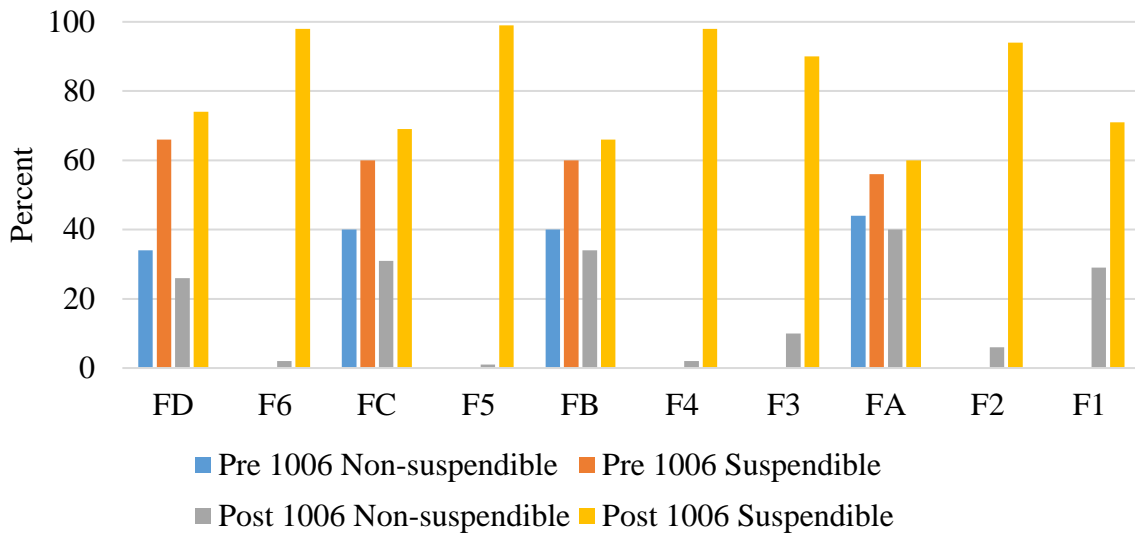
Quarter and Year	FD	F6	FC	F5	FB	F4	F3	FA	F2	F1
*Q1, 2012	973		541		480			158		
*Q2, 2012	1,738		823		739			224		
*Q3, 2012	2,289		911		729			188		
*Q4, 2012	2,257		847		730			210		
Q1, 2013	2,195		923		796			191		
Q2, 2013	2,288		928		850			192		
Q3, 2013	2,140		861		746			189		
Q4, 2013	2,092		832		692			156		
Q1, 2014	2,008		821		693			182		
Q2, 2014	2,110		866		771			291		
Q3, 2014	1,972	109	775	45	663	8	6	153	4	3
Q4, 2014	1,420	568	646	291	552	76	30	164	6	1
Q1, 2015	1,013	1,057	508	617	470	163	96	160	30	3
Q2, 2015	796	1,497	428	887	402	297	157	140	59	6
Q3, 2015	520	1,806	293	1,105	297	386	183	112	83	27
Q4, 2015	387	2,003	255	1,148	246	397	439	98	104	27
Q1, 2016	298	2,263	216	1,271	148	411	314	68	124	32
Q2, 2016	180	2,411	153	1,371	133	472	301	61	135	38
Q3, 2016	194	2,429	157	1,418	117	518	270	54	149	42
Q4, 2016	119	2,272	93	1,426	69	556	285	37	166	33
**Q1, 2017	111	2,382	93	1,602	63	522	317	49	188	47
**Q2, 2017	107	2,432	113	1,655	59	604	399	31	233	75
**Q3, 2017	37	2,482	47	1,708	19	563	480	18	278	103
Total	27,244	23,711	12,130	14,544	10,464	4,973	3,277	3,126	1,559	437

*Data not reliable until Q1 of 2013

**2017 data is January 1, 2017-September 30, 2017

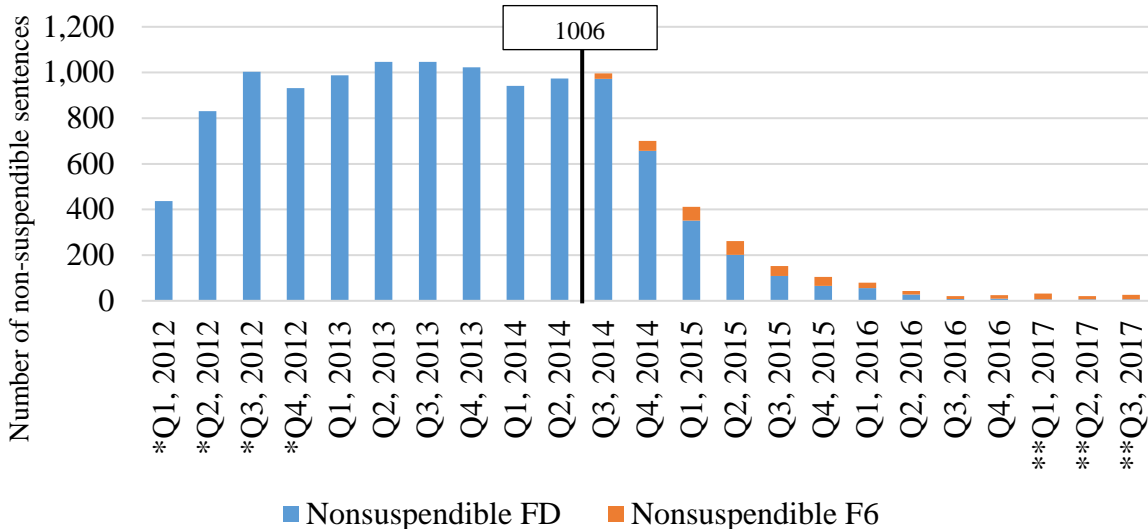
Figure 17 shows the difference between suspendible and non-suspendible sentences pre- and post-HEA1006. As was a goal of HEA1006 the data shows the number of suspendible sentences has sharply increased when compared to the number of suspendible cases under the pre-HEA1006 code, an increase of about 35 – 45%.

Figure 17: Suspendible versus Non-Suspendible Sentences for All Levels, Pre- and Post-1006



Figures 18 and 19 display two different analyses. Figure 18 compares non-suspendible cases for FDs and F6s, and Figure 19 compares suspendible cases for FDs and F6s. There was a dramatic decrease in non-suspendible cases within six months. By the end of 2015 there were few cases at this level that were labeled as non-suspendible. At the start of 2016 there were more suspendible cases for this level than pre-1006. Suspendible cases for F6s will continue to increase and non-suspendible will continue to decrease with time. Tables 12 and 13 above provide the data from which the chart above was drawn.

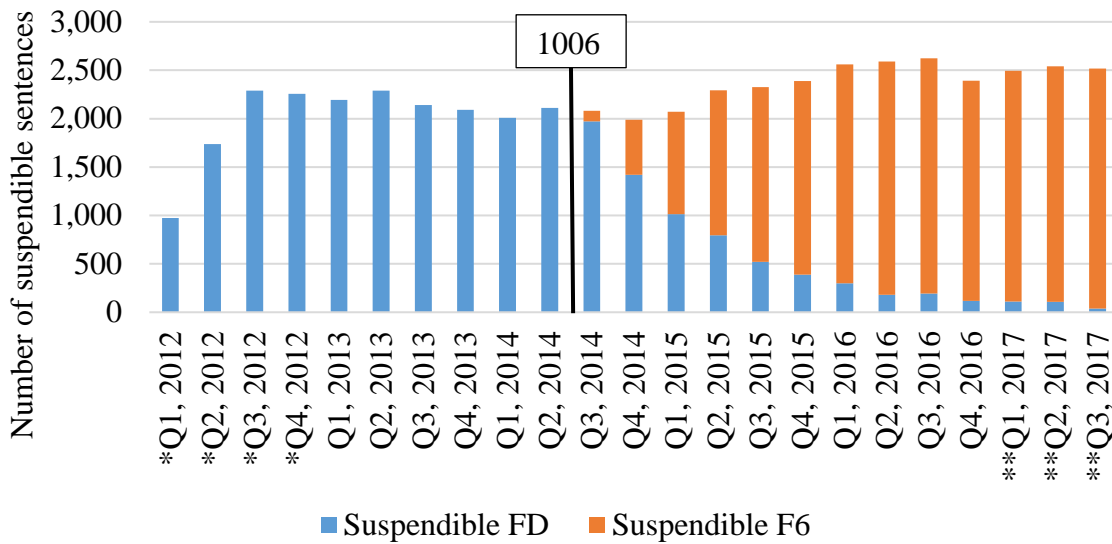
Figure 18: Non-Suspendible Sentences for FDs and F6s by Quarter, 2012-2017*



*Data not reliable until Q1 of 2013

**2017 data is January 1, 2017-September 30, 2017

Figure 19: Suspendible Sentences for FDs and F6s by Quarter, 2012-2017



*Data not reliable until Q1 of 2013

**2017 data is January 1, 2017-September 30, 2017

Department of Correction and Community Corrections Data

HEA1006 (2014) impacted the DOC offender population in these key ways:

- Credit class: Offenders sentenced with a 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 program credit time: Felons sentenced to DOC under the new criminal code are only eligible for up to two years or one-third of offender’s total sentence in applicable credit time.
- F6s may not be committed to the DOC 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 F6 and ordered to be serve 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. (IC 35-38-3-3).

Total Adult Offenders Supervised

This section discusses the total number of adult offenders under any commitment to the DOC or Community Corrections, including DOC facilities (*Figure 20*), Community Corrections (*Figure 21*), county hold jail beds (*Figure 22*), and F6 diversions (*Figure 23*). County hold jail beds are those offenders housed at the county jail awaiting transfer to a DOC facility. F6 diversions are defined as those offenders who are serving time in a county jail because they cannot be sent to a DOC facility to serve their time per statute. The figure demonstrates that the facility offender population has decreased slightly. County hold jail beds have decreased slightly and F6

diversion beds have increased. On October 1, 2017, the number of adults supervised totaled 45,734 offenders, including 25,649 in DOC facilities, 17,514 in Community Corrections, 333 in county jails waiting to go to DOC, and 2,238 in jails as F6 diversions.

Figure 20: Total DOC Facility Population, July 1, 2014 to October 1, 2017

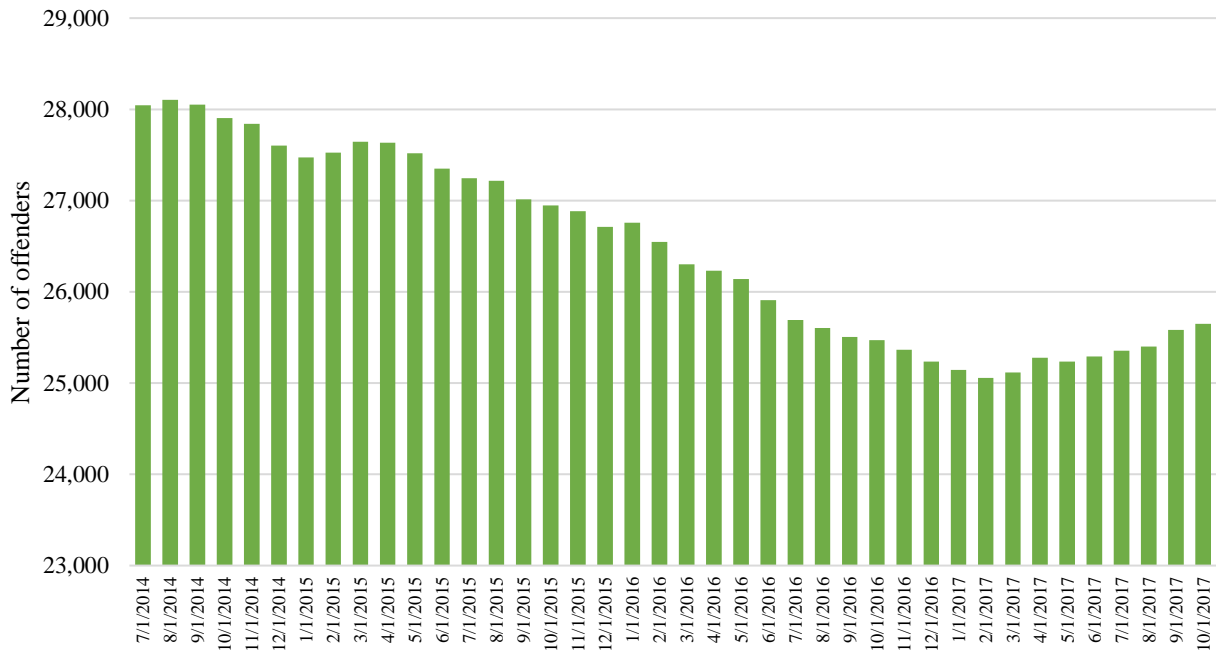


Figure 21: Total Community Corrections Population, July 1, 2014 to October 1, 2017

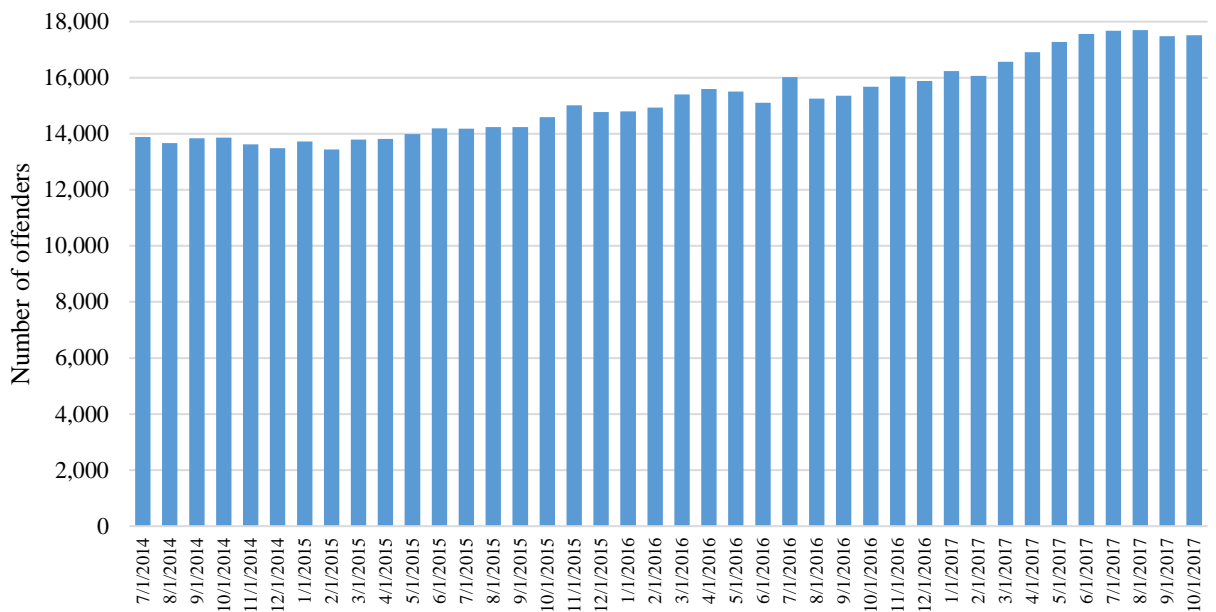


Figure 22: Total DOC County Hold Population, July 1, 2014 to October 1, 2017

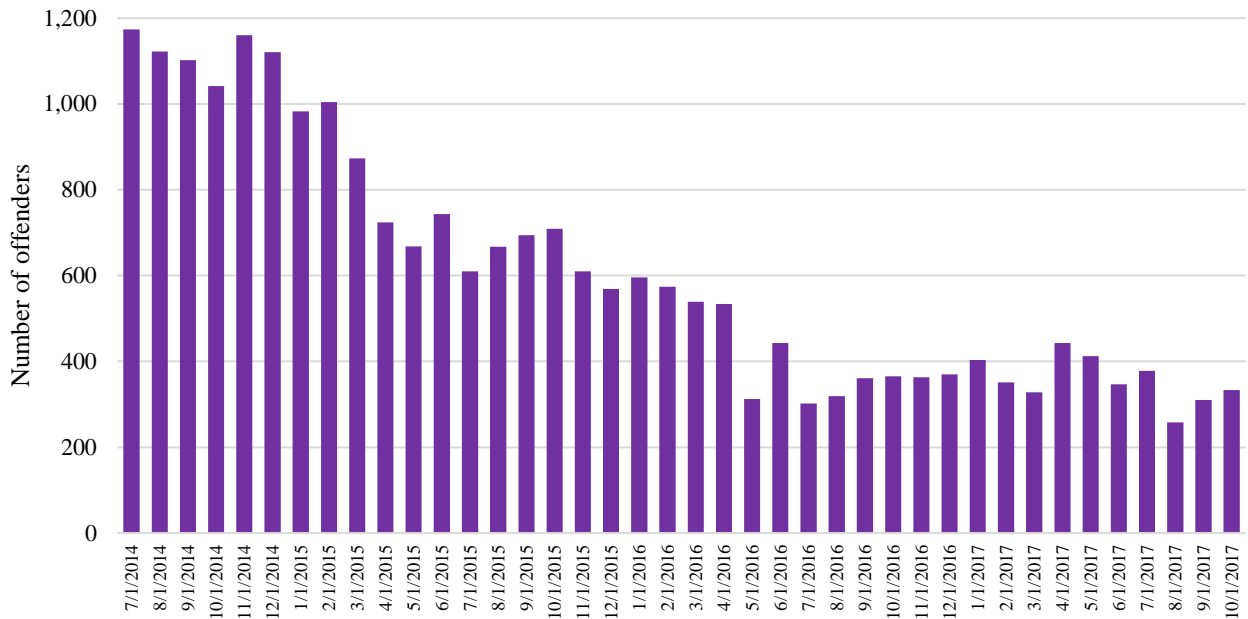
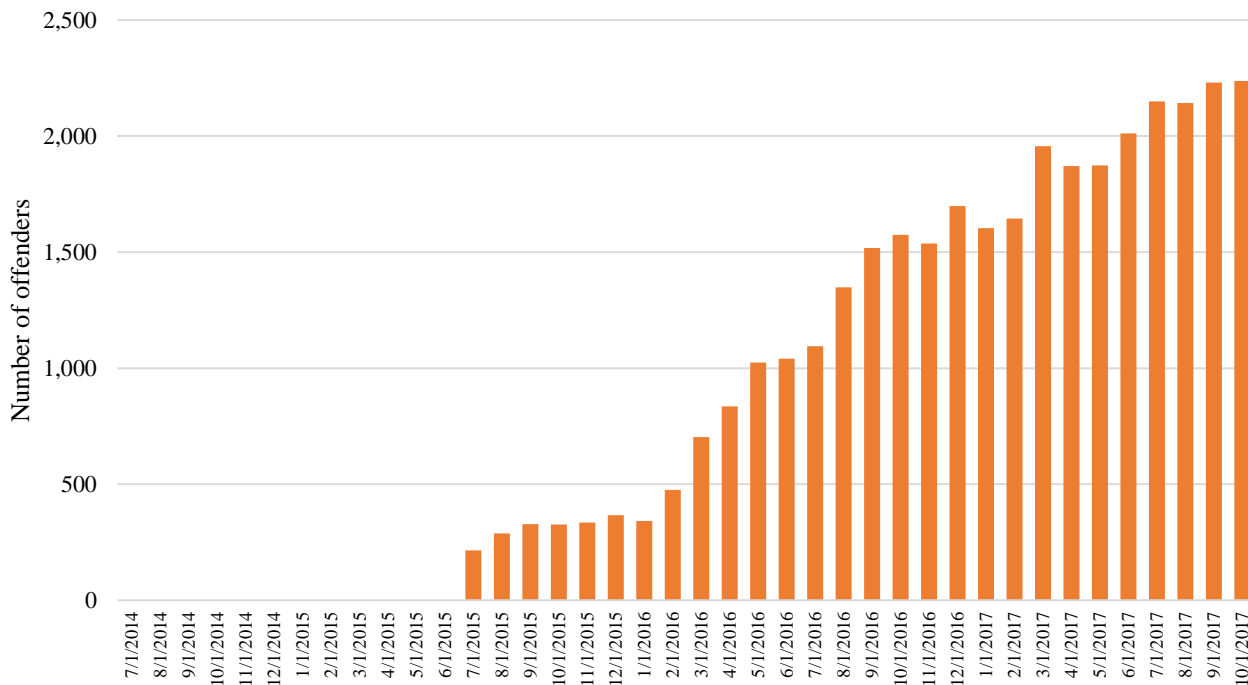


Figure 23: Total F6 Diversion Population, July 1, 2014 to October 1, 2017



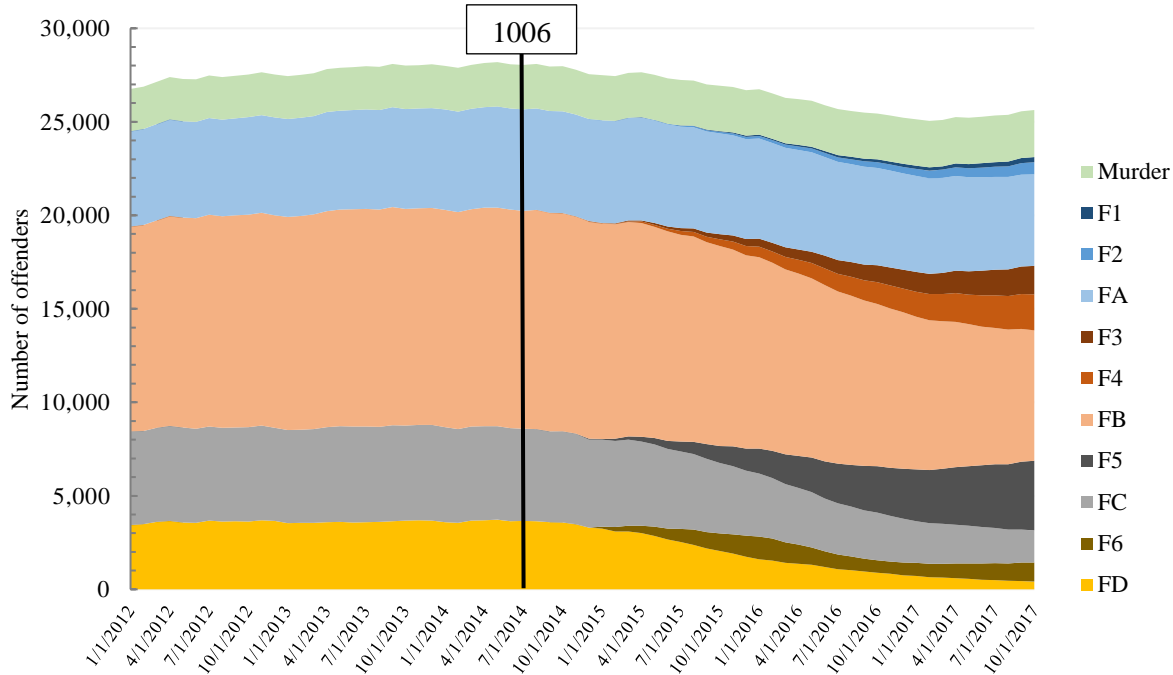
DOC Facility Population

Figure 24 illustrates the DOC population by felony type from January 1, 2012, to October 1, 2017. This figure represents total male and female adults who are housed in re-entry 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 DOC or F6 diversions located in county jails.

On January 1, 2012, the DOC was responsible for 26,805 adult offenders. On May 1, 2012, the maximum population for the period depicted in the chart, DOC housed 27,313 offenders. Following the enactment of 1006, there was an observable decrease in the number of offenders. The population bottomed out at 25,058 on February 1, 2017. Since that time, there has been an increase in offenders, with the population totaling 25,649 on October 1, 2017.

Figure 24: Offender Population by Felony Type, 2012-2017

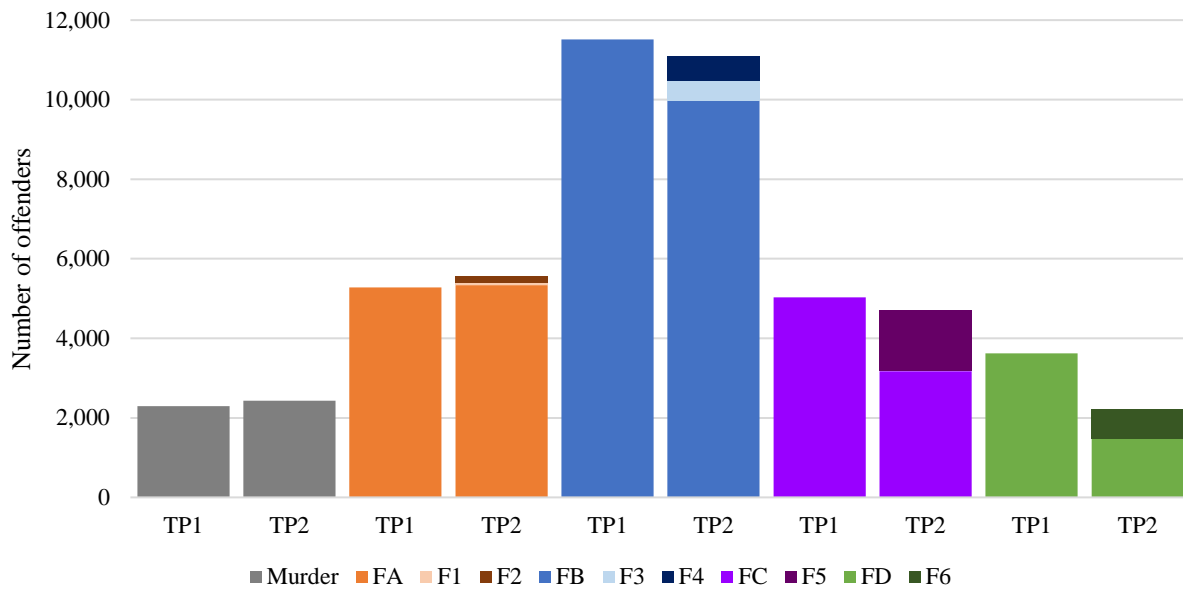


In effort to compare the effects of HEA1006 on the DOC population, we made a determination that certain felony types were roughly equivalent as follows:

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

Figure 25 demonstrates the median offender population comparing the period of January 1, 2012-June 30, 2014 (Time Period 1; TP1) and the period of July 1, 2014-October 1, 2017 (Time Period 2; TP2) by most serious offense. Each set of columns represents a comparison of the median offender population, comparing Time Period 1 and Time Period 2 by most serious offense. Time Period 2 shows offenders sentenced under the old criminal code with the new criminal code stacked on top. Median is used here and throughout this section instead of mean, unless stated, due to instability of the data following the enactment of 1006; mean average is sensitive to extreme highs and lows, while median is not.

Figure 25: Pre- and Post-1006 Comparison of Median Population by Most Serious Offense*



*TP1: January 1, 2012-June 30, 2014; TP2: July 1, 2014-October 1, 2017

Table 14 shows data associated with Figure 25 and demonstrates the median number of offenders committed to DOC facilities and contracted DOC facilities, comparing the pre-1006 and the post-1006 populations. The table indicates that the median number of offenders with Murder and Felonies A/1/2 have increased slightly too about 6% each. Felonies B/3/4 and C/5 have decreased slightly by 4% and 7%, respectively. Felonies D/6 have decreased (39%), as is expected due to sentencing changes. The overall effect during this time period has been a decrease of 1,726 offenders or 6% housed within the DOC facilities, contracted facilities, and county hold jail beds.

Table 14: Comparison of Median Offender Population Pre- and Post-1006

Median	Murder	Level										Total
		A	1	2	B	3	4	C	5	D	6	
Pre-1006	2,297	5,278	0	0	11,515	0	0	5,030	0	3,619	0	27,739
Post-1006	2,433	5,335	73	164	9,976	482	633	3,172	1,524	1,477	744	26,013

Admissions and Releases

Admissions

Figure 26 compares total monthly adult admissions and monthly discharges for DOC facilities, and contracted facilities. An admission is when an offender enters the custody or jurisdiction of the DOC. A release is when an offender leaves the custody or jurisdiction of the DOC. From the period of January 2012 to August 2017, admissions and discharges have decreased.

Figure 26: Comparison of Admissions and Releases by Month, January 2012-August 2017

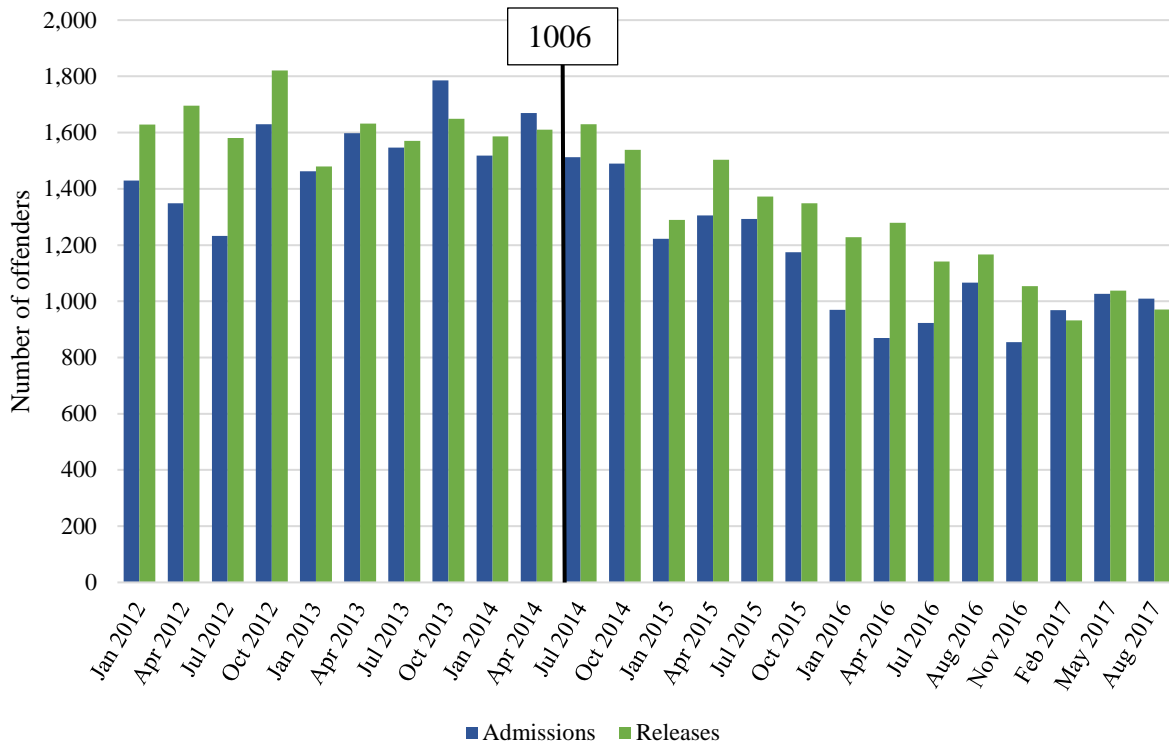


Figure 27 compares the median monthly admissions by commitment type from pre-1006 to post-1006. Because of the amount of data presented, only every third month is illustrated in the figure. Pre-1006 median monthly admissions were calculated by finding the median for monthly admissions from January 2012 to June 2014. The post-1006 admissions was calculated by finding the median for all monthly admissions from July 2014 to October 2017. Pre- and post-1006 admissions were further broken down into the type of commitment. New Commitments are offenders who are being committed to the DOC on a new sentence. Supervision Violation-New Commitment are those offenders who were under community supervision including Probation, Parole, and Community Transitions Programs (CTP) who violated the terms of their community supervision by committing a new offense. These individuals are returning to the DOC to serve a new sentence and may also have concurrent and/or consecutive sentences to serve. Supervision Technical Violation shows the offenders who were returned to the DOC for violating the terms of community supervision, including Probation, Parole, or CTP. Proportion of new commitments are down while proportion of technical violation returns have increased. Overall, admissions have decreased as seen in Table 15. Caution is advised when making inferences about DOC facility space even though overall admissions are down. Data was unavailable for intake by facility type (DOC facility or county hold jail bed). The data suggests that DOC may be using county hold jail beds, because their facilities do not have the capacity to hold all the offenders committed to the DOC.

Figure 27: Median Monthly Admission by Commitment Type, Pre- and Post-1006

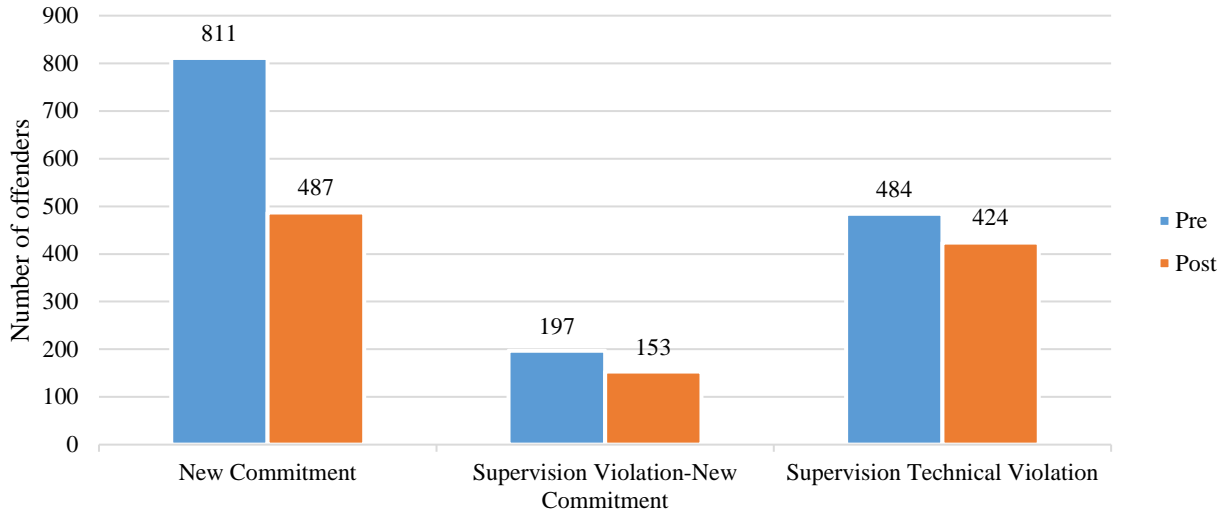


Table 15: Comparison of Median Monthly Admission by Commitment Type, Pre- and Post-1006

Median	New Commitment	Violation – New Commitment	Technical Violation	Escape/Walkaway/ Abscond Returns	Unsentenced (Safekeepers)	Total
Pre-1006	811 (54%)	197 (13%)	484 (33%)	3 (0%)	2 (0%)	1,513 (100%)
Post-1006	487 (46%)	153 (14%)	424 (40%)	3 (0%)	2 (0%)	1,066 (100%)

Releases

Figure 28 compares the median month releases by release type from pre-1006 to post-1006. Pre-1006 median monthly releases were calculated by finding the median for monthly releases from January 2012 to June 2014. The post-1006 releases were calculated by finding the median for all monthly releases from July 2014 to October 2017. Pre- and post-1006 releases were further broken down into the type of release. Discharged are offenders who are released from DOC without any further commitment or supervision on any sentence. Parole shows those offenders who are being released from a DOC facility to community supervision under Parole. Probation shows those offenders who were released from a DOC facility to community supervision under Probation. CTP shows those offenders who were released from a DOC facility to community supervision under the Community Transition Program. Comparing pre- and post-1006 release numbers, fewer offenders are being released from DOC. This makes sense given that fewer offenders are also being admitted. Proportionally, as seen in Table 16, offender releases by discharge type have stayed about the same.

Figure 28: Median Monthly Releases by Type, Pre- and Post-1006

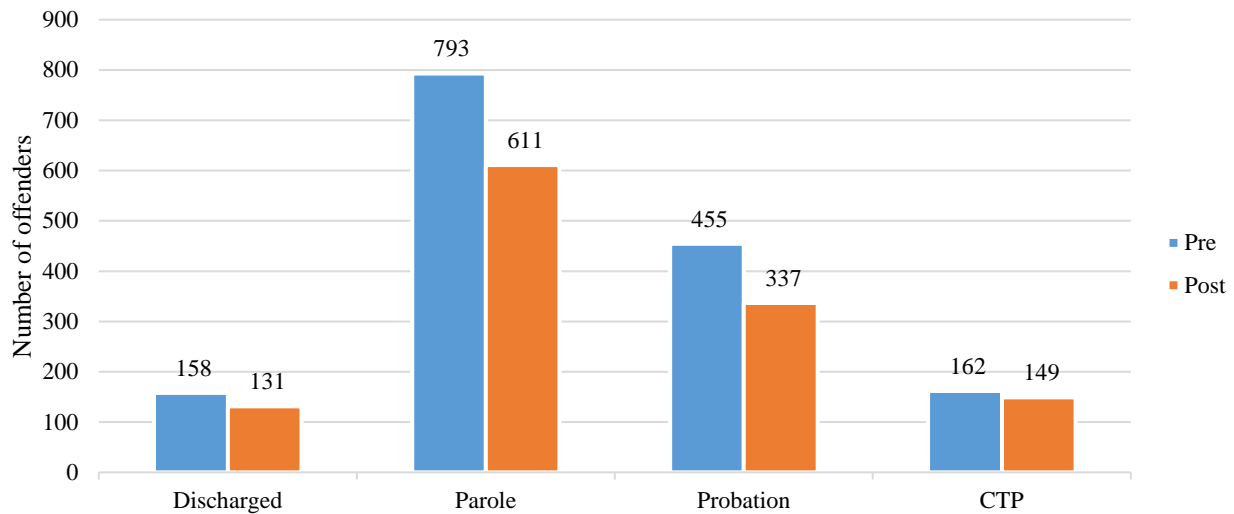


Table 16: Median Monthly Releases by Type, Pre- and Post-1006

Median	Discharged	Parole	Probation	CTP	Escape/Walk-away/Abscond	Other	Total
Pre-1006	158 (10%)	793 (49%)	455 (28%)	162 (10%)	9 (1%)	5 (0%)	1,606 (100%)
Post-1006	131 (10%)	611 (48%)	337 (27%)	149 (12%)	10 (1%)	6 (0%)	1,268 (100%)

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. IRAS assists the supervising agency in determining the level of supervision required for each offender. This section only discusses scores from the IRAS Prison Intake Tool (IRAS PIT).

Figure 29 shows the proportion of Indiana Risk Assessment System (IRAS) Prison Intake Tool (PIT) level for the years 2013 through 2016. DOC started using the PIT in mid-2012. IRAS levels included in the figure are from DOC 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 are increasing, while high and very high risk offenders are decreasing. Moderate risk offenders have stayed about the same.

Figure 29: IRAS Level by Year of DOC Admission, 2013-2016

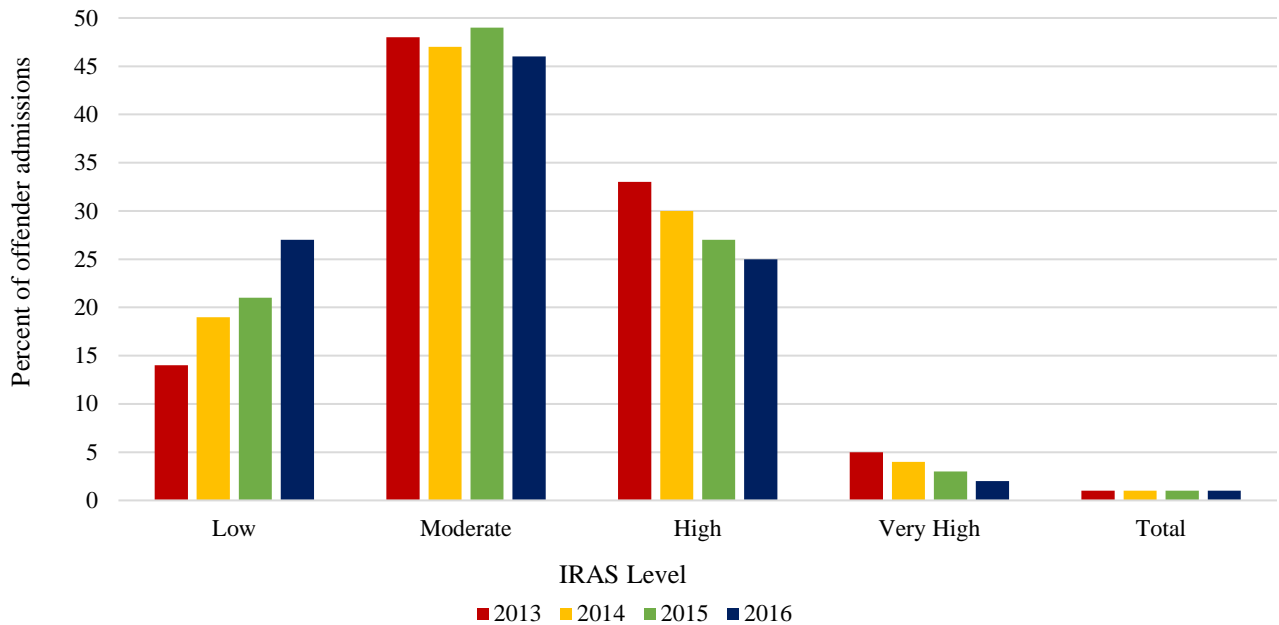


Table 17: IRAS PIT Level by Year of Intake

Level	2013	2014	2015	2016
Low	1,685 (14%)	1,900 (19%)	1,844 (21%)	2,112 (27%)
Moderate	5,842 (48%)	4,651 (47%)	4,386 (49%)	3,540 (46%)
High	4,097 (33%)	2,989 (30%)	2,444 (27%)	1,911 (25%)
Very High	654 (5%)	419 (4%)	302 (3%)	191 (2%)
Total	12,278 (100%)	9,959 (100%)	8,976 (100%)	7,754 (100%)

Figure 30 illustrates the proportion of IRAS PIT level (low, moderate, high, very high) by offense type for years 2013-2016. The FA/F1/F2 category results were unexpected. This category demonstrated a higher proportion of low IRAS scores compared to all lower offense types (FB/F3/F4, FC/F5, and FD/F6). The FD/F6 category results demonstrated that these offenses have a comparable criminogenic risk and need to all other offense types except murder.

Figure 30: Proportion of IRAS Level at Admission and Offense Type, 2013-2016

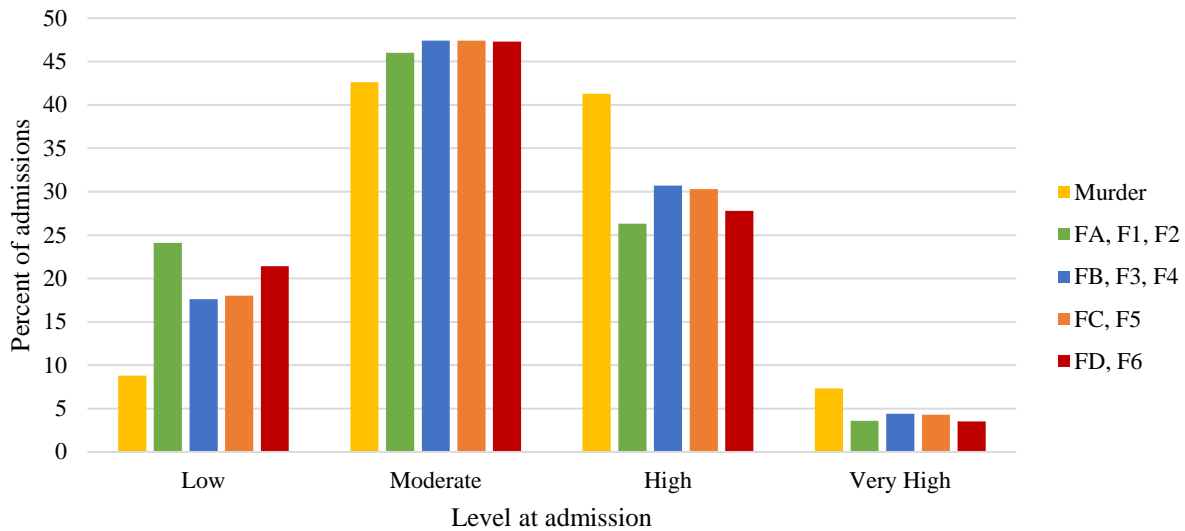


Table 18 shows IRAS Level counts and associated percentages by offense type for 2013-2016. This is the data used to create the above figure.

Table 18: IRAS Level by Offense Types, 2013-2016

IRAS	Murder	FA, F1, F2	FB, F3, F4	FC, F5	FD, F6	Total
Low	29 (9%)	470 (24%)	1,982 (18%)	1,935 (18%)	3,123 (21%)	7,539 (19%)
Moderate	140 (43%)	897 (46%)	5,350 (47%)	5,109 (47%)	6,915 (47%)	18,411 (47%)
High	136 (41%)	514 (26%)	3,465 (31%)	3,268 (30%)	4,058 (28%)	11,441 (29%)
Very High	24 (7%)	71 (4%)	495 (4%)	458 (4%)	518 (4%)	1,566 (4%)
Total	329 (100%)	1952 (100%)	11,292 (100%)	10,770 (100%)	14,614 (100%)	38,957

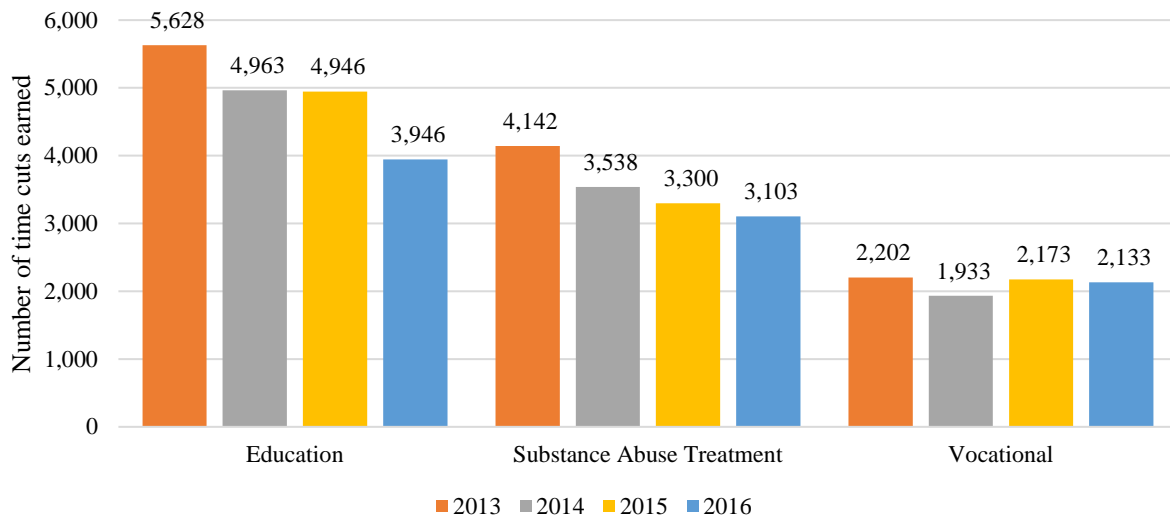
Recidivism

DOC defines recidivism as any offender who returns to DOC custody within three years of release. Because of this, recidivism data for offenders sentenced under 1006 will not be available until 2018, when all data for 2015 releases has been collected. Recidivism data for 2014 will be unreliable, because only a few hundred offenders sentenced under 1006 will have been admitted and released. Overall, recidivism rates from 2009 to 2013 releases has increased slightly, from 36.1% from 2009 releases to 37.0% from 2013 releases.

DOC Programs

Figure 31 demonstrates the number of educational and program time earned, also called time cuts, by program type for 2013-2016. An offender may be represented multiple times in this chart. Time cuts have decreased across educational and substance abuse programs since 2013. Vocational program time cuts have stayed relatively stable since 2013.

Figure 31: Educational and Program Time Earned by Program Type and Year, 2013-2016*



*Offender may be represented multiple times

Average Time to Serve

Figure 32 shows average total time to serve broken down by “old” felony classes A through D and “new” felony levels 1 through 6.¹¹ These numbers only represent projected length of stay for the offenders admitted in years 2012 to 2017. Length of sentence is adjusted for credit time. This analysis does not include admissions due to any type of revocation from pre-incarceration or post-release supervision. For Classes A through D and Level 6, offenders are projected to stay about 50% of their total sentences; for Levels 1 through 5, offenders are projected to stay about 75% of their total sentences. Average time to serve was found by taking the total amount of time, adjusted for credit time, sentenced on a new commitment divided by the total number of new commitments.

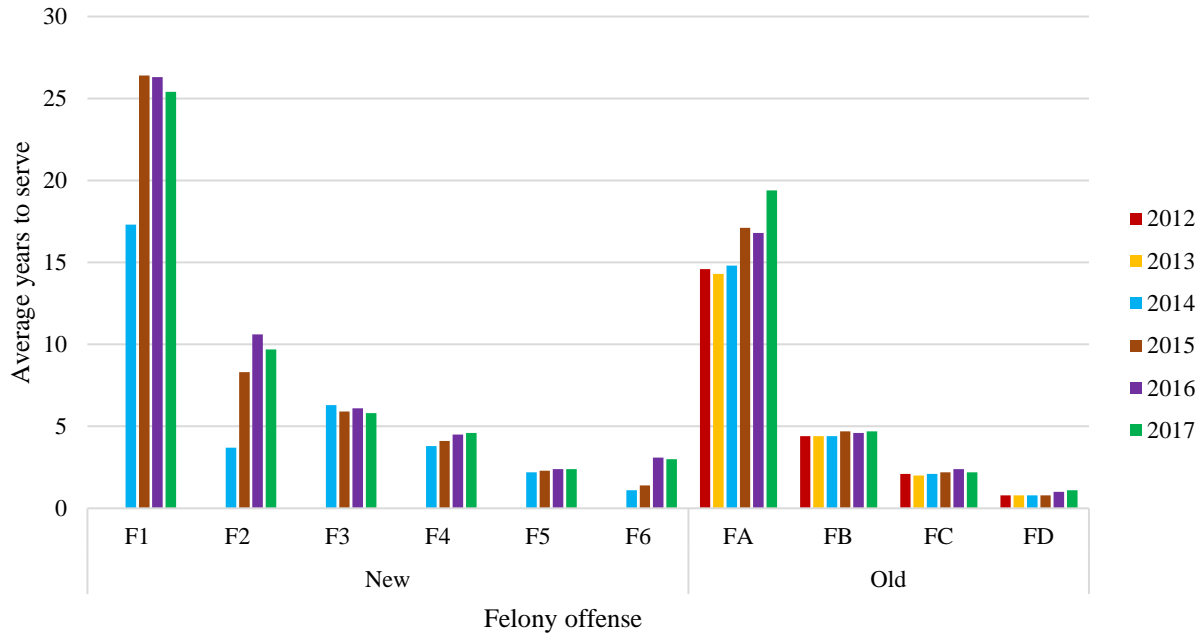
The total average of all felonies is indicated as Total Average. In 2012 and 2013, average years to serve was approximately two years and seven months. As FDs and F6s began to be sentenced away from the DOC, average years to serve increased. This is a result of credit class changes, since serving 75% of the sentence is greater than 50% of the sentence. Further in 2012, 2013, and 2014, there was a large number of FD commitments; as a result of sentence restructuring, F6s (approximately equivalent to FDs) are no longer committed to DOC, except under limited circumstances.

There is an observable difference in sentencing practices for the old felony code, comparing 2012-2014 and 2015-2017 for Felony A. From 2012-2014, these offenders received 14-15 years; from 2015 to 2017, Felony A sentences increased from 16.8 to 19.4 years. There is a small but observable increase in sentences for Felonies B through D as well from 2012 to 2017. Sentencing practices for F1 through F6 appear to still be stabilizing. Each felony shows variation in trends. For example, F1 saw a large increase in average years to serve comparing 2014 commitment year to 2015 commitment year, followed by slight decreases in years to serve

¹¹ Analysis conducted by Aaron Garner, Executive Director, and Bret Ellis, Operations Analyst, Research and Technology, Indiana Department of Correction

in 2015 and then again in 2016. F4 commitments however, show slight increases in average years to serve each year.

Figure 32: Average Time to Serve by Felony and Commitment Year, 2012-2017

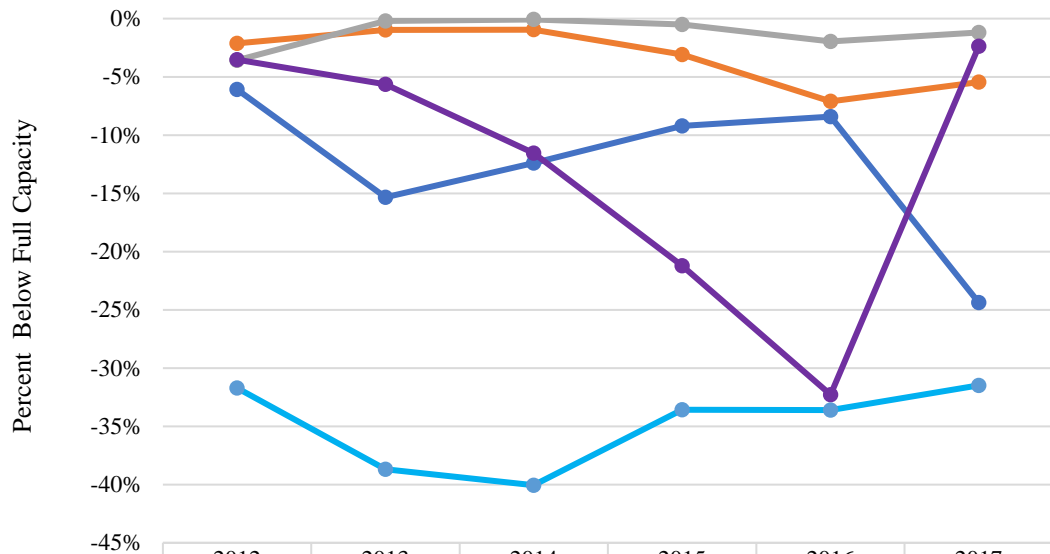


Facility Capacity

Figure 33 shows the adult male operational availability on June 30 of each year. Operational availability was calculated by dividing the June 30 end count (total number of offenders housed at respective 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 each facility type is below full capacity. Reception Diagnostic Center (RDC), classified as a medium or maximum security facility depending on year, is included, because of the size of its operational capacity, and has been separated from the other facilities. RDC operates solely as the intake facility for men entering the DOC.

Medium and maximum security facilities consistently operate very close to full capacity. On June 30 of 2013, 2014, and 2015, maximum security facilities were at full capacity. Medium security facilities appear to have increased bed availability slightly since 2014. Minimum security availability has fluctuated from year to year, with capacity substantially increasing in 2017 compared to previous years. As a result, DOC was able to close one minimum security facility in 2016 and one minimum security facility in 2017. Operational capacity for minimum security in 2017 is misleading, because DOC was in the process of transitioning offenders out of the facility that closed in 2017. In July 2017, minimum security operational availability was 12%. Re-entry and work release facilities have consistently maintained operational availability below 30% from 2012 to 2017.

Figure 33: DOC Adult Male Facility Operational Availability by Year and Security Level, 2012-2017



	2012	2013	2014	2015	2016	2017
Minimum	-6%	-15%	-12%	-9%	-8%	-24%
Medium	-2%	-1%	-1%	-3%	-7%	-5%
Maximum	-4%	0%	0%	0%	-2%	-1%
RDC	-4%	-6%	-12%	-21%	-32%	-2%
Re-Entry & Work Release	-32%	-39%	-40%	-34%	-34%	-31%

Figure 34 shows the adult female operational availability on June 30 of each year. Operational availability was calculated by dividing the June 30 end count (total number of offenders housed at respective 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 each facility type is below full (100%) capacity. Maximum security facilities consistently operate very close to full capacity. Minimum and medium security facilities appear to have increased their bed availability over time. Re-Entry and Work Release facilities operated at 13% availability on June 30, 2012. Since that time, they have increased their bed availability significantly.

Figure 34: DOC Adult Female Facility Operational Availability by Year and Security Level, 2012-2017

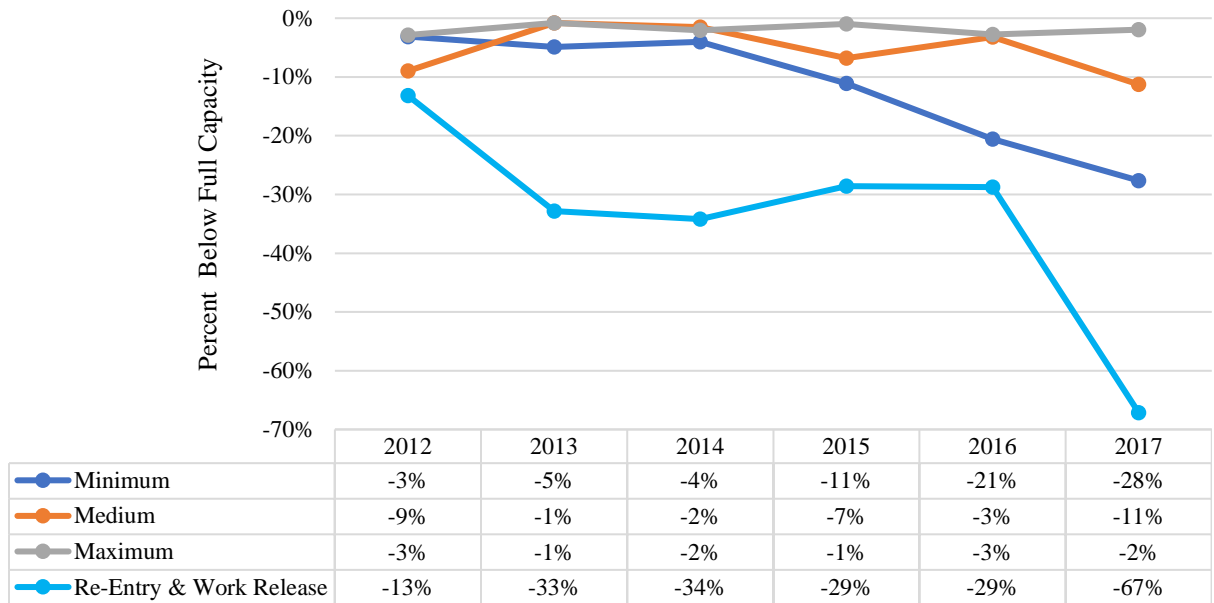
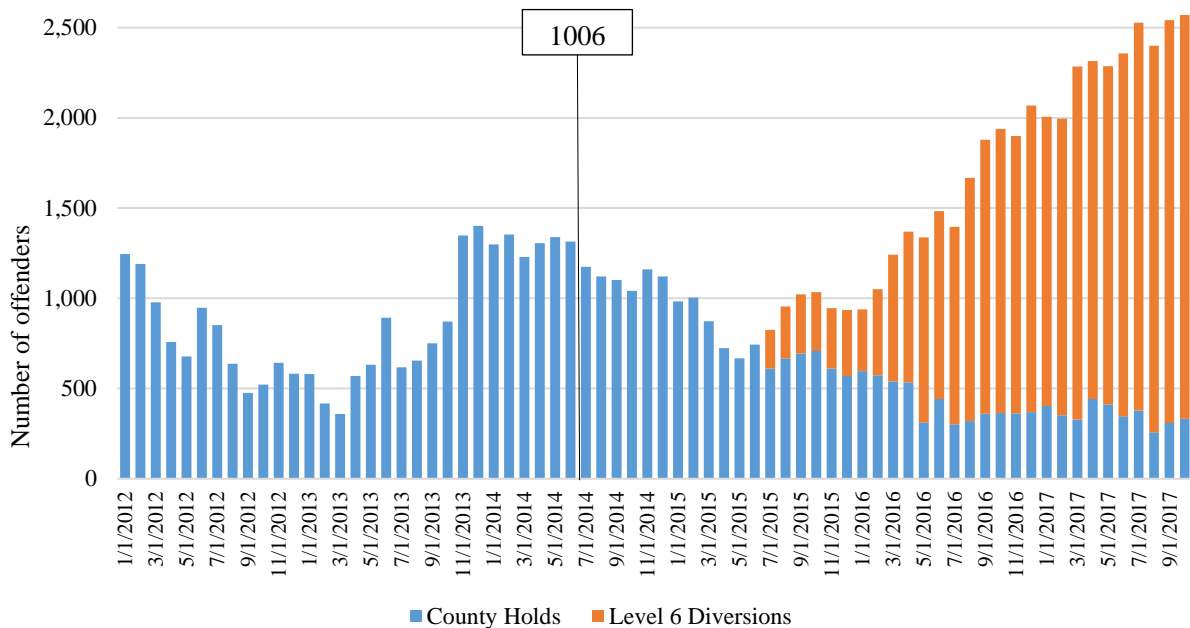


Figure 35 illustrates the change in DOC county hold jail beds from January 1, 2012 to October 1, 2017. DOC county hold jail beds are those DOC offenders who are being held at the county jail until they can be transferred to a DOC facility. Level 6 Diversion offenders are those Level 6 offenders who are serving time in their county jail because they cannot be sent to DOC, per statute. Per statute, DOC pays county jails \$35 per offender for both the county hold jail beds and level 6 diversions.

Figure 35: DOC Funded Jail Beds, January 1, 2012-October 1, 2017

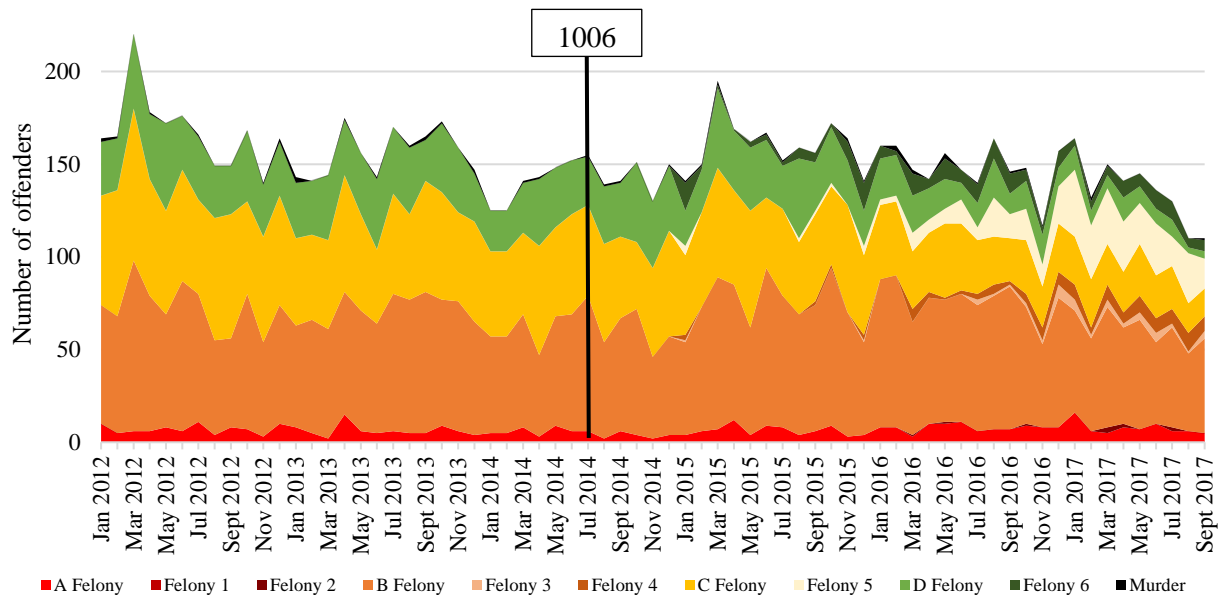


Community Transition Program

The Community Transition Program (CTP) is intended to give an incarcerated offender a head start to re-entry. Offenders committed to the DOC 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 (IC 11-8-1-5.6). On average, about 27% of offenders eligible for CTP are released to CTP. This has remained consistent from pre-1006 (January 2012 to June 2014) and post-1006 (July 2014 to September 2017). Eligibility for CTP is determined by statute. Whether an offender is released to CTP is up to the court at the offender's county of conviction.

Figure 36 shows CTP utilization by conviction and month. Because total admissions and releases to DOC have decreased, CTP utilization has decreased, too. Pre- and post-1006, B felonies have consistently utilized CTP the most, followed by C felonies, D felonies, and then A felonies.

Figure 36: CTP Utilization by Conviction Type and Month, 2012-2017



Community Corrections

Community Corrections is community-based correctional programming that was established in 1979. The establishment of 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 which 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 offenders charged with a crime or act of delinquency with a number of different services. The county's established Advisory Boards approve the Community Corrections Plan to prioritize the needs and services applicable to their communities. Community Corrections operates in every Indiana county in some capacity, except Benton, Franklin, and Newton counties.

In 2015, a new revision of HEA1006 provided additional funds to be available in 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 Programs, Court Recidivism Reduction Programs, and Jail Treatment Programs. This funding allowed 168 entities around the state to hire 293 full-time and 45 part-time staff.

The Community Corrections offender population is composed of individuals with felony (*Figure 37*) and misdemeanor (*Figure 38*) convictions, in addition to individuals who are in pretrial programming (*Figure 39*). Pretrial individuals have yet to be convicted or sentenced for the crime for which they are supervised. The figures below illustrate the average monthly Community Corrections population by felony, misdemeanor, or pretrial. The Community Corrections population has increased from a monthly average of 15,706 offenders in July of 2014 to an average of 19,573 in October 2017. The increase is due to a 68% increase in pretrial, 57% increase in misdemeanor, and 6% increase in felony offenders. In April 2014, the data structure was significantly modified in response to the sentencing changes and updated in partnership with the Community Corrections data vendors. As a result, data integrity increased which resulted in variance of the population from previous years. Therefore, pre- and post-1006 comparisons were not possible.

Figure 37: Community Corrections Felony Population, April 2014-October 2017

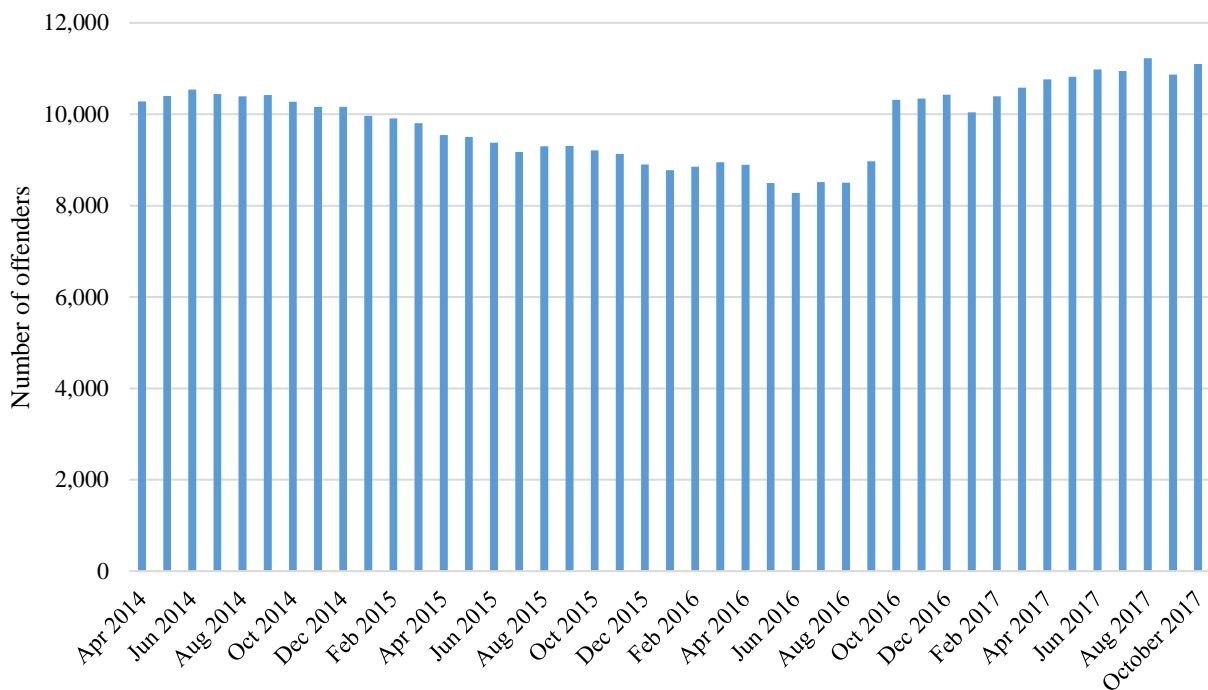


Figure 38: Community Corrections Misdemeanor Population, April 2014-October 2017

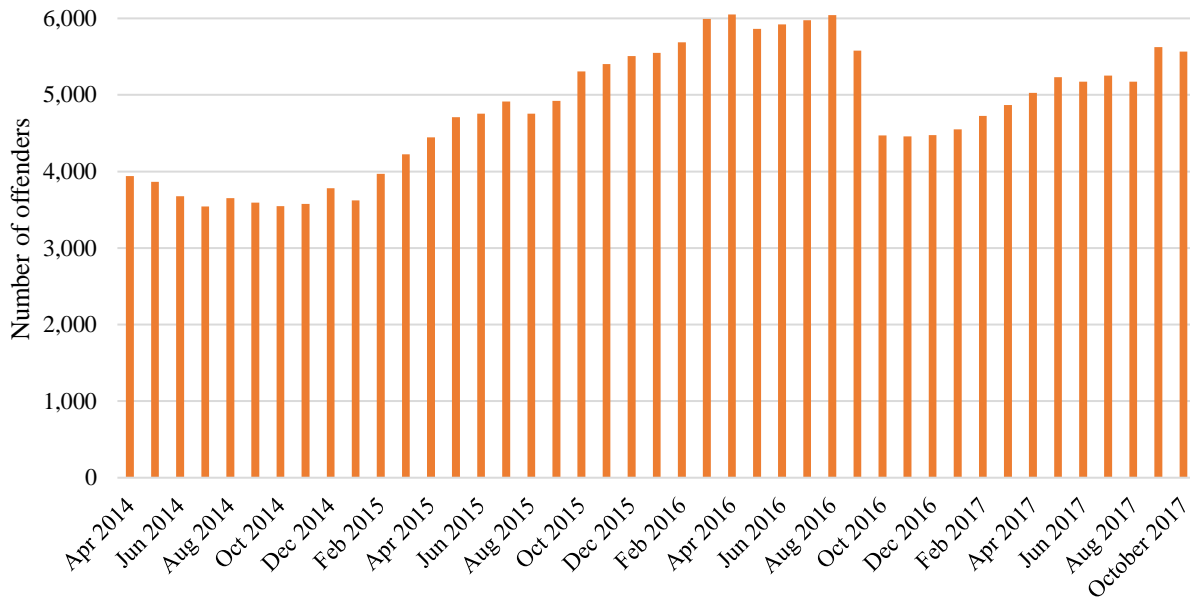


Figure 39: Community Corrections Pretrial Population, April 2014-October 2017

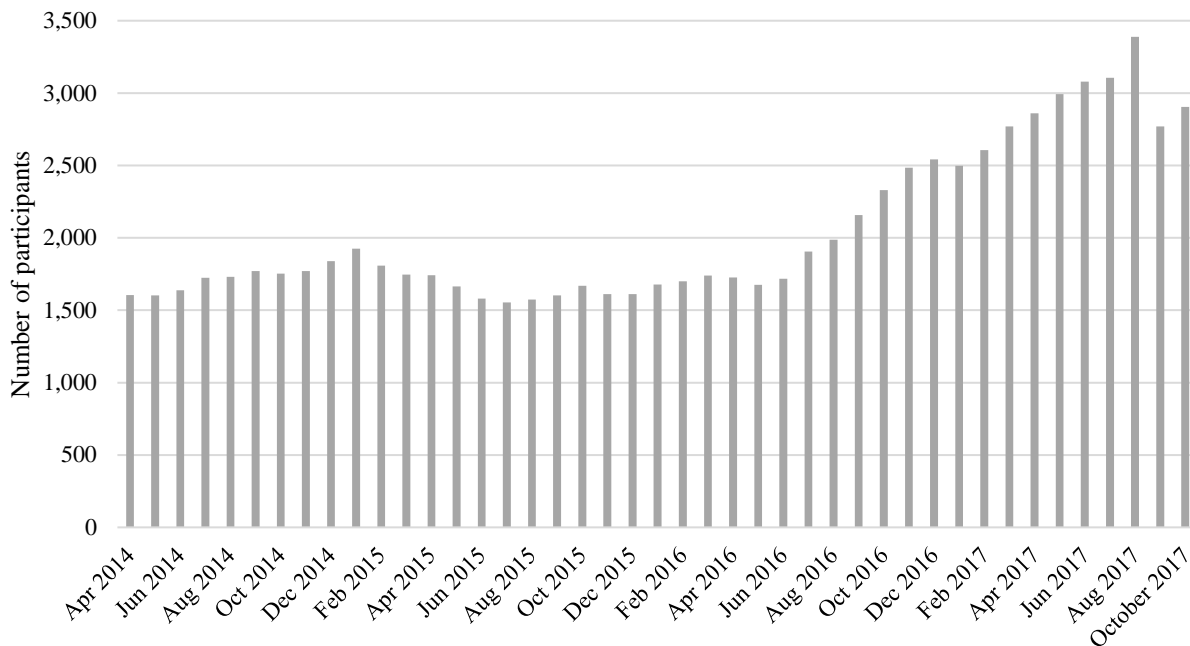
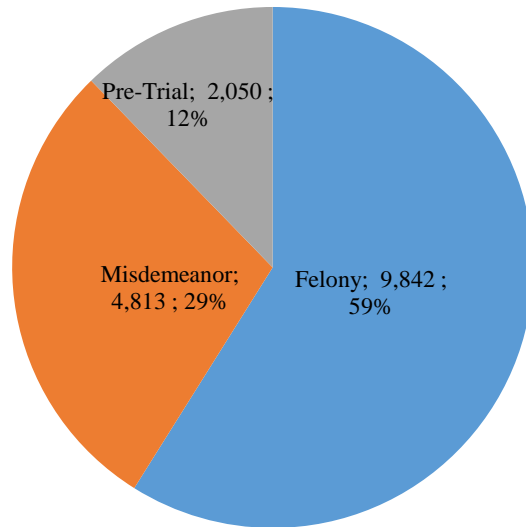


Figure 40 shows the average monthly composition of the participants served by Community Corrections. On average, the majority of the Community Corrections’ population (59%) are felony offenders, followed by misdemeanor and pretrial participants.

Figure 40: Community Corrections Monthly Average Participants by Conviction Type



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 month from April 2014 to October 2017, including electronic monitoring (Figure 41), community service (Figure 42), work release (Figure 43), day reporting (Figure 44), forensic diversion (Figure 45), and problem-solving courts (Figure 46). All forms of supervision have increased since July 2014, except forensic diversion, which has decreased by 43%. However, use of forensic diversion appears to have an upward trend starting in February 2017.

Figure 41: Community Corrections Population: Electronic Monitoring, April 2014-October 2017

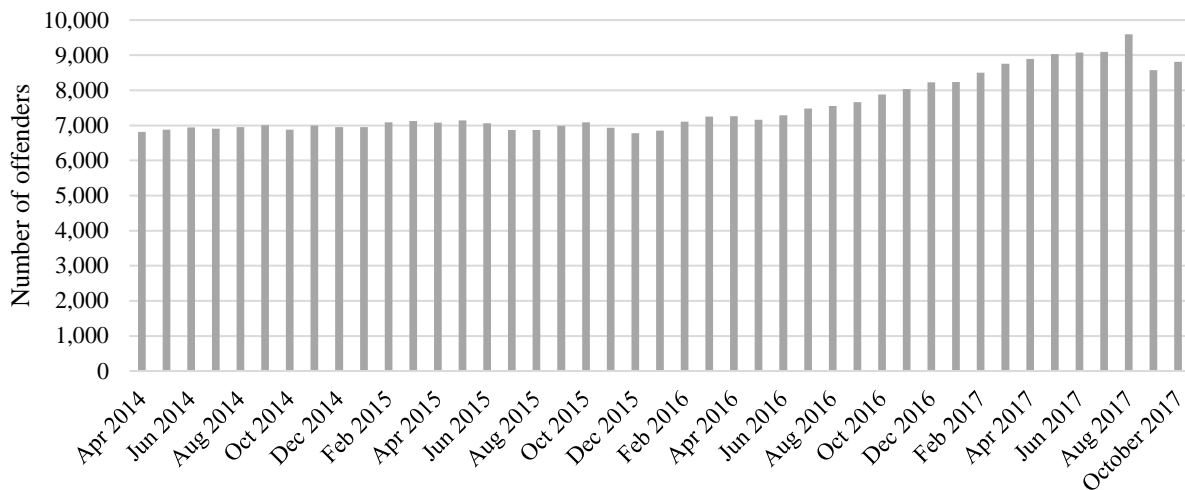


Figure 42: Community Corrections Population: Community Service, April 2014-October 2017

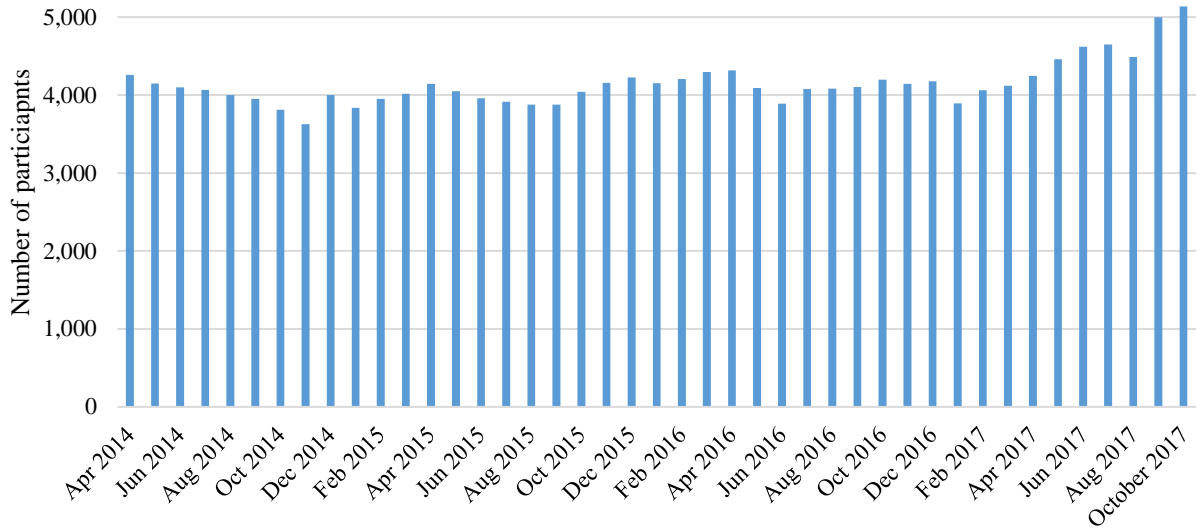


Figure 43: Community Corrections Population: Work Release, April 2014-October 2017

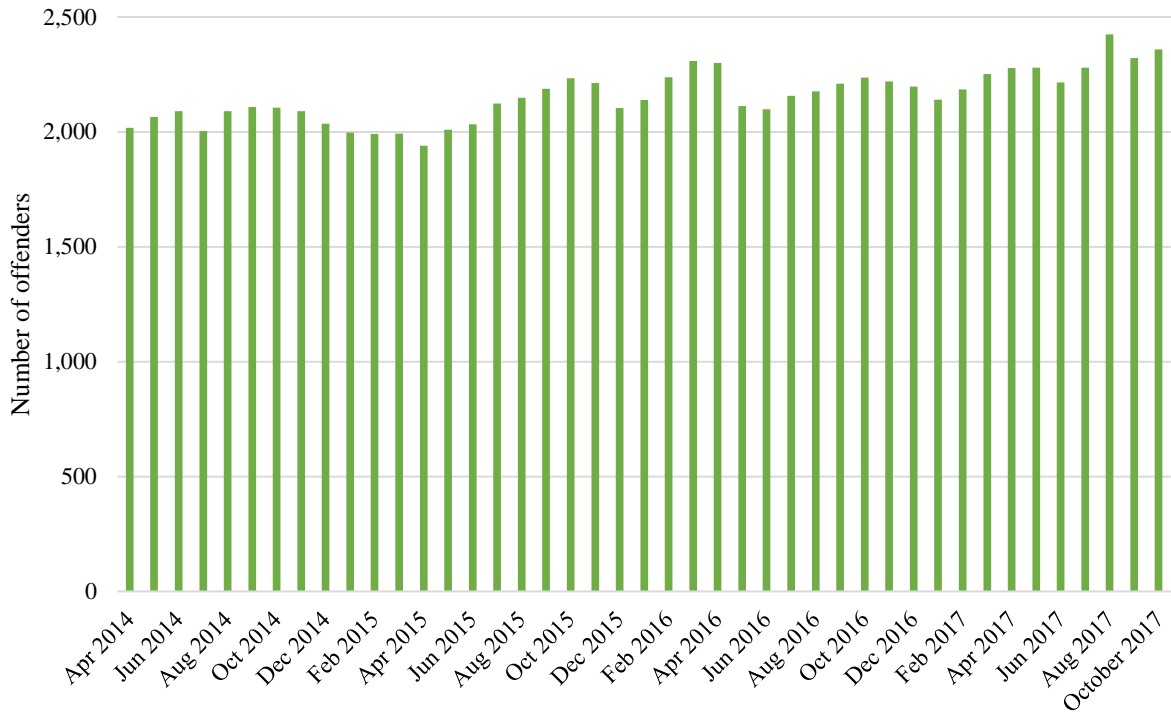


Figure 44: Community Corrections Population: Day Reporting, April 2014-October 2017

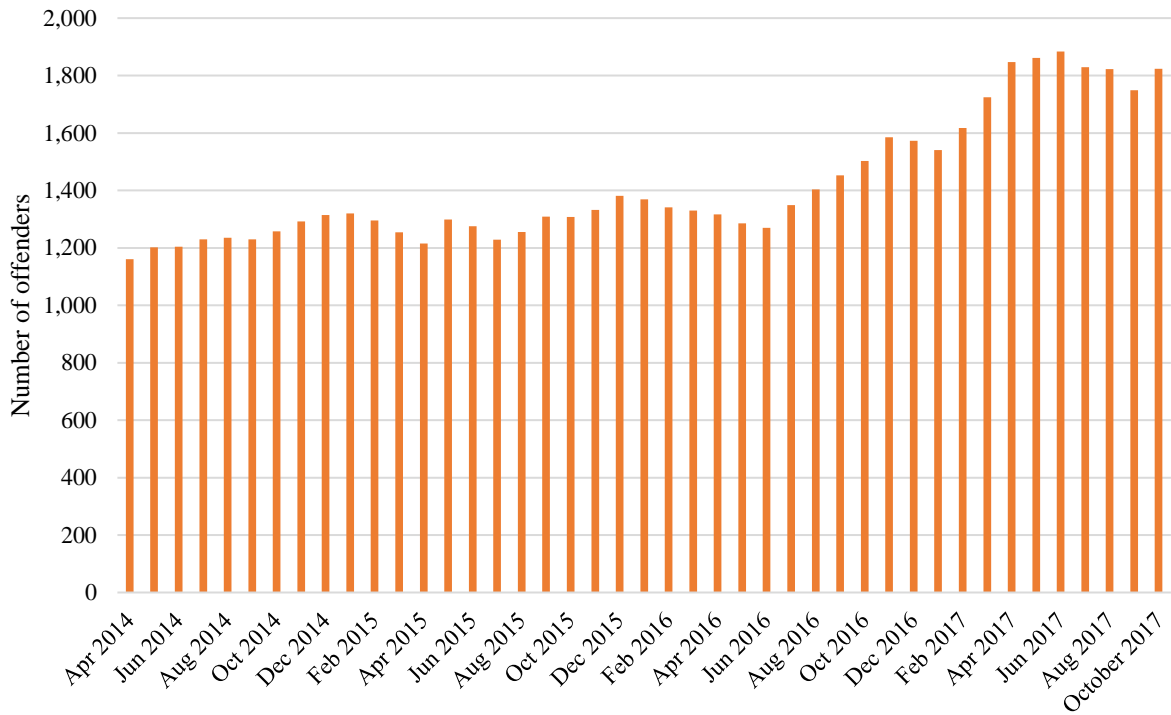


Figure 45: Community Corrections Population: Forensic Diversion, April 2014-October 2017

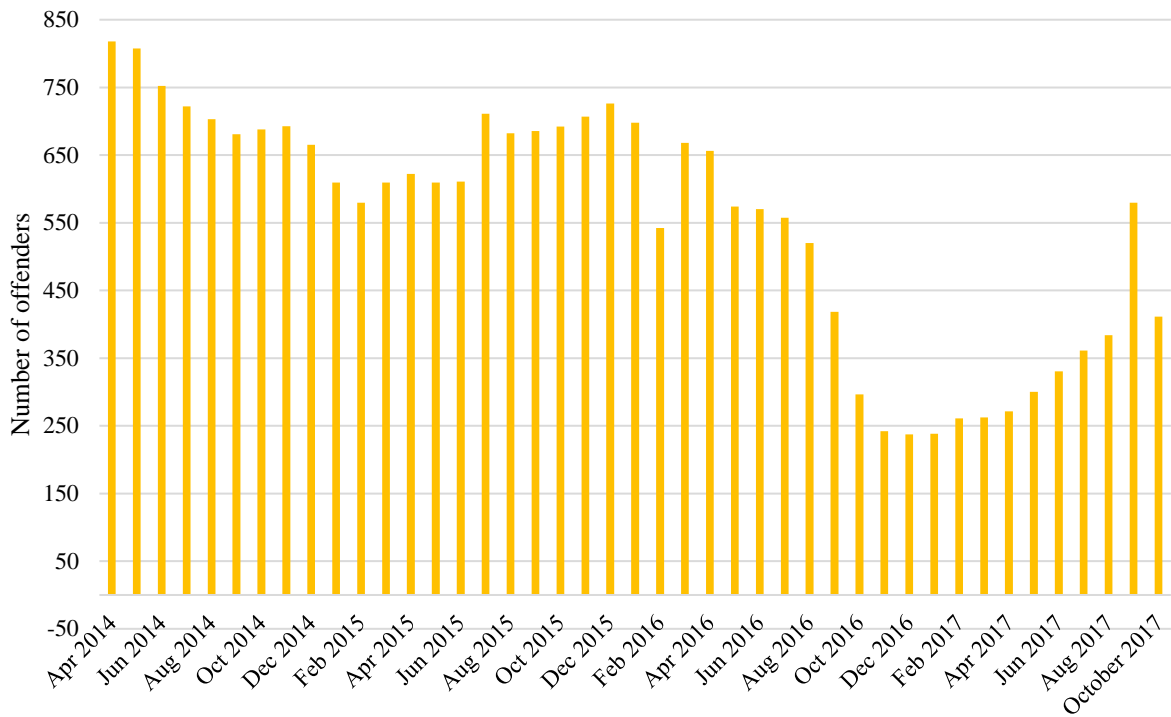
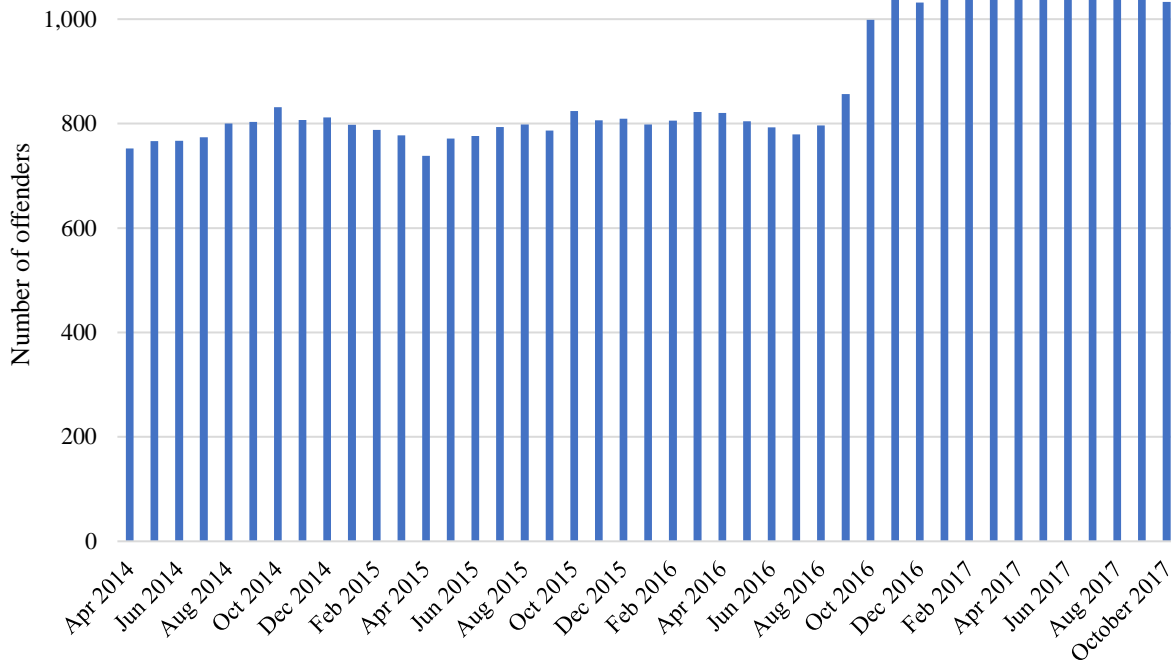
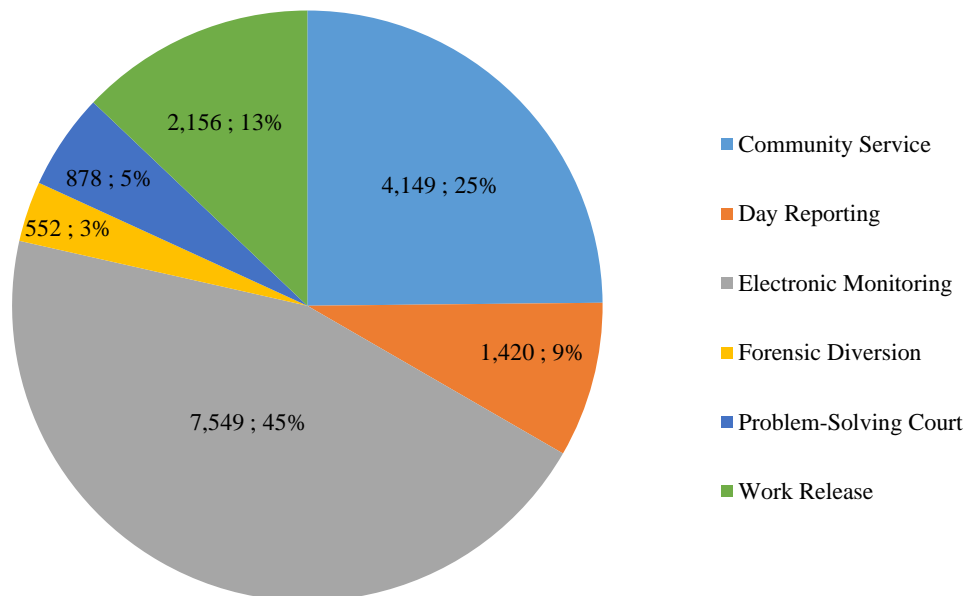


Figure 46: Community Corrections Population: Problem-Solving Courts, April 2014-October 2017



The most common form of supervisions used by Community Corrections is Electronic Monitoring (45%). In an average month, one quarter of all participants are involved in Community Service supervision. A little over one in ten are in Work Release and 9% are supervised through Day Reporting, as seen in Figure 47.

Figure 47: Community Corrections Monthly Average Participants by Supervision Type



Jail Data

In order to assess the capacity of county jails and the effect that HEA1006 has had, ICJI received Jail Inspection Reports for each jail in the state for the years 2014-2016. ICJI also wanted to include 2013 inspections, therefore ICJI utilized the American Institutes for Research's (AIR) 2013 report, "Assessing the Local Fiscal Impact of Indiana HEA1006," which analyzed the potential impact of HEA1006 prior to the law going into effect. The jail inspection table from their report has been included in this one to show pre-1006 levels. There are 92 jails in 91 counties, Ohio County does not have a jail and Marion County has two jails. Inmates from Ohio County are mostly housed in Switzerland County.

DOC 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 DOC, number of inmates for the federal government, demographic information, adequate staffing level and services provided such as GED and substance abuse counseling. From the inspection report, ICJI was able to determine the rate of utilization for beds. The tables below show the data from the jail inspection reports from 2013 through 2016. This is followed by a summary of the findings. 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 or a range. The jail population is ever changing and it is plausible for jails to fluctuate from being over capacity to under capacity many times through the year.

Jails were labeled as overcrowded if they exceeded 80% of its available bed capacity. The National Institute of Correction 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."¹² 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.¹³ 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.

The 2013 jail inspection data was limited to the variables that AIR chose to research. These variables were: county, inmate population, number of beds, jail rate of utilization, jail overcrowded (yes or no), and adequate jail staffing levels (yes or no). For the 2014-2016 inspection reports, ICJI chose to include 11 variables to paint a stronger picture of the status of the county jails for analysis; the entire inspection report was not utilized. These variables were: county, inmate population, jail rate of utilization, jail overcrowded (yes or no), number of inmates sentenced to serve county time, number of beds for DOC holding, number of inmates

¹² 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>

¹³ Ibid

being held for DOC, number of sentenced inmates awaiting transfer to DOC, number of inmates for US Marshal/ICE, and adequate jail staffing levels (yes or no). The following tables represent the jail inspection reports from 2013-2016.

Table 19: 2013 Jail Inspection Data¹⁴

County	Inmate Population	Num. of Beds	Jail Rate of Utilization	Jail Overcrowded	Adequate Jail Staffing
Adams	79	60	131.67	Yes	Yes
Allen	731	741	98.65	Yes	No
Bartholomew	166	362	45.86	No	Yes
Benton	16	54	29.63	No	No
Blackford	61	80	76.25	No	Yes
Boone	115	222	51.80	No	Yes
Brown	41	117	35.04	No	No
Carroll	38	34	111.76	Yes	No
Cass	129	208	62.02	No	Yes
Clark	485	482	100.62	Yes	Yes
Clay	107	170	62.94	No	No
Clinton	138	222	62.16	No	Yes
Crawford	64	81	79.01	No	Yes
Daviess	152	216	70.37	No	Yes
Dearborn	263	216	121.76	Yes	Yes
Decatur	66	66	100.00	Yes	Yes
DeKalb	86	89	96.63	Yes	Yes
Delaware	297	221	134.39	Yes	No
Dubois	83	84	98.81	Yes	Yes
Elkhart	588	1,002	58.68	No	Yes
Fayette	110	114	96.49	Yes	No
Floyd	266	234	113.68	Yes	Yes
Fountain	22	25	88.00	Yes	Yes
Franklin	53	75	70.67	No	No
Fulton	86	88	97.73	Yes	No
Gibson	116	120	96.67	Yes	No
Grant	225	274	82.12	Yes	Yes
Greene	68	84	80.95	Yes	Yes
Hamilton	162	296	54.73	No	Yes
Hancock	160	153	104.58	Yes	No
Harrison	153	175	87.43	Yes	No
Hendricks	250	250	100.00	Yes	No
Henry	127	118	107.63	Yes	No
Howard	356	328	108.54	Yes	Yes
Huntington	79	99	79.46	No	No
Jackson	247	172	143.60	Yes	No
Jasper	61	120	50.83	No	Yes
Jay	89	140	63.57	No	Yes
Jefferson	126	109	115.60	Yes	No
Jennings	110	120	91.67	Yes	No
Johnson	306	322	95.03	Yes	No
Knox	199	214	92.99	Yes	No

¹⁴ Written by G. Roger Jarjoura, Nathan Zaugg, and Konrad Haight from the American Institutes for Research. Report can be accessed here: <http://www.air.org/resource/assessing-local-fiscal-impact-hea-1006>

County	Inmate Population	Num. of Beds	Jail Rate of Utilization	Jail Overcrowded	Adequate Jail Staffing
Kosciusko	175	332	52.71	No	No
LaGrange	93	242	38.43	No	Yes
Lake	893	1,013	88.15	Yes	No
LaPorte	414	368	112.50	Yes	Yes
Lawrence	148	168	88.10	Yes	No
Madison	270	207	130.43	Yes	Yes
Marion	1,981	2,165	91.50	Yes	Yes
Marshall	173	239	72.38	No	Yes
Martin	34	60	56.67	No	Yes
Miami	126	240	52.50	No	Yes
Monroe	265	287	92.33	Yes	Yes
Montgomery	184	232	79.31	No	Yes
Morgan	292	439	66.51	No	Yes
Newton	44	77	57.14	No	Yes
Noble	133	259	51.35	No	No
Ohio	#	#	#	#	#
Orange	42	92	45.65	No	Yes
Owen	63	72	87.50	Yes	Yes
Parke	66	92	71.74	No	Yes
Perry	35	46	76.09	No	#
Pike	40	74	54.05	No	Yes
Porter	423	337	125.52	Yes	No
Posey	47	62	75.81	No	No
Pulaski	56	128	43.75	No	Yes
Putnam	93	155	60.00	No	No
Randolph	107	106	100.94	Yes	Yes
Ripley	84	124	67.74	No	No
Rush	49	46	106.52	Yes	No
Scott	101	64	157.81	Yes	No
Shelby	203	177	114.69	Yes	No
Spencer	61	71	85.92	Yes	No
St. Joseph	567	829	68.40	No	No
Starke	60	54	111.11	Yes	Yes
Steuben	107	175	61.14	No	No
Sullivan	63	56	112.50	Yes	No
Switzerland	30	60	50.00	No	No
Tippecanoe	346	553	62.57	No	No
Tipton	19	27	70.37	No	Yes
Union	22	10	220.00	Yes	No
Vanderburgh	566	553	102.35	Yes	No
Vermillion	44	74	59.46	No	No
Vigo	293	267	109.74	Yes	No
Wabash	88	72	122.22	Yes	Yes
Warren	25	42	59.52	No	Yes
Warrick	73	118	61.86	No	No
Washington	68	61	111.48	Yes	Yes
Wayne	289	416	69.47	No	No
Wells	96	94	102.13	Yes	No
White	122	165	73.94	No	Yes
Whitley	124	104	119.23	Yes	No
State Total	16,773	20,061	83.61		

Table 20: 2014 Jail Inspection Report Data

County	Inmate Pop.	Num. of Beds	Rate of Utilization	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

County	Inmate Pop.	Num. of Beds	Rate of Utilization	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
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
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

Table 21: 2015 Jail Inspection Data

County	Inmate Pop.	Num. of Beds	Rate of Utilization	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

County	Inmate Pop.	Num. of Beds	Rate of Utilization	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
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
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	
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

Table 22: 2016 Jail Inspection Data

County	Inmate Pop.	Num. of Beds	Jail Rate of Utilization	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

County	Inmate Pop.	Num. of Beds	Jail Rate of Utilization	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
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
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 reported not submitted as in process of moving inmates to new addition, but anticipate jail to be overcrowded.

Table 23 below provides a summary profile of the county jails from 2013 – 2016. The number of jails that exceed 80% of capacity remained relatively consistent from 2013 – 2015. In 2016, the number of jails to exceed capacity was 57 or 62% of all jails. In 2016, the total inmate population for the state reached the highest level in the 4-year period at 17,833 with an overall capacity rate of 84.7%. The inspection reports do not identify classification levels of the inmates. The reports show the number sentenced to county time and the number being held for the DOC and the Federal government. The remaining inmates are not broken down by pretrial, violation of

probation, failure to appear or other. Therefore, it is not possible to determine the number that are F6s or how many are pretrial.

The number of jails assessed as understaffed has increased each year. At least two jails need an additional 20 plus staff, with several others needing 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.¹⁵ 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 population characteristics of inmates (risk level, mental health, medical, etc.), physical layout of jail, method of inmate supervision, security functions, services provided and state standards.¹⁶

Table 23: Summary Profile of County Jails

	2013		2014		2015		2016	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Total Capacity at 80% or Above	48	52.2%	46	50.0%	45	49.0%	57	61.9%
Staffing inadequate	45	49.5%	63	69.2%	71	77.1%	77	83.7%
Provide GED programming	--	75.0%	63	69.2%	66	72.5%	65	71.4%
Provide Substance Abuse Programing	--	89.0%	78	85.7%	78	85.7%	79	86.8%
Total Inmate Population and Capacity Rate	16,773	83.6%	16,708	81.5%	16,133	77.5%	17,833	84.7%

The jail inspection reports have not been completed for 2017. To get an overview of the current jail population, the Indiana Sheriff’s Association distributed a survey to all of the Sheriffs over the summer of 2017. The survey asked total bed capacity and the count of the inmate population by felony (Murder, F1-5, F6, Misdemeanor, Civil) and type of hold (Federal, DOC, Sentenced to Jail, Pretrial, Probation Violation, Failure to Appear, Other). The Indiana Office of Trial Court Technology compiled and analyzed the results. These numbers represent a snap-shot of one day and while all counties responded to the survey not all of the counties provided all of the requested data. The total jail population for the state is 21,478 with a capacity total of 99.2%, a significant increase from the 2016 numbers. A total of 23 jails are between 80% and 99.9% capacity and 45 jails exceed 100% capacity, of those 4 are over 200% capacity. Based on these numbers, 75% of the jails are overcrowded. For all classifications, 56% of inmates are pretrial holds, 17% are sentenced, 10% are violations of probation, 7% failure to appear, 5% DOC holds, 4% other and 2% Federal holds (See *Figures 48, 49, and 50* below). The F6 inmates consists of 45% of the total jail population, however, only 10% of all jail beds are filled due to sentenced F6s. For only the F6 inmates, 52% are pretrial and 23% have been sentenced. *Table 24* provides all data collected by the Indiana Office of Trial Court Technology.

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.

Figure 48: Jail Utilization Breakdown by Degree, 2017

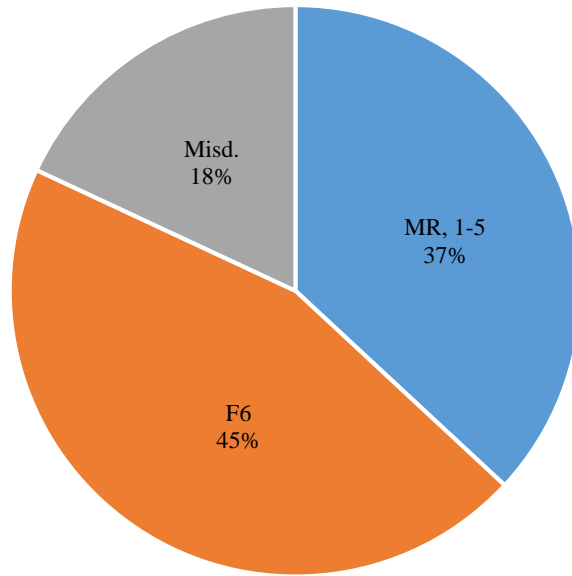


Figure 49: F6 Jail Inmates by Hold Type, 2017

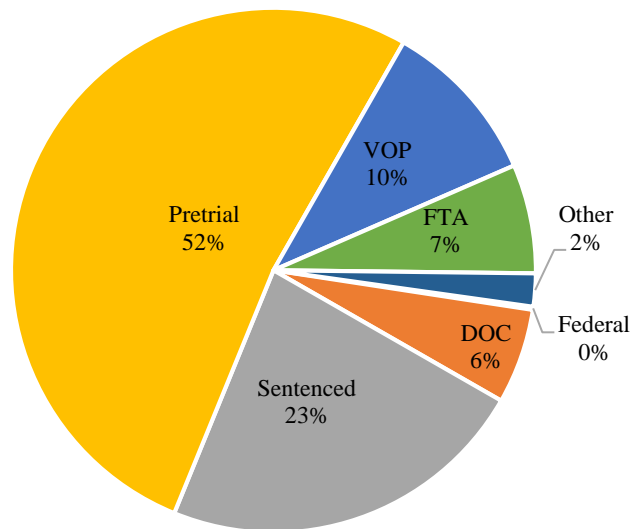


Figure 50: Total Indiana Jail Utilization by Hold Type, 2017

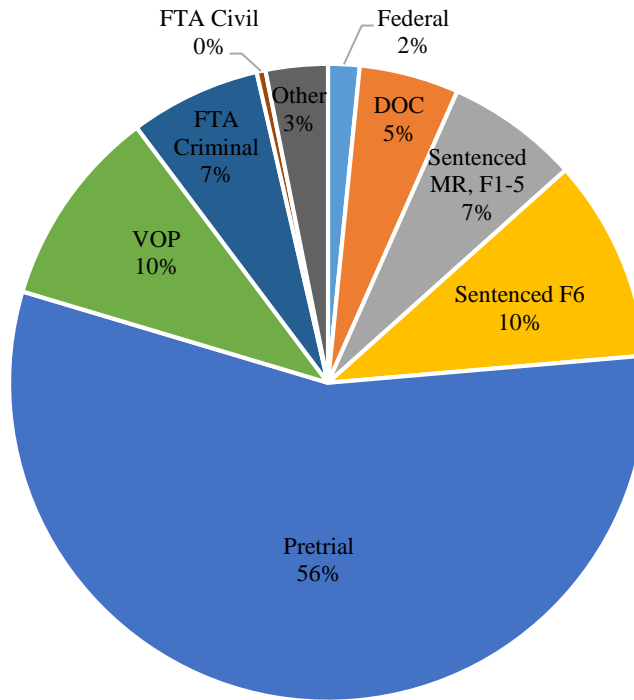


Table 24: Total Jail Utilization by Category

County	Capacity	Total Population		Federal		DOC		Sentenced		Pretrial		VOP		FTA		Other	
		#	%	#	%	#	%	#	%	#	%	#	%	#	%		
Adams	182	108	59					23	13	43	24	35	19	1	1	6	3
Allen	741	763	103	82	11	25	3	183	25	325	44	112	15	34	5	2	0
Bartholomew	232	243	105	1	0	2	1	38	16	131	56	35	15	31	13	5	2
Benton	47	24	51			1	2	13	28	9	19	1	2				
Blackford	80	71	89			11	14	8	10	18	23	7	9			27	34
Boone	219	209	95	1	0	4	2	17	8	108	49	60	27	19	9		
Brown	104	36	35					15	14	21	20						
Carroll	34	52	153			3	9	23	68	20	59	4	12	2	6		
Cass	208	213	102			5	2	48	23	93	45	37	18	27	13	3	1
Clark	458	571	125			5	1	23	5	196	43	80	17	244	53	23	5
Clay	168	189	113	1	1	17	10	52	31	72	43	42	25	5	3		
Clinton	217	174	80			8	4	58	27	79	36	23	11	2	1	4	2
Crawford	70	55	79			2	3	12	17			2	3	4	6	35	50
Daviess	244	197	81			4	2	77	32	92	38	21	9	3	1		
Dearborn	424	263	62			17	4	69	16	131	31	37	9	4	1	5	1
Decatur	66	110	167	1	2	1	2	12	18	96	145						
DeKalb	105	106	101					41	39	42	40	12	11	10	10	1	1
Delaware	221	317	143			11	5	13	6	276	125	8	4	9	4		
Dubois	84	92	110	1	1	1	1	36	43	37	44	13	15	4	5		
Elkhart	950	1024	108	36	4	187	20	91	10	580	61	28	3			102	11
Fayette	114	151	132			4	4	17	15	118	104	8	7	4	4		
Floyd	234	304	130	13	6	6	3	39	17	242	103					4	2
Fountain	25	27	108							14	56	8	32	5	20		

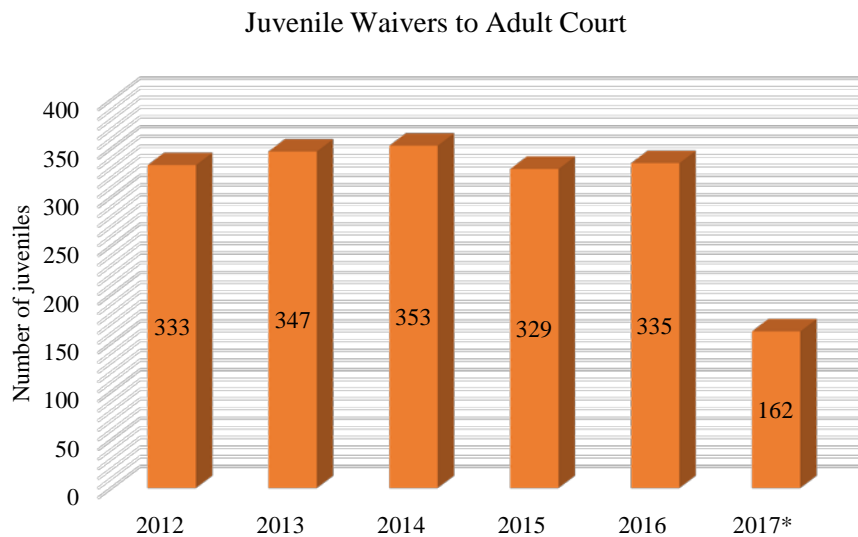
County	Capacity	Total Population		Federal		DOC		Sentenced		Pretrial		VOP		FTA		Other		
		#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%	
Franklin	75	61	81			2	3	13	17	40	53	6	8					
Fulton	76	105	138			17	22	24	32	57	75	1	1	1	1	5	7	
Gibson	120	124	103			4	3	64	53	54	45					2	2	
Grant	274	278	101			6	2	52	19	186	68	26	9	4	1	4	1	
Greene	84	87	104						29	35	39	46	14	17	5	6		
Hamilton	412	377	92	10	2	97	24	75	18	122	30	21	5	32	8	20	5	
Hancock	157	228	145			7	4	75	48	110	70	26	17	3	2	7	4	
Harrison	173	183	106			2	1	6	3	175	101							
Hendricks	268	243	91			9	3	68	25	148	55	8	3	9	3	1	0	
Henry	78	195	250			2	3	20	26	132	169	15	19	24	31	2	3	
Howard	364	385	106			13	4	80	22	189	52	54	15	37	10	12	3	
Huntington	99	194	196			2	2	93	94	25	25	69	70	5	5			
Jackson	172	261	152			29	17	34	20	171	99	3	2	24	14			
Jasper	112	84	75			9	8	12	11	54	48	6	5	3	3			
Jay	144	91	63			8	6	31	22	28	19	12	8	4	3	8	6	
Jefferson	109	125	115			2	2	12	11	79	72	12	11	12	11	8	7	
Jennings	124	186	150						34	27	81	65	19	15	48	39	4	3
Johnson	322	463	144			104	32	48	15	261	81	30	9	20	6			
Knox	250	247	99	18	7	13	5	16	6	97	39	62	25	41	16			
Kosciusko	302	590	195			6	2	116	38	252	83	142	47	74	25			
LaGrange	242	90	37			17	7	12	5	30	12	8	3	3	1	20	8	
Lake	1050	749	71	64	6	24	2	144	14	207	20	139	13	115	11	56	5	
LaPorte	368	293	80			1	0	34	9	217	59	33	9	8	2			
Lawrence	180	151	84			2	1	36	20	77	43	30	17	6	3			
Madison	207	291	141			10	5	17	8	184	89	35	17	19	9	26	13	
Marion	2507	2489	99	26	1	20	1	264	11	2084	83	95	4					
Marshall	238	172	72			4	2	17	7	105	44	20	8	26	11			
Martin	79	57	72			1	1	4	5	52	66							
Miami	240	192	80			3	1			57	24	23	10	8	3	101	42	
Monroe	294	288	98			6	2	15	5	195	66	46	16	8	3	18	6	
Montgomery	224	249	111			7	3	43	19	124	55	57	25	18	8			
Morgan	440	331	75			3	1	74	17	209	48	30	7	15	3			
Newton	77	56	73			6	8	2	3	44	57	2	3	2	3			
Noble	263	108	41			26	10	19	7	52	20	9	3	2	1			
Orange	192	125	65			15	8	19	10	91	47							
Owen	72	71	99			2	3	16	22	53	74							
Parke	90	73	81						7	8	38	42	4	4	2	2	22	24
Perry	136	81	60			2	1	4	3	50	37	9	7	4	3	12	9	
Pike	92	76	83						35	38	27	29	12	13	2	2		
Porter	449	420	94	38	8	14	3	30	7	246	55	46	10	45	10	1	0	
Posey	60	81	135			3	5	22	37	55	92			1	2			
Pulaski	128	72	56	10	8	5	4	6	5	51	40							
Putnam	155	123	79			5	3	106	68			7	5	5	3			
Randolph	113	113	100	3	3				22	19	6	5	20	18	16	14	46	41
Ripley	99	262	265			39	39	45	45	76	77	82	83	20	20			
Rush	46	56	122			2	4	7	15	36	78	3	7	4	9	4	9	
St. Joseph	830	610	73	64	8	44	5	156	19	211	25			19	2	116	14	
Scott	200	179	90			14	7	3	2	141	71	6	3	15	8			
Shelby	203	240	118			36	18	13	6	191	94							

County	Capacity	Total Population		Federal		DOC		Sentenced		Pretrial		VOP		FTA		Other	
		#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%
Spencer	72	76	106			3	4	4	6	23	32	35	49	11	15		
Starke	148	120	81			18	12	9	6	65	44	14	9	3	2	11	7
Steuben	178	76	43			2	1	29	16	37	21	3	2	3	2	2	1
Sullivan	54	80	148			2	4	19	35	56	104			3	6		
Switzerland	60	49	82					10	17	28	47	10	17	1	2		
Tippecanoe	551	604	110			10	2	79	14	363	66			152	28		
Tipton	27	29	107					5	19	19	70	2	7	2	7	1	4
Union	10	12	120			2	20			10	100						
Vanderburgh	553	708	128			22	4	136	25	471	85	35	6	34	6	10	2
Vermillion	72	68	94			10	14	4	6	39	54	10	14	5	7		
Vigo	268	273	102					5	2	232	87	12	4	24	9		
Wabash	72	144	200					28	39	84	117	32	44				
Warren	40	28	70					1	3	13	33	6	15	3	8	5	13
Warrick	122	103	84			4	3	26	21	34	28	16	13	8	7	15	12
Washington	256	159	62			17	7	5	2	93	36	12	5	10	4	22	9
Wayne	416	469	113			13	3	65	16	246	59	37	9	81	19	27	6
Wells	94	90	96	10	11	5	5	42	45	26	28	6	6	1	1		
White	165	101	61			5	3	53	32	27	16	3	2			13	8
Whitley	104	212	204			3	3	140	135	68	65			1	1		
Totals	21,478	21,305	99	379	2	1,073	5	3,642	17	11,886	56	2,048	10	1,459	7	818	4

Juvenile Waivers

The number of juvenile waivers to adult court has remained fairly consistent from 2012 to 2016, averaging about 339 a year. Juvenile waivers from January 1, 2017 – September 30, 2017 total 162, meaning that the waivers for 2017 will likely be significantly less than the previous years.

Figure 51: Juvenile Waivers to Adult Court, 2012-2017*



*2017 data is January 1, 2017-September 30, 2017

For each year except 2012, armed robbery was the number one crime committed by juveniles who were waived to adult court. In 2013, armed robbery made up nearly 16% of all the crimes committed for juveniles waived to adult court. So far for 2017, armed robberies make up 38% of all the crimes for juveniles waived to adult court. In 2012, the most common crime committed by juveniles waived to adult court was carrying a handgun without a license, followed closely by armed robbery. Other common crimes committed by juveniles transferred to adult court include burglary and robbery resulting in either bodily or serious bodily injury. *Tables 25-30* below list all of the offense types and the age of the offender for the years 2012 – 2017.

Table 25: Juvenile Offenses Waived to Adult Court, 2012

2012 Juvenile Offenses Waived to Adult Court Offense Type	Age				Total
	14	15	16	17	
Aggravated Battery	0	0	0	5	5
Alteration of Handgun Identifying Marks	0	0	0	2	2
Armed Robbery	0	1	5	24	30
Arson	0	0	1	1	2
Assisting a Criminal	0	0	0	2	2
Auto Theft	0	0	0	4	4
Battery	0	0	0	1	1
Battery Resulting in Bodily Injury	0	0	6	7	13
Battery Resulting in Serious Bodily Injury	0	0	1	3	4
Burglary	0	0	7	23	30
Burglary Resulting in Bodily Injury	0	1	3	6	10
Burglary While Armed with a Deadly Weapon	0	0	0	1	1
Carjacking	0	0	0	2	2
Carrying a Handgun Without a License	0	0	12	20	32
Child Molesting	0	0	2	3	5
Conversion	0	0	0	3	3
Criminal Confinement	0	1	4	4	9
Criminal Deviate Conduct	0	0	1	2	3
Criminal Gang Activity	0	0	0	2	2
Criminal Mischief	1	1	1	9	12
Criminal Recklessness	0	0	0	1	1
Criminal Trespass	0	0	1	4	5
Dangerous Possession of a Firearm	0	0	0	3	3
Dealing in a Sawed-off Shotgun	0	0	0	2	2
Dealing in a Schedule IV Controlled Substance	0	0	0	1	1
Dealing in Marijuana	0	0	1	6	7
Dealing in Methamphetamine	0	0	0	3	3
Domestic Battery	0	0	0	2	2
Escape	0	0	2	0	2
Failure to Return to Lawful Detention	0	0	0	1	1

2012 Juvenile Offenses Waived to Adult Court Offense Type	Age				Total
	14	15	16	17	
Failure to Stop after Accident Resulting in Damage to an Attended Vehicle	0	0	0	1	1
False Informing	0	0	0	1	1
Forgery	0	0	0	3	3
Harassment	0	0	0	1	1
Identity Deception	0	0	1	1	2
Illegal Consumption of an Alcoholic Beverage	0	0	0	1	1
Institutional Criminal Mischief	0	0	0	1	1
Intimidation	0	0	2	3	5
Invasion of Privacy	0	0	0	1	1
Kidnapping	0	0	0	1	1
Murder	0	0	5	1	6
Operating a Vehicle While Intoxicated Endangering a Person	0	0	0	1	1
Operating a Vehicle With an ACE of .08 or More	0	1	0	0	1
Possession of a Controlled Substance	0	0	1	2	3
Possession of a Schedule V Controlled Substance	0	0	0	1	1
Possession of a Synthetic Cannabinoid	0	0	0	1	1
Possession of Firearm on School Property	0	1	0	0	1
Possession of Hash Oil	0	0	0	2	2
Possession of Marijuana	0	0	1	8	9
Possession of Paraphernalia	0	0	0	3	3
Rape	2	1	1	7	11
Receiving Stolen Property	0	0	0	3	3
Reckless Homicide	0	0	0	1	1
Resisting Law Enforcement	1	0	5	8	14
Robbery	0	0	0	2	2
Robbery Resulting in Bodily Injury	0	0	8	4	12
Robbery Resulting in Serious Bodily Injury	0	0	6	8	14
Sexual Battery	0	0	1	0	1
Theft	0	0	5	19	24
Trafficking with an Inmate	0	0	0	1	1
Unauthorized Entry of a Motor Vehicle	0	0	1	1	2
Unlawful Possession of a Firearm by a Serious Violent Felon	0	0	1	0	1
Visiting a Common Nuisance	0	0	0	1	1
Voluntary Manslaughter	0	0	0	2	2
Grand Total	4	7	85	237	333

Table 26: Juvenile Offenses Waived to Adult Court, 2013

2013 Juvenile Offenses Waived to Adult Court Offense Type	Age					Total
	14	15	16	17	U	
Aggravated Battery	0	0	2	4	0	6
Alteration of Handgun Identifying Marks	0	0	0	1	0	1
Armed Robbery	0	3	15	37	0	55
Auto Theft	0	0	0	5	0	5
Battery Resulting in Bodily Injury	0	0	5	17	0	22
Battery Resulting in Serious Bodily Injury	0	1	4	6	0	11
Burglary	0	0	9	30	0	39
Burglary Resulting in Bodily Injury	0	1	3	5	0	9
Carjacking	0	0	1	1	0	2
Carrying a Handgun Without a License	0	1	8	12	0	21
Cemetery Mischief	0	0	0	1	0	1
Check Fraud	0	0	0	1	0	1
Child Molesting	0	1	1	4	0	6
Contributing to the Delinquency of a Minor	0	1	0	0	0	1
Conversion	0	0	0	4	0	4
Corrupt Business Influence	0	0	1	2	0	3
Criminal Confinement	0	0	1	5	0	6
Criminal Deviate Conduct	0	0	2	1	0	3
Criminal Mischief	0	0	0	1	0	1
Criminal Recklessness	0	0	2	2	0	4
Criminal Trespass	0	0	2	3	0	5
Dangerous Possession of a Firearm	0	0	2	0	0	2
Dealing in a Narcotic Drug	0	0	0	1	0	1
Dealing in a Schedule II Controlled Substance	0	0	0	1	0	1
Dealing in a Schedule III Controlled Substance	0	0	0	1	0	1
Dealing in a Schedule IV Controlled Substance	0	0	0	1	0	1
Dealing in a Synthetic Drug or Synthetic Drug Lookalike Substance	0	0	1	0	0	1
Dealing in Hash Oil	0	1	0	1	0	2
Dealing in Marijuana	0	0	0	2	0	2
Dealing in Methamphetamine	0	0	1	3	0	4
Disorderly Conduct	0	0	0	1	0	1
Disregarding Automatic Signal	0	0	1	0	0	1
Domestic Battery	0	0	0	1	0	1
Escape	0	0	0	4	0	4
Failure to Appear	0	0	0	1	0	1
False Informing	0	0	0	2	0	2
Fraud	0	0	0	1	0	1
Illegal Possession of an Alcoholic Beverage	0	0	0	1	0	1

2013 Juvenile Offenses Waived to Adult Court Offense Type	Age					Total
	14	15	16	17	U	
Intimidation	0	0	0	1	0	1
Invasion of Privacy	1	0	0	1	0	2
Kidnapping	0	0	1	0	0	1
Maintaining a Common Nuisance	0	0	1	0	0	1
Murder	0	3	0	2	0	5
Operating a Motor Vehicle Without Ever Receiving a License	0	0	0	1	0	1
Operating a Vehicle While Intoxicated Endangering a Person	0	1	0	1	0	2
Pointing a Firearm	0	0	1	0	0	1
Possession of a Controlled Substance	0	0	0	1	0	1
Possession of a Synthetic Drug or Synthetic Drug Lookalike Substance	0	0	0	1	0	1
Possession of Altered Handgun	0	0	0	1	0	1
Possession of Child Pornography	0	0	0	1	0	1
Possession of Cocaine	0	0	0	1	0	1
Possession of Hash Oil	0	1	0	3	0	4
Possession of Marijuana	0	0	1	4	0	5
Possession of Methamphetamine	0	1	1	1	0	3
Possession of Paraphernalia	0	0	0	4	0	4
Prisoner Possessing a Deadly Weapon	0	0	0	1	0	1
Rape	0	0	3	4	0	7
Receiving Stolen Auto Parts	0	0	0	1	0	1
Receiving Stolen Property	0	0	0	1	0	1
Reckless Driving	0	0	1	1	0	2
Reckless Homicide	0	0	1	0	0	1
Residential Entry	0	0	0	1	1	2
Resisting Law Enforcement	0	0	6	4	0	10
Robbery	0	0	1	1	0	2
Robbery Resulting in Bodily Injury	0	0	4	2	0	6
Robbery Resulting in Serious Bodily Injury	0	1	2	8	0	11
Sexual Battery	0	0	0	1	0	1
Strangulation	0	0	0	2	0	2
Theft	0	2	4	20	3	29
Unlawful Sale of a Precursor	0	0	0	1	0	1
Voluntary Manslaughter	0	0	0	2	0	2
Grand Total	1	18	88	237	4	347

Table 27: Juvenile Offenses Waived to Adult Court, 2014

2014 Juvenile Offenses Waived to Adult Court Offense Type	Age						Total
	13	14	15	16	17	U	
Aggravated Battery	0	0	0	0	2	0	2
Alteration of Handgun Identifying Marks	0	0	0	1	1	0	2
Armed Robbery	1	1	5	24	46	0	77
Assisting a Criminal	0	0	1	0	5	0	6
Attempted Murder	0	0	0	1	1	0	2
Auto Theft	0	0	1	5	11	0	17
Battery	0	0	0	1	2	0	3
Battery Against a Public Safety Official	0	0	0	1	1	0	2
Battery by Means of a Deadly Weapon	0	0	0	2	2	0	4
Battery Resulting in Bodily Injury	0	0	0	4	7	0	11
Battery Resulting in Serious Bodily Injury	0	0	0	2	0	0	2
Burglary	1	0	1	13	25	0	40
Burglary Resulting in Bodily Injury	0	0	0	0	4	0	4
Carjacking	0	0	0	1	0	0	1
Carrying a Handgun Without a License	0	0	0	3	11	1	15
Causing Death When Operating a Motor Vehicle While Intoxicated	0	0	0	0	1	0	1
Child Molesting	0	1	0	2	2	0	5
Conspiracy to Commit Murder	0	0	1	0	1	0	2
Counterfeiting	0	0	0	0	1	0	1
Criminal Confinement	0	0	0	0	2	0	2
Criminal Deviate Conduct	0	0	0	0	3	0	3
Criminal Gang Activity	0	0	0	0	2	0	2
Criminal Gang Intimidation	0	0	0	2	0	0	2
Criminal Mischief	0	0	0	0	3	0	3
Criminal Recklessness	0	0	0	3	3	0	6
Dangerous Control of a Firearm	0	0	0	0	1	0	1
Dangerous Possession of a Firearm	0	0	0	7	6	0	13
Dealing in a Sawed-off Shotgun	0	0	0	1	0	0	1
Dealing in a Schedule I Controlled Substance	0	0	0	1	0	0	1
Dealing in Altered Property	0	0	0	0	1	0	1
Dealing in Cocaine	0	0	0	0	1	0	1
Dealing in Methamphetamine	0	0	0	0	1	0	1
Disorderly Conduct	0	0	0	1	0	0	1
Domestic Battery	1	0	0	1	1	0	3
Escape	0	0	1	0	1	0	2
Failure to Stop After Accident Resulting in Serious Bodily Injury	0	0	0	0	1	0	1
Forgery	0	0	1	0	1	1	3
Intimidation	0	0	0	1	0	0	1
Invasion of Privacy	1	0	0	0	0	0	1
Kidnapping	0	0	0	0	1	0	1
Maintaining a Common Nuisance	0	0	0	0	0	1	1
Maintaining a Common Nuisance for Legend Drugs	0	1	0	0	0	0	1
Murder	0	0	1	1	4	0	6

2014 Juvenile Offenses Waived to Adult Court Offense Type	Age						Total
	13	14	15	16	17	U	
Neglect of a Dependent	0	0	1	0	0	0	1
Obstruction of Justice	0	0	0	0	2	0	2
Operating a Vehicle as an Habitual Traffic Violator	1	0	0	0	1	0	2
Operating a Vehicle While Intoxicated Endangering a Person	0	0	0	0	1	0	1
Operating a Vehicle with an ACE of .15 or More	0	0	0	1	0	0	1
Perjury	0	0	0	0	1	0	1
Pointing a Firearm	0	0	0	1	0	0	1
Possession of a Narcotic Drug	0	0	0	0	1	0	1
Possession of Chemical Reagents or Precursors with Intent to Manufacture a Controlled Substance	0	0	0	0	1	0	1
Possession of Child Pornography	0	0	0	0	1	0	1
Possession of Cocaine	0	0	0	0	1	0	1
Possession of Hash Oil	0	0	0	0	0	1	1
Possession of Marijuana	0	0	0	0	3	0	3
Possession of Methamphetamine	0	0	0	0	1	0	1
Possession of Paraphernalia	0	0	0	0	1	0	1
Rape	0	1	2	2	8	0	13
Receiving Stolen Property	0	0	0	0	1	0	1
Residential Entry	1	0	0	0	1	0	2
Resisting Law Enforcement	0	0	1	1	3	0	5
Robbery	0	0	0	0	2	0	2
Robbery Resulting in Bodily Injury	0	0	0	7	8	0	15
Robbery Resulting in Serious Bodily Injury	0	0	0	5	17	0	22
Sexual Battery	1	0	0	0	1	0	2
Sexual Misconduct with a Minor	0	0	0	0	1	0	1
Strangulation	1	0	0	0	0	0	1
Synthetic Identity Deception	0	0	0	0	1	0	1
Theft	0	0	0	1	8	0	9
Theft of a Firearm	0	0	0	0	1	0	1
Unauthorized Entry of a Motor Vehicle	0	0	0	0	2	0	2
Unlawful Possession or Use of a Legend Drug	0	0	0	0	2	0	2
Grand Total	8	4	16	96	226	4	353

Table 28: Juvenile Offenses Waived to Adult Court, 2015

2015 Juvenile Offenses Waived to Adult Court Offense Type	Age					Total
	14	15	16	17	U	
Aggravated Battery	0	0	0	3	0	3
Armed Robbery	0	2	34	61	0	97
Arson	0	0	0	3	0	3
Attempted Murder	0	0	4	4	0	8
Auto Theft	0	0	2	11	0	13
Battery	0	0	0	1	0	1
Battery Against a Public Safety Official	0	0	1	2	0	3
Battery by Means of a Deadly Weapon	0	0	1	4	0	5
Battery Resulting in Bodily Injury to a Pregnant Woman	0	0	0	1	0	1
Battery Resulting in Serious Bodily Injury	0	0	0	1	0	1
Battery with Moderate Bodily Injury	0	0	0	2	0	2
Burglary	0	0	12	20	0	32
Carrying a Handgun w/o a License	0	0	2	9	0	11
Causing Death When Operating a Motor Vehicle with a Sched. I or II Controlled Substance in the Blood	0	0	0	2	0	2
Causing Death When Operating a Motor Vehicle with an ACE of .08 or More	0	0	0	1	0	1
Causing Serious Bodily Injury when Operating a Vehicle with a Schedule I or II Substance in Body	0	0	0	1	0	1
Check Deception	0	0	0	1	0	1
Child Exploitation	0	0	0	3	0	3
Child Molesting	0	0	0	4	0	4
Conversion	0	0	0	1	0	1
Counterfeiting	0	0	0	1	0	1
Criminal Confinement	0	0	0	2	0	2
Criminal Recklessness	0	0	1	2	0	3
Dangerous Possession of a Firearm	0	0	4	4	0	8
Dealing in a Look-a-like Substance	0	0	0	1	0	1
Dealing in a Narcotic Drug	0	0	1	3	0	4
Dealing in a Sawed-off Shotgun	0	0	0	1	0	1
Dealing in a Substance Represented to Be a Controlled Substance	0	0	1	0	0	1
Dealing in Cocaine	0	0	1	0	0	1
Dealing in Marijuana	0	0	0	1	0	1
Dealing in Methamphetamine	0	0	0	3	0	3
Escape	0	0	1	8	0	9
Failure to Return to Lawful Detention	0	0	0	2	0	2
Fraud	0	0	0	1	0	1
Intimidation	0	0	1	1	0	2
Kidnapping	0	0	0	3	0	3
Maintaining a Common Nuisance	0	0	1	2	0	3
Murder	0	0	0	7	0	7
Neglect of a Dependent	0	0	0	1	0	1
Neglect of a Dependent Resulting in Serious Bodily Injury	0	0	1	0	0	1
Obstruction of Justice	0	0	0	1	0	1

2015 Juvenile Offenses Waived to Adult Court Offense Type	Age					Total
	14	15	16	17	U	
Possession of a Narcotic Drug	0	0	1	2	0	3
Possession of Methamphetamine	0	0	0	2	0	2
Prisoner Possessing Dangerous Device or Material	0	0	0	1	0	1
Rape	0	0	5	7	0	12
Receiving Stolen Auto Parts	0	0	0	3	0	3
Reckless Homicide	0	0	0	2	0	2
Residential Entry	1	0	0	1	0	2
Resisting Law Enforcement	0	0	1	1	0	2
Robbery	0	0	0	1	0	1
Robbery Resulting in Bodily Injury	0	0	6	21	0	27
Robbery Resulting in Serious Bodily Injury	0	0	8	6	0	14
Theft	1	0	2	4	1	8
Theft of a Firearm	0	0	0	1	0	1
Voluntary Manslaughter	0	0	2	0	0	2
Grand Total	2	2	93	231	1	329

Table 29: Juvenile Offenses Waived to Adult Court, 2016

2016 Juvenile Offenses Waived to Adult Court Offense Type	Age			Total
	15	16	17	
Aggravated Battery	0	1	6	7
Armed Robbery	2	32	50	84
Arson	0	0	3	3
Assisting a Criminal	0	1	1	2
Attempted Murder	0	3	3	6
Auto Theft	1	2	9	12
Battery Against a Public Safety Official	0	0	5	5
Battery by Means of a Deadly Weapon	0	1	2	3
Battery Resulting in Bodily Injury to a Public Safety Officer	0	1	0	1
Battery Resulting in Moderate Bodily Injury	0	1	0	1
Battery Resulting in Serious Bodily Injury	0	0	1	1
Battery with Moderate Bodily Injury	0	0	2	2
Burglary	0	9	30	39
Carrying a Handgun w/o a License	0	6	5	11
Child Molesting	0	1	2	3
Criminal Confinement	0	0	2	2
Criminal Mischief	0	0	3	3
Criminal Recklessness	0	2	3	5
Criminal Trespass	0	0	1	1
Dangerous Possession of a Firearm	0	2	9	11
Dealing in a Schedule III Controlled Substance	0	1	0	1
Dealing in Cocaine	0	0	1	1
Dealing in Methamphetamine	0	0	4	4
Domestic Battery Resulting in Moderate Bodily Injury	0	1	0	1
Escape	0	1	9	10
Forgery	0	0	1	1
Fraud On a Financial Institution	0	0	1	1

2016 Juvenile Offenses Waived to Adult Court	Age			Total
Offense Type	15	16	17	
Institutional Criminal Mischief	0	0	1	1
Intimidation	0	2	2	4
Kidnapping	0	0	3	3
Leaving the Scene of an Accident	0	0	1	1
Maintaining a Common Nuisance	0	0	1	1
Maintaining a Common Nuisance - Controlled Substances	0	0	1	1
Murder	0	0	3	3
Obstruction of Justice	0	0	3	3
Pointing a Firearm	0	0	1	1
Possession of a Narcotic Drug	0	2	2	4
Possession of Altered Handgun	0	0	1	1
Possession of Methamphetamine	0	0	2	2
Rape	0	4	4	8
Receiving Stolen Auto Parts	0	0	1	1
Residential Entry	0	0	1	1
Resisting Law Enforcement	0	2	7	9
Robbery	0	3	7	10
Robbery Resulting in Bodily Injury	0	10	15	25
Robbery Resulting in Serious Bodily Injury	1	9	17	27
Sexual Battery	0	1	0	1
Theft	1	3	2	6
Theft of a Firearm	1	0	0	1
Grand Total	6	101	228	335

Table 30: Juvenile Offenses Waived to Adult Court, January to September 2017

2017 (Jan - Sept.) Juvenile Offenses Waived to Adult Court	Age			Total
Offense Type	15	16	17	
Aggravated Battery	0	0	1	1
Armed Robbery	0	31	31	62
Assisting a Criminal	0	1	0	1
Attempted Murder	0	0	4	4
Auto Theft	0	3	2	5
Battery by Bodily Waste	0	0	1	1
Battery by Means of a Deadly Weapon	0	0	2	2
Battery Resulting in Bodily Injury to a Pregnant Woman	0	0	1	1
Burglary	1	2	12	15
Carrying a Handgun Without a License	0	6	7	13
Causing Death When Operating a Motor Vehicle with a Sched. I or II Controlled Substance in the Blood	0	0	1	1
Criminal Confinement	0	1	1	2
Criminal Recklessness	0	1	1	2
Dangerous Possession of a Firearm	0	3	3	6
Dealing in a Narcotic Drug	0	0	1	1
Dealing in Methamphetamine	0	1	1	2
Disarming a Law Enforcement Officer	0	0	1	1

2017 (Jan - Sept.) Juvenile Offenses Waived to Adult Court Offense Type	Age			Total
	15	16	17	
Domestic Battery Resulting in Bodily Injury to a Pregnant Woman	0	1	0	1
Escape	0	2	2	4
Forgery	0	0	1	1
Kidnapping	0	0	2	2
Murder	0	0	2	2
Possession of a Controlled Substance	0	0	1	1
Possession of Cocaine	0	0	1	1
Possession of Methamphetamine	0	1	2	3
Rape	0	1	4	5
Receiving Stolen Auto Parts	0	1	1	2
Residential Entry	0	0	1	1
Resisting Law Enforcement	0	0	1	1
Robbery Resulting in Bodily Injury	0	3	5	8
Robbery Resulting in Serious Bodily Injury	0	3	2	5
Synthetic Identity Deception	0	1	1	2
Theft	0	0	1	1
Voluntary Manslaughter	0	0	2	2
Grand Total	1	62	99	162

Justice Reinvestment Advisory Council (JRAC)

The Indiana General Assembly established the Justice Reinvestment Advisory Council (JRAC) during the 2015 legislative session. The 9-member Justice Reinvestment Advisory 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 in awarding grants. The goal of JRAC is to develop incarceration alternatives and recidivism reduction programs at the county and community level by promoting the development of probation services, problem solving courts, mental health treatment, substance abuse treatment, programs providing for court supervision, probation, or pretrial diversion, community corrections, evidence-based recidivism reduction programs for currently incarcerated persons and other alternatives to incarceration.¹⁷

JRAC distributed \$5 million, \$20 million, and \$25 million for state FY16, FY17 and FY18 respectively. For FY16, \$5 million was awarded to 40 community corrections agencies, 13 probation departments, and two court recidivism reduction programs. The funding allowed for 82 new staff for community corrections and probation. Funding was also used to expand electronic monitoring, work release, day reporting and technology, and the services of one Drug Court and one Domestic Violence Court. In FY2017, \$18 million was awarded to 66 community corrections agencies, 32 probation departments, 13 court recidivism reduction programs and 4

¹⁷ “Justice Reinvestment Advisory Council Annual Report – July 1 – October 1 2015”, State of Indiana, accessed November 3, 2017, <http://in.gov/justice/files/justice-reinvestment-council-2015-report.pdf>.

prosecutor diversion programs. The funding was used to expand programming for electronic monitoring, work release, day reporting, treatment services and technology; funding also created 200 new positions.¹⁸ FY17 had \$2 million that was distributed at a later date. \$1.2 million was awarded to counties for pretrial services and \$500,000 was given to 17 counties and one community corrections agency for short term projects. In FY18, \$25 million was awarded to 68 community corrections agencies, 39 probation departments, 17 court recidivism programs, 6 prosecutor diversion programs, and 29 jail treatment services. The funding was used to expand electronic monitoring, treatment services, training, equipment, drug testing supplies and to provide 31 new staffing positions.¹⁹ It should be noted that the statute was amended in FY17 to allow treatment programs in jail to receive JRAC funds; previously jails did not receive funding for these programs.

Recovery Works

House Enrolled Act 1006 (2015) 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, is designed to provide support services to those without insurance coverage who are involved with the criminal justice system. Recovery Works is dedicated to increasing the availability of specialized mental health and substance abuse treatment services in the community for those who may otherwise face incarceration due to a felony conviction. 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 2017 and \$20M for FY 2018.

At the end of FY17, there were 14,595 unique participants enrolled in Recovery Works and \$13,249,737 expended for services to participants. There were also 77 designated Recovery Works providers in the state. The top 5 services provided to participants were housing, skills development training, substance use disorder treatment (group), intensive outpatient treatment, and case management. The top 5 counties with participants enrolled in Recovery Works were Marion, Vanderburgh, Madison, Vigo, and Monroe. In the first two months of FY 18 (as of August 31, 2017), there were an additional 16 approved providers, an additional 2,646 participants enrolled in Recovery Works, and an additional \$4,748,169 expended for direct service care to participants, for a total of 17,522 participants since inception.²⁰

DMHA contracted with the Indiana University Center for Criminal Justice Research (CCJR) to conduct an evaluation of the Recovery Works program. Phase I of the study covered Recovery Works from inception in November 2015 through May 2017 and examined administrative data from DARMHA (Data Assessment Registry Mental Health and Addiction) and the Indiana

¹⁸ Justice Reinvestment Advisory Council Annual Report – October 1, 2015 – September 30, 2016”, State of Indiana, accessed November 3, 2017, <http://in.gov/justice/files/justice-reinvestment-council-2016-report.pdf>.

¹⁹ Justice Reinvestment Advisory Council Annual Report – October 1, 2016 – September 30, 2017”, State of Indiana, accessed November 3, 2017, <http://in.gov/justice/files/justice-reinvestment-council-2017-report.pdf>

²⁰ Justice Reinvestment Advisory Council Annual Report – October 1, 2016 – September 30, 2017”, State of Indiana, accessed November 3, 2017, <http://in.gov/justice/files/justice-reinvestment-council-2017-report.pdf>

Department of Correction. During that time, 12,040 eligible participants were enrolled in Recovery Works, with enrollment growing by more than 500% in the first year.²¹

The CCJR study shows the following: clients were predominantly white males with an average age of 34 and no insurance; alcohol, opioids, and marijuana were the most common substances used and more than half of clients had a prior substance abuse treatment episode. The study also shows that for clients who remained in Recovery Works for at least 6 months, there were statistically significant increases in rates of employment and insurance coverage and decreases in self-reported arrests. The study assessed recidivism for clients with a year at risk (enrolled Nov. 2015-Mar. 2016) and determined whether they were incarcerated in DOC within the year following Recovery Works enrollment. Of the 1,321 clients at risk for at least one year, the incarceration rate was 7.7% (with 52% incarcerated on a technical violation). Of the 571 clients at risk for at least one year who has previously been released from DOC, the re-incarceration rate was 13.8% (with 57% re-incarcerated for a technical violation).²²

Focus Groups

In attempts to add a qualitative component to the analysis, ICJI held focus groups to gather opinions from the county-level criminal justice entities about HEA1006. Eleven counties were asked to participate, but only ten counties were able to schedule a focus group (Brown, Clark, Grant, Greene, Hendricks, Lawrence, Marion, Parke, Porter, and St. Joseph). Counties were chosen to represent Indiana based on the county's population size. Attempts were made to utilize the original focus groups from the AIR study, which included Allen, Grant, Greene, Hendricks, Lawrence, Marion, Monroe, Parke, St. Joseph, and Starke counties.

Table 31: Focus Group Counties

Size	Population	Counties
Small	Less than 40,000	Brown, Greene, and Parke
Medium	40,000-100,000	Grant and Lawrence
Large	More than 100,000	Clark, Hendricks, Marion, Porter, and St. Joseph

A focus group was also facilitated with mental health providers to get their perspectives on the effects of HEA1006. Mental health providers are now more heavily involved in the criminal justice system due to an increase in demand and as a result of HEA1006.

In total, eleven focus groups were completed. Focus group participants were informed that the information they provided were to remain anonymous and any direct quotes or specific information provided would only be discussed with an identifier of large, medium, or small county or by job position. During the focus group sessions, participants discussed strengths and challenges resulting from HEA1006. Feedback on how HEA1006 could be changed to create further positive results was also discussed.

²¹ Ray, B & Gruenewald, J. Indiana University Center for Criminal Justice Research (2017). *Recovery Works: Phase One Policy Brief, Report to the Indiana Division of Mental Health and Addiction October 2017.*

²² Justice Reinvestment Advisory Council Annual Report – October 1, 2016 – September 30, 2017”, State of Indiana, accessed November 3, 2017, <http://in.gov/justice/files/justice-reinvestment-council-2017-report.pdf>

Strengths of HEA1006

The counties indicated that there were positive results from HEA1006. The main topics discussed were more proportional sentences for high level felonies, the creation of funding opportunities, new methods for pretrial diversion and risk assessments, and communication/relationship strengthening among the local criminal justice agencies.

One strength that counties of all sizes agreed on is that HEA1006 gave the more serious offenders longer and more proportional sentences. Some of the positive opinions counties shared were:

- The sentencing reform resulted in more time served for more violent crimes and credit restrictions on serious crimes such as child molesting.
- Several defense attorneys stated that the sentencing restructuring for those with a drug offense has been positive because, “an offender has a second shot if they are willing to change.”

The creation of funding was also a strength that the counties all mentioned. The Recovery Works funding and 1006 Funds were mentioned multiple times as being a benefit of HEA1006. A couple of counties discussed in detail how they have been able to utilize the Recovery Works funding. In both counties, the mental health providers were able to hire more staff. The ability to hire more staff has allowed them to take more court referrals and slightly decrease the wait times for assessment and treatment. One county discussed the creation of new programs that are aimed to create higher rehabilitation success rates. Due to the programs being in the early stages of implementation, outcomes are not yet accessible for analysis. Four counties spoke specifically on being able to use the HEA1006 funding to hire or train staff. The counties stated:

- The 1006 funding was used to hire more staff for community corrections.
- One county would like for 1006 funding to be used to create a supervisor position and not be constrained to only a caseworker position, but appreciates being able to hire more staff.
- One county’s community corrections agency was able to buy vans to transport clients to services and work and also pay for in house substance abuse treatment at their facility.
- A prosecutors’ office was able to hire more staff to handle the pretrial diversion programs and also to expand the drug court. The drug court expansion now allows “offenders who committed their crime as a result of their drug addiction.”
- The funds pay for staff training about evidence-based programming “the new trainings have provided them with a new way to work with offenders that is trauma-based care.”

There were four counties utilizing funds to create pretrial diversion programs and risk assessment tools. Two counties discussed their pretrial diversion programs, but more than two of the focus group counties are part of the pretrial pilot program. Some comments related to pretrial diversion include:

- Judges are trying to get offenders out on bond but they are also trying to assess which offenders would be the most appropriate to be out of jail and on supervision during pretrial. The jail in this county is also trying to screen those who are going to trial to

determine what programs the offender will be the most successful in.

- One county stated that they are allowing those who are awaiting trial back into the community if they agree to receive drug abuse services and do daily reporting. One of the benefits of this program is, “offenders will have less time shaved off their sentence, which means they may be able to complete the substance abuse treatment program that community corrections provides.”
- One county is creating a pretrial diversion program for the veterans’ court. One attendee stated, “they are able to send those veterans through a forensic diversion program so they will not lose their VA benefits.”
- Three counties are implementing risk assessments.
- One county, with a pretrial program, is assessing offenders sentenced to probation to determine the amount of supervision they need. The probation officers are organizing their caseloads by offender risk level and need. There are officers that only focus on low level, some who only handle moderate level clients, and some who handle high level clients. A probation officer is positive about the process of, “looking at every offender’s case individually to identify and serve the individual’s needs.”
- One county is using evidence-based decisions about sentences and incorporating IRAS scores. This allows them to make suggestions to the court about length of sentence and imprisoning those with the highest risk. For example, “a possession charge needs enough time in jail so they can complete the substance abuse program.”

All of these pretrial diversion programs and risk assessment methods are less than a year old in these counties, so they have not had enough time to analyze the effectiveness of the programs.

The majority of the counties mentioned that 1006 has made all of the local criminal justice entities communicate more with each other. They are talking about the jail capacity and where offenders can be sentenced so the jail does not go over capacity. Many of the counties discussed how they can call a judge and let them know they are close to full and that a specific inmate might be successful on supervision and not need jail. A defense attorney stated “bringing the criminal justice entities together to solve issues has been positive.”

There have been many positive changes due to HEA1006, such as, longer sentences for violent offenders, funding, pretrial diversion programs, and building communication. Everyone agrees the longer sentences have been a positive change. Counties appreciate the funding. The counties who are doing pretrial programs and risk assessments feel positive about the programs, but need time before they can start assessing the effectiveness. The communication is helping to create the programs and helping the county’s criminal justice system run smoothly. One county stated “It seems that with funding and time [we] will be able to reduce the number of offenders who come in for substance abuse issues, but more time and money is needed to see the success from the changes they have made.”

Challenges of HEA1006

The focus groups brought up many challenges that the counties believe are direct effects of 1006. The challenges that were brought up can be organized by three categories; challenges caused by sentencing, mental health/substance abuse treatment challenges, and staff and availability.

Across the board all of the criminal justice entities and counties shared a challenge for each. Many of the focus groups described similar challenges.

All of the focus groups mentioned having challenges related to the sentence restructuring. These included offenders more readily able to plead down to an F6 charge, higher class felonies restructured as level 6 felonies, the drug weights for F6 charges being too high, and too lenient sentences for some offenses and some re-offenders.

Seven of the ten counties mentioned prior to HEA1006, offenders who would be charged with a higher level felony are now able to plead down to a F6 charge much more easily and more willingly. Counties said:

- Those who are arrested for a dealing offense are able to plead down to a possession offense.
- It is easier to plea down to a F6 charge and the sentences are much more lenient.
- [Dealers who plea down to an F6 charge] use community supervision and interact with drug addicted offenders to continue to sell drugs. They've got a captive audience.
- The reason there are a large amount of F6 felons is because many of them are able to plea down their F4 or F5 charge. Under the previous code, many would not plea down because a felony D would still see time in the DOC and they would try their luck at a jury trial.
- Some individuals who are dealing drugs are receiving low level felonies or misdemeanors even though dealing marijuana is lucrative.
- Probation has started to see an increase in their caseload and are crediting this to the amount of offenders who are able to plea down to a F6 offense and are sentenced to probation. Community corrections is taking riskier clients on home detention. They are having a lot more offenders who have gun charges.
- More offenders get a F6 charge than those who received a class C or D charge. Before offenders would be charged with a higher felony because it was easier to convict drug dealers with a higher charge.

Three counties discussed that the change in the drug weights for F6 crimes is causing many challenges for their local criminal justice system. The counties relayed:

- [1006] took the guts out of possession with intent to distribute. It has upped the amount that has to be on a person when caught with drugs and it's hard getting them a felony that is higher than a F6.
- With how drastic the amount of drugs a dealer must have to be charged with a higher felony means that dealers are only getting a F6 charge and then get out on bail. The budget has not increased for the narcotics officer so they are now having to focus on one drug dealer rather than being able to go after all. The most they can do is arrest one or two dealers and get the other on F6 offenses.
- The change in the amount of drugs someone has on them to get a higher felony charge is ridiculous.

Six counties stated that the sentences for F6s are too lenient and this is causing problems throughout their local criminal justice system. Counties expressed:

- Another contributing factor to the problem is that the sentences are more lenient for low level felons and so offenders are not taking the sentences and punishments seriously.
- Many feel that 1006 eroded the ability to hold violent drug dealers in DOC and out of the community. Now they are receiving too lenient of sentences for their crimes.
- Offenders who have been to prison and now are not able to go for a similar offense are changing the culture of community corrections and making it so the offenders are behaving more like a DOC culture.
- Community corrections is now described as 'probation officers with a GPS aspect.

Eight counties discussed how the factors previously mentioned encourage offenders to continue breaking the law. Counties stated:

- Probation has been seeing a lot of people who will just keep reoffending and has put them over 2,000 more cases since the enactment of HEA1006.
- As a prosecutor we are seeing the same offenders reoffend and cycling through the court system more frequently.
- I have arrested someone for dealing while they are on house arrest already for dealing.
- F6 offenders are not deterred from going back to what they were doing before jail. There are continuous reoffending F6s who in conjunction with very few available sanctions makes it seem like there is no accountability.

HEA1010 – 2017, which was effective upon signing, amended the circumstances by which an F6 could be placed in DOC. The changes permits the placement of a F6s in DOC if; (1) the commitment is due to the revocation of the person's sentence for violating probation, parole, or community corrections and the revocation of the person's sentence is due to a new criminal offense; or (2) the person 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.

All focus groups shared challenges they experienced with mental health and substance abuse treatment for offenders. Some of the challenges were not created by HEA1006, but it has exacerbated them further. Commonly described challenges were; shortage of mental health providers, high wait times, not enough treatment programs, and unmotivated offenders.

Six of the focus groups mentioned how there needs to be more mental health providers. They mention the need for staff, more beds, more centers, or a state hospital. Counties expressed:

- We have a lot of people in the jail that should probably be in a mental health facility. If they were in a mental health facility like they should been in the first place they probably wouldn't have committed the crimes.
- There is a dire need for inpatient accessibility, but the mental health centers are having a hard time keeping and hiring staff.

- We would like to see either a state mental health hospital or more funding towards the mental health providers.
- If you want to truly help those who have mental health and substance abuse issues there needs to be funding put towards creating mental health providers, such as hospitals. If they can get their illness under control and get treatment they will not be in jail.
- When it comes to staffing the mental health provider community is only able to staff 50% of the people the industry needs. There needs to be more beds but also the proper number of staff members to assist those needing the beds.

Seven counties discussed the wait time to get offenders into treatment services. The wait times are taking between 4 weeks to 8 weeks for most counties. The wait times are a direct effect of not having enough mental health providers. The lack of mental health providers exacerbated this issue.

- One county stated that it can take 4 to 6 months to get into any mental health facility.
- A county shared why there is a long wait time for treatment “the mental health providers need to keep the group numbers at a certain capacity so they can provide the best treatment.”

Three focus groups went into detail about how their facility is having to change the substance abuse treatment programs that they provide due to sentencing lengths. The mental health group mentioned that DOC has changed their substance abuse treatment program to a longer term program. The counties stated:

- The issue is that the substance abuse program is only a 12 week program, but the most effective programs take 14 to 16 months.
- A possession charge needs enough time in jail so they can complete the substance abuse program.

One county has a Vivitrol® program for substance abuse offenders. Many counties stated that the new sentences for a drug offenses do not allow the offender enough time in jail to complete a substance abuse program. The short sentences and amount of time spent in jail during pretrial, is making it very difficult to get an offender through a program that jails provide.

Many of the focus groups did mention that if an offender is not ready to get over their addiction they will not successfully get through a treatment program. One county stated, “We’ve seen less engagement, less willingness to do treatment,” and “you can offer them services but whether they can afford it or want to spend their money on it is a different story.” The offenders’ attitudes are an issues when it comes to substance abuse services and also their mentality towards serving their sentence. This is an apparent challenge, because every county mentioned how their jail is mostly populated by pretrial offenders and offenders who violated probation, usually for a drug offense.

The focus groups did recognize that the Recovery Works funding has been a great help, but that it is not quite enough to help mental health providers and jails get caught up to where they need to be in regards to mental health and substance abuse treatment. Many focus groups suggested that the Recovery Works funding should also be put towards those with misdemeanors, because

trying to offer the least risky offenders substance abuse treatment may prevent them from committing felony offenses. Though there are challenges it does take time to adapt to new demands. They indicated more time and money is needed to help make more mental health and substance abuse providers available and decrease wait times. Focus groups also suggested that while nothing can be done about offenders' attitudes, giving a drug offender enough time to successfully get through a substance abuse program may give them a better chance at successfully moving past their addiction.

A final challenge discussed was staffing and availability for the jails. Four counties discussed wanting to hire more staff for the jails. The county jails discussed the staffing challenges:

- Officers are having to work overtime and having to run psychoeducational groups, and in essence, they are being over spent.
- The overcrowding puts the jail workers at risk, because we have been unable to hire more staff, and it puts the inmates at risk as well.
- The deputies all have about 140 hours of comp time on the books already.

The availability of beds is also a challenge. The jails talked about being at capacity and some even stated that they were over capacity. Another idea that the jails wanted to convey is that a bed is not just a bed. There are stipulations attached to beds. Four counties went into details about how a bed has stipulations. Counties said:

- Certain inmates have to be segregated from each other. Juveniles have to be segregated from adults, males and females have to be segregated from each other, and some inmates cannot be with others because they are testifying against each other.
- The jail had to convert visiting space into space for beds and now the offenders can only have contact with their families and lawyers through calls.

The jails need more staff to cut down on overtime, but also to keep the jail safe. Some jails need more beds.

Focus Group Recommendations

The focus groups mentioned many challenges, which may or may not be due to 1006, but they also were able to provide some recommendations they feel may resolve the fixable challenges. One suggestion discussed was in regards to those who keep committing crimes. An amendment was passed regarding habitual offenders, but not those who commit different crimes. They would also like to see a change in sentence length for those who commit a drug offense by allowing the offender enough time to get through a substance abuse treatment program. Another suggestion discussed was increased funding to the counties to hire more staff and implement programs. Below are a few suggestions:

- Send those who are arrested of a minor drug offense to a 90 day treatment program rather than jail time. States like California, Colorado, and Washington are trying.
- Lower the drugs weights. Not to the low level it was before, but lower than the level is currently.

- Raise the per diem amount. Possibly do an analysis on the average amount it costs an offender per day for each county or raise it to \$65 a day to account for potential medical costs.

All of the county focus groups expressed that one effect of 1006 is that they are now burdened with the cost of addressing F6 felonies. They understand the state wanted to cut costs, but the unintentional affect was that the counties then had that cost placed on them. Many of the ideas would take an extensive amount of planning and collaboration with the state, and more funding.

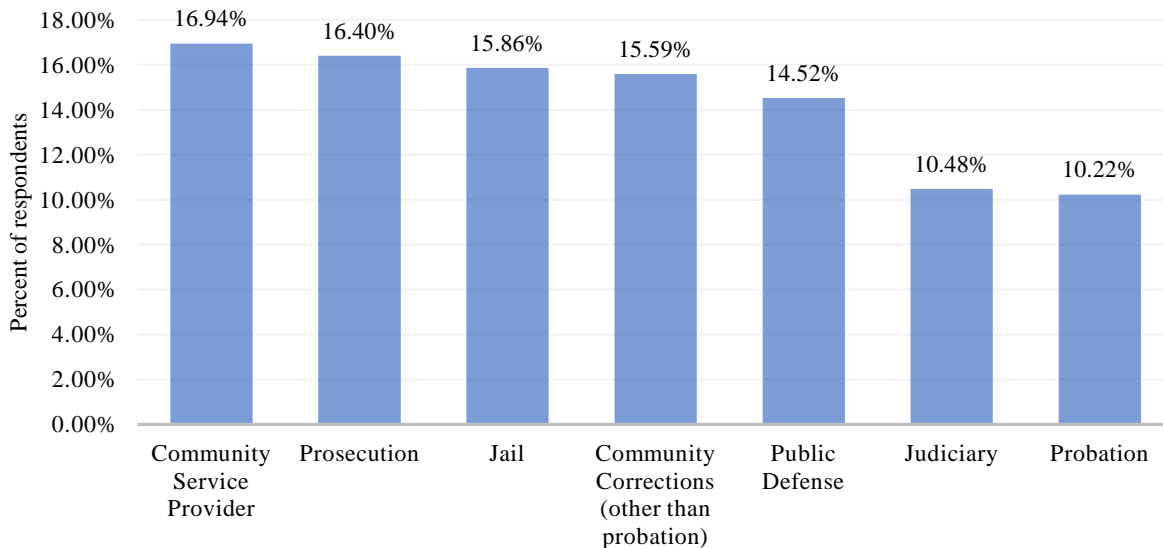
Most focus groups did share positive aspects about 1006, especially when it came to communication. With continued funding, communication, and restructuring, HEA1006 could change Indiana’s criminal justice system in a positive way.

Survey

Summary

ICJI devised an online survey to assess the perceptions of the effect HEA1006 has had at the county level for the jails, probation, community corrections, courts, prosecution, public defense, and community service providers (such as, but not limited to Centerstone of Indiana, Indiana Council of Community Mental Health Centers, Mental Health America-Indiana, and Fairbanks). The Indiana Sheriffs’ Association, Indiana Prosecuting Attorneys Council, Indiana Public Defender Council, and Indiana Office of State Court Administration assisted ICJI in distributing the survey link via email to representatives of each agency. There were 372 responses to the survey; of those who started, 91% completed the survey. Each county was represented in the responses from at least one type of agency. The highest number of responses came from the community service providers, followed closely by prosecution, jails, and community corrections. See Appendix A for full survey questions and results.

Figure 52: Survey Respondents by Agency Type



Summary of Jail Responses

There were 59 responses from jails, representing 50 counties. Seventy-one percent of jail respondents answered that they had seen a significant increase in average daily population since the enactment of HEA1006. Seventy-three percent stated the average jail stay increased significantly since HEA1006. When asked “Has your jail experienced a change you would consider significant in the number of days your jail has been over 100% capacity since the enactment of HEA1006”, 49% responded “yes a significant increase” and 49% responded “no significant change”. Twenty-seven jails have increased personnel since HEA1006. However, of those 27, only 11% were able to hire enough staff, the remaining 89% hired some, but not enough staff. All jails that hired staff, used county funds. A few counties used DOC per diem, DOC grants, or fees paid by offenders to fund new staff. Sixty-four percent of jails indicated they needed infrastructure changes, such as expanded or additional facilities, since the enactment of HEA1006. Of the jails that needed infrastructure changes, 48% are currently unable to make changes, 37% were able to make some changes and only 15% were able to make all of the changes necessary. Just over 50% of jails saw a significant increase in their operational budget since HEA1006 passed. Of those who saw an increase, 67% saw an increase from 1% to 24% and 30% saw an increase from 25% to 49% in their operational budget. The survey asked respondents if they have observed an overall change in the risk level of offenders since the enactment of HEA1006. Sixty percent have seen an increase in risk level, while 39% said offender risk levels have stayed about the same.

Nearly 80% of the jails provide mental health treatment, 74% provide substance abuse treatment, 65% provide education services, and 53% provide some type of life skills curriculum. Only 25% of the jails provide re-entry services. *Figure 53* shows the services being provided in the jails. Sixty percent of respondents have noticed a significant change in the number of offenders who require services. Respondents were asked what services provided in prison does your jail have difficulty replicating or affording. The majority, or 61%, do not provide housing services, followed by life skill classes at 58%, and employment assistance/job skills training, re-entry services, food and clothing assistance, and transportation assistance each at 54% (*Figure 54*).

Figure 53: Which services or programs does your jail provide directly or through an outside vendor? Please check all that apply.

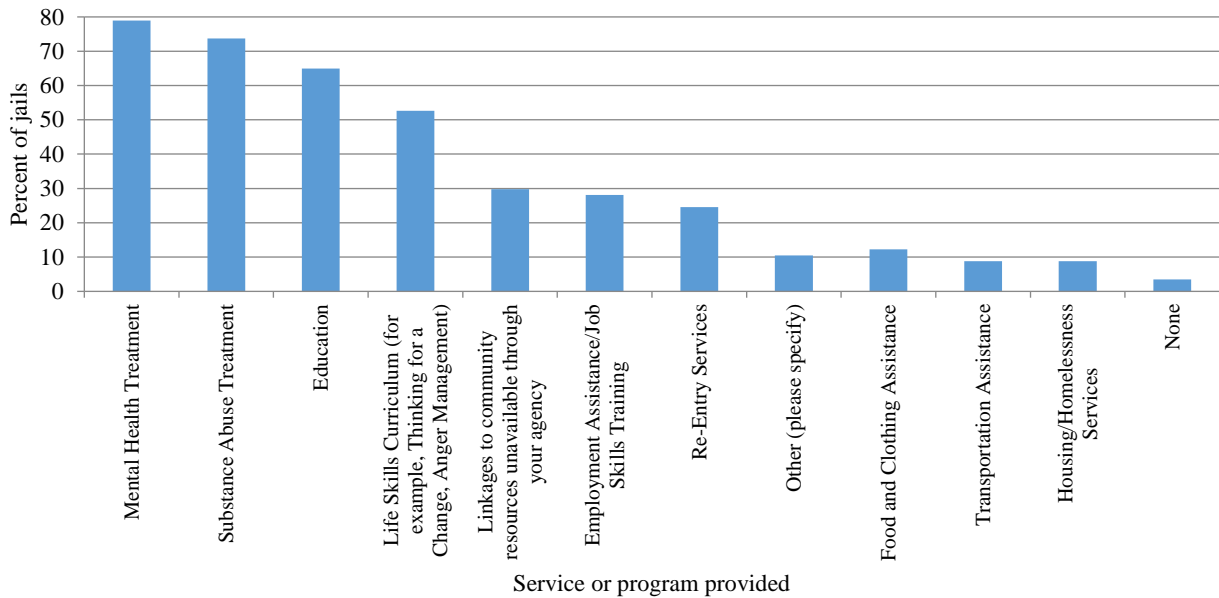
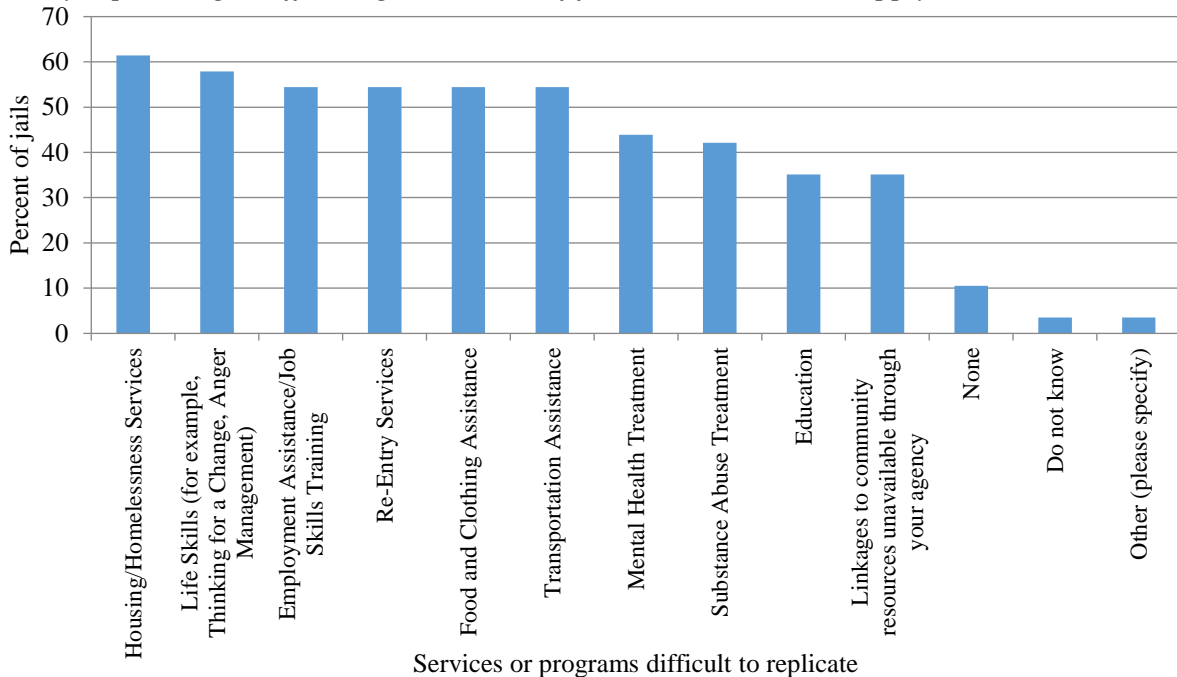


Figure 54: What services or programs that are currently provided in prison does your jail have difficulty replicating or affording due to lack of funds? Check all that apply.



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 HEA1006 on your community?” This was an open ended question and 21 participants responded.

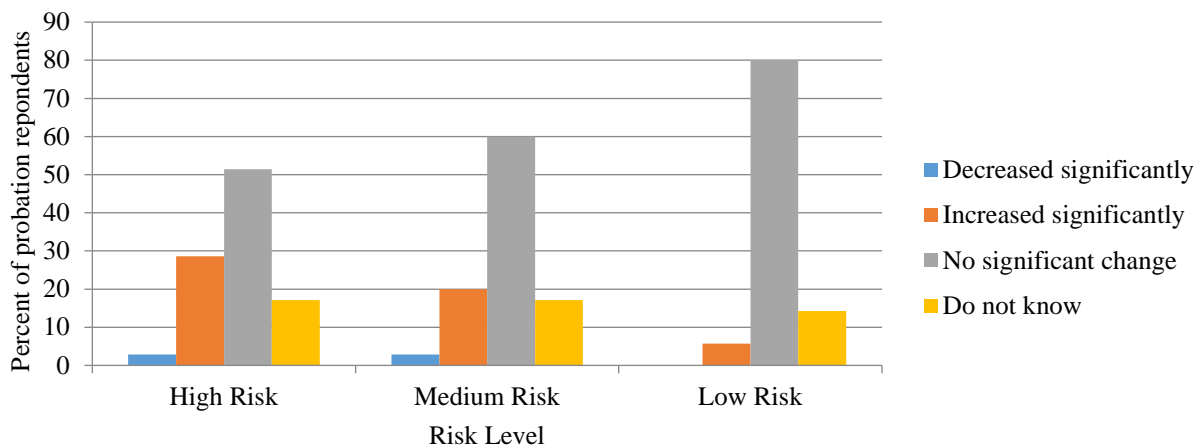
- Three respondents stated the jails should not hold sentenced inmates and those with lengthy sentences should be housed at DOC.

- Three respondents indicated that their jail population is overcrowded and that there is a high percentage of pretrial individuals. One respondent stated that 83% of the inmate population is pre-conviction felonies.
- Three respondents indicated that mental health issues were increasing and additional funding was needed to address the problem.
- Two respondents noted the female population has been increasing.
- Two respondents said per diem is not high enough.
- Two respondents specified that funding was needed to expand jails and to offer programs.
- One respondent said more staff is needed.
- One respondent noted more violations are occurring in alternate sentencing and once they violate they are in the jails longer than normal to complete their sentence.
- One indicated that the jail is more dangerous with more fights and injuries occurring. They have also had to file additional criminal charges on offenders for offences committed inside the jail.

Summary of Probation Responses

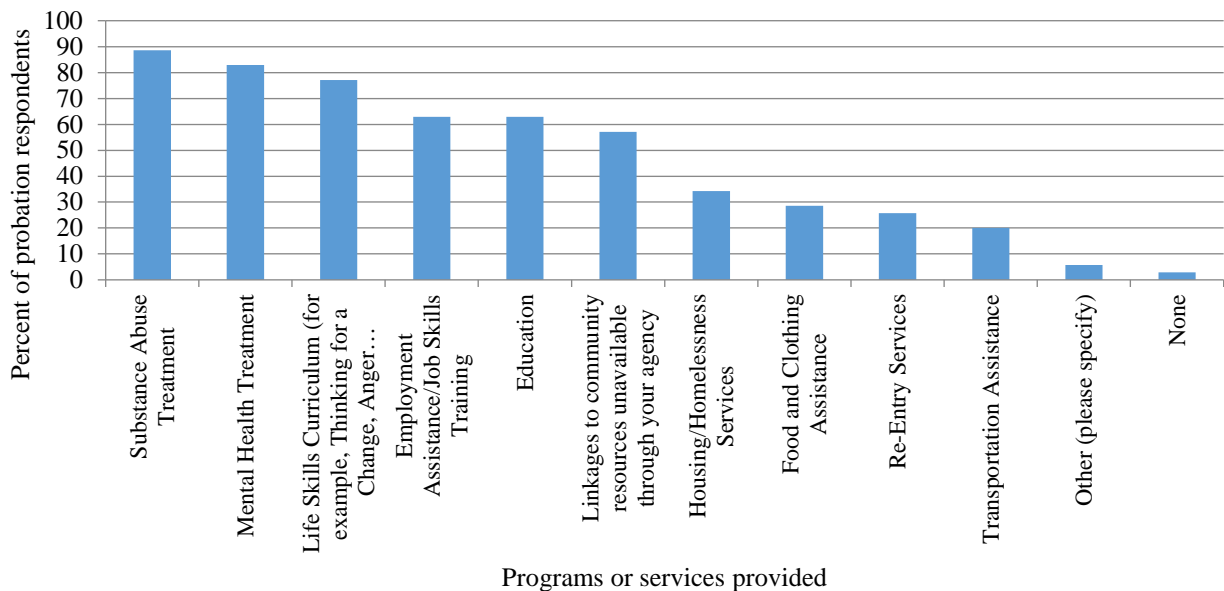
There were 38 responses from probation departments representing 37 counties. Just over 55% of probation departments did not experience a significant change in the number of offenders sentenced to probation since HEA1006 was enacted, compared to 37% that did see a significant increase. Similarly, 58% saw no change in the average caseload per probation officer and 34% did see a significant increase in the average caseload following enactment of HEA1006. Half responded that the number of staff employed has increased and half reported no change in the number of staff employed since HEA1006. For those that did hire additional staff, 53% were able to hire enough staff, while 42% hired some but not enough staff. The majority of agencies (83%) were able to fund new staff through JRAC funds, 39% used other grant funds and 28% used county funds. Respondents were asked if there had been a change in the risk level of probationers since HEA1006. Overall, most probation officers did not see a significant change in risk level. However, respondents saw the highest increase in risk level for those deemed high risk.

Figure 55: Has there been a change you would consider significant in the risk level of your probationers since the enactment of HEA1006?



The majority (89%) of probation departments provide substance abuse treatment, 83% provide mental health treatment, 77% provide life skill curriculum, such as anger management, and only 25% provide re-entry services. See the chart below for the full list. Fifty-four percent of probation officers have seen a significant increase in the number of probationers who require services since enactment of 1006, 34% saw no significant change, and only 6% saw a decrease.

Figure 56: Which services does your probation department provide directly or through an outside vendor to probationers? Please check all that apply.



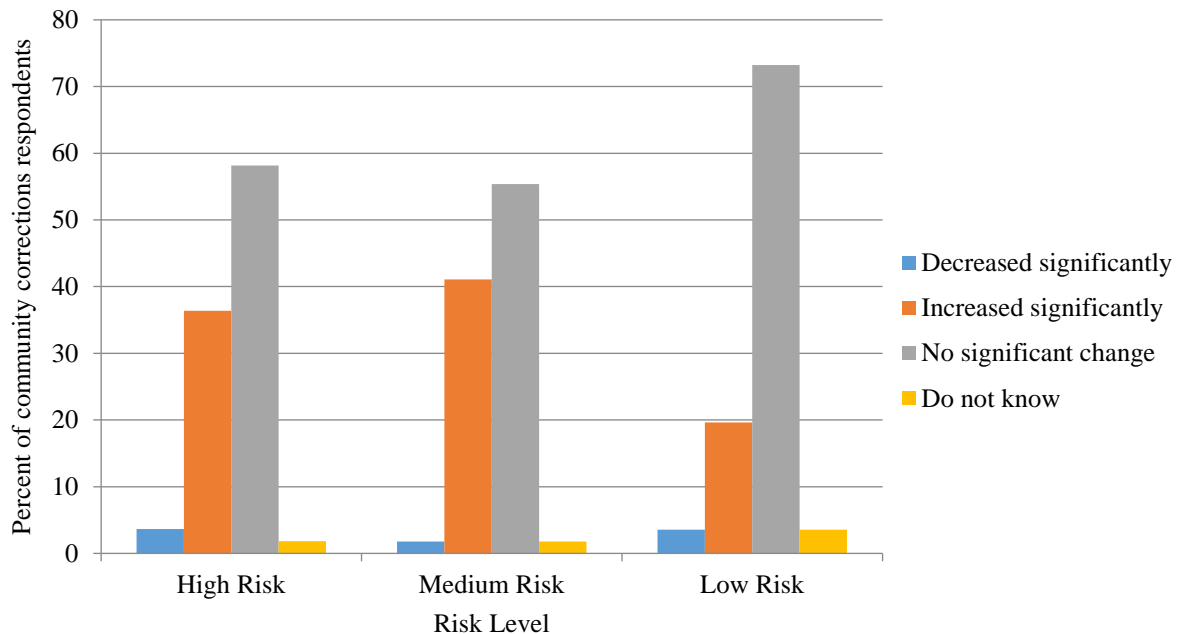
Survey respondents were asked “Is there anything we did not address in this survey that you would like for us to know about the impact of HEA1006 on your community?” This was an open ended question and 14 participants responded.

- Four respondents stated the jail population is increasing or jails are overcrowded. An additional four also reported that caseloads for community corrections and probation are increasing.
- Four respondents commented that the level of supervision or amount of time necessary for each probationer has increased since 1006 went into effect. One person expressed that this was a good thing because it has allowed them to monitor and supervise high risk individuals better.
- Three have incorporated more evidence-based programs into the supervision of probationers. One participant stated their agency has implemented practices that have had a tremendous impact in the county and they feel the supervision has been more meaningful. Another said it allowed officers to increase home visits and other monitoring.
- Three believe that many crimes are related to substance abuse, including thefts.
- Other notable comments included that there is a need for long term residential addiction programs, there are long waits for treatment, and they are unable to replicate services that were received in prison. One respondent stated funding allowed the probation office to hire specialized officers for mental health, quality assurance and sanctions.

Summary of Community Corrections Responses

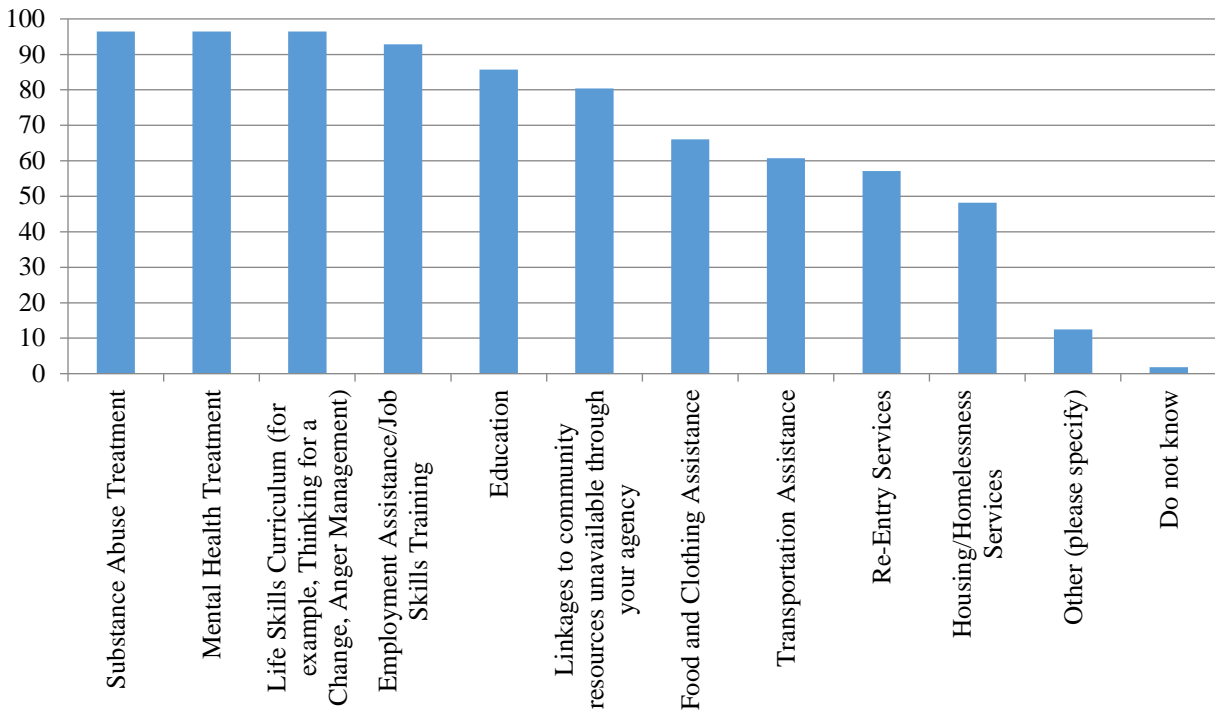
There were 58 responses from community corrections agencies, representing 64 counties. Fifty-seven percent of community corrections agencies experienced a significant increase in the number of offenders sentenced to community corrections since HEA1006 was enacted, compared to 35% that did not see a significant change. This is counter to what the probation departments reported. Nearly 70% of community corrections officers have an average caseload less than 50 and 26% have a caseload between 50 to 75 individuals. When asked if their caseloads have changed since the enactment of HEA1006, the responses were fairly even with 47% seeing no significant change and 41% indicating a significant increase in caseloads. Seventy-nine percent reported that the number of staff employed increased since 1006 went into effect. For those that did hire additional staff, 59% were able to hire enough staff and 37% hired some but not enough staff. Seventy percent of the agencies used DOC grants to hire staff, 45% used JRAC grant funds, 43% used offender fees, 18% other grants, and 9% used county funds. Respondents were asked if there had been a change in the risk level (based on IRAS scores) of probationers since HEA1006. Overall, most community corrections officers did not see a significant change in risk level. However, respondents reported a 41% increase among the medium risk offenders and 36% increase for high risk offenders.

Figure 57: Has there been a change you would consider significant in the risk level of your offenders since July 2014?



Nearly all (96%) of community corrections offices provide substance abuse treatment, mental health treatment and life skill curriculum, such as anger management. Most (93%) provide employment assistance or job skills training and 86% provide education. See Figure 58 below for the full list. Sixty-six percent of community correction officers have seen a significant increase in the number of offenders who require services since enactment of 1006, 29% saw no significant change, and only 4% saw a decrease.

Figure 58: Which services does your community corrections office provide directly or through an outside vendor to offenders? Please check all that apply.



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 HEA1006 on your community?” This was an open ended question and 21 people responded.

- Four respondents indicated that 1006 is impacting the jails and causing overcrowding.
- Three respondents noted there has been an increase in need for substance abuse and mental health treatment. In conjunction with those comments, one respondent stated more service providers were needed and one reported a lack of services provided by Recovery Works.
- Three respondents reported there has been an increase in high risk offenders sentenced to community corrections and two others indicated an increase in violent offenders that normally would have gone to prison. One respondent stated that staff is being threatened at least once a month and before 1006 it would be maybe once a year that staff was threatened.
- Two respondents have seen an increase in the number of pretrial referrals, which is taking case management time away from individuals that need it. According to one respondent “Staff time is being spent supervising a population that we are not funded for, or even have a clear guideline on the legalities of serving...The courts expect this agency to provide this population the same services as we provided our target population. This is not feasible due to uncertainty of their length of time on the program.
- Two respondents have been able to use funding to hire more staff, equipment and implement evidence based programming. One agency has been able to increase collaboration with drug courts due to funding and another has reduced the caseload for officers.

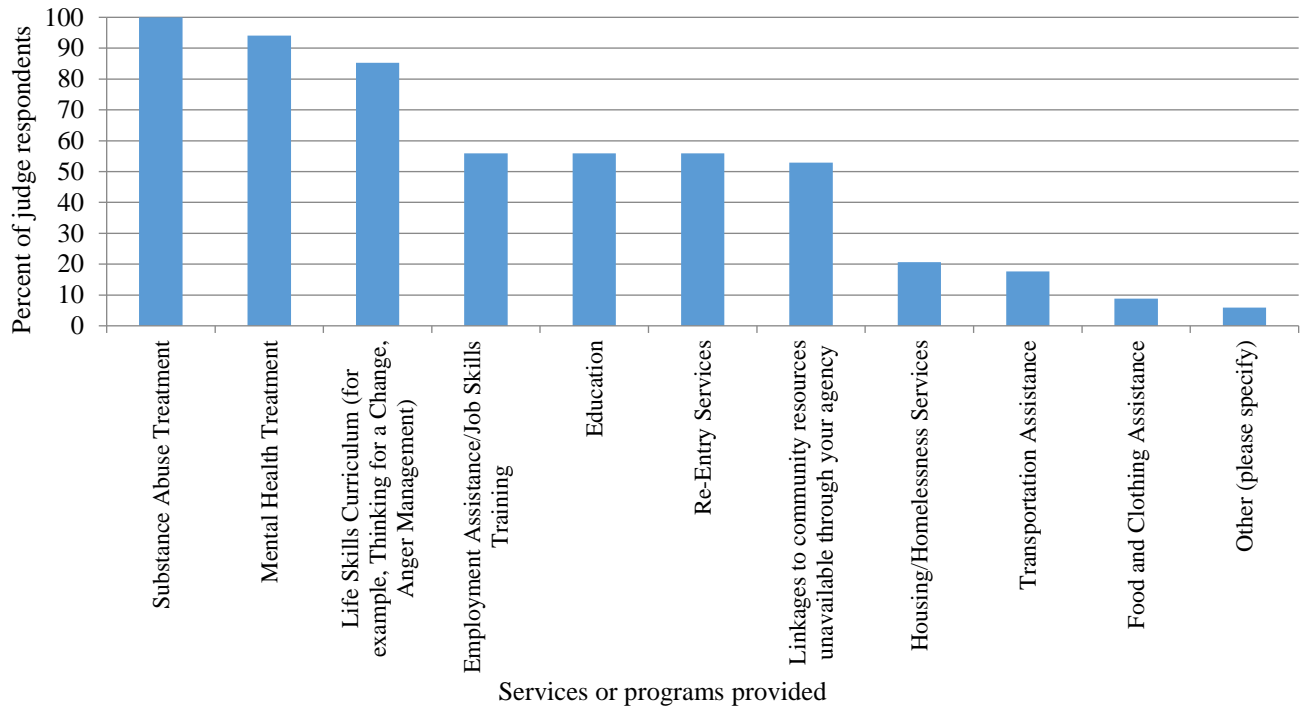
- Other comments include that community corrections needs a chance at treatment before sending an individual to jail, there is a need for a linked case management system to track required information, there is a drug epidemic, there has been an increase in violations and everyone needs time to adjust to the new system.

Summary of Judiciary Responses

There were 39 responses from judges, representing 30 counties. Sixty-nine percent of the judges responding have at least one problem solving court in their jurisdiction. Thirty-eight percent have seen the number of problem solving courts increase since the enactment of HEA1006. Only 20.5% reported an increase in the number of defendants served by problem solving courts since HEA1006 passed. Of those that saw an increase in the number of defendants, 50% have been able to meet some but not all of the needs of the individuals and 37.5% have met the needs of the person. Forty-four percent saw no significant change in the number of request for sentence modifications since HEA1006, while 38% reported a significant increase in sentence modifications.

All of the courts provide defendants substance abuse treatment. The other most common services provided are, mental health treatment (94%) and life skills curriculum (85%). Fifty-six percent of the courts provide the following services, employment assistance/job skills training, education and re-entry. Fifty-three percent provide defendants linkages to community resources. Figure 59 below shows the full list. Fifty-three percent of judges did not report a significant change in the number of defendants who require services since enactment of 1006 and 41% did see a significant increase in the number of defendants in need of services. The judges were asked what services does your criminal court have difficulty providing, 59% responded mental health treatment and 53% said housing.

Figure 59: Which services does your court provide to defendants either directly or through an outside vendor? Please check all that apply.



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 HEA1006 on your community?” This was an open ended question and 20 people responded.

- Half of the judges stated that the jail population has increased or the jail is overcrowded since July 1, 2014 when HEA1006 took effect. Five respondents specifically said F6 felonies are the main contributor to the jail population increasing and that many of those offenders should be sent to DOC. A judge commented that “Judges in our county were doing a fine job of determining who needed DOC vs who could be rehabilitated in the community. HEA1006 took that discretion away...each criminal case has unique circumstances which should be evaluated by those of us in in the trenches with experience.”
- Four respondents said the county has not seen an increase in funding or services from the state since HEA1006. One stated it is difficult to obtain the necessary treatment for individuals with addiction and mental health issues. Another replied that 1006 has put a strain on local resources “Local jails, cc and probation departments do not have resources, space, time or training to provide the services needed by most of these F6 type offenders.” Another stated the cost of F6 felonies was transferred from the state to the counties.
- Two judges responded that more F6s are committing crimes while on probation.

Summary of Prosecutors' Responses

There were 61 respondents, representing 49 counties. Fifty-four percent responded that their county has at least one problem solving court. Only 28% of respondents have seen an increase in problem solving courts since July 2014. Forty-three percent of prosecutors have not seen a significant change in the number of defendants served by problem solving courts since 1006 was enacted and 16% did see a significant increase in defendants served. Of those that saw an increase in the number of defendants, 60% have been able to meet some but not all of the needs of the individuals and only 20% have met the needs of the person. 61% saw a significant increase in the number of request for sentence modifications since HEA1006, while 32% reported no significant change in sentence modifications. Most (66%) of the prosecutor's offices have not increased staff since HEA1006. Thirty-two percent of agencies have increased staff since HEA1006. Of those that hired additional staff, 68% hired some but not enough staff and 26% were able to hire enough staff.

Prosecutors were asked "In your opinion has recidivism increased or decreased?" Nearly 74% of the respondents said recidivism has increased and 13% saw no significant change. Twenty-three percent commented that recidivism was mostly the result of drug related charges. Many also stated that some offenders have the attitude that there are no consequences to their actions and that even if they commit new crimes, they do not think they will go to prison. Some view the change in lessening penalties for crimes as a contributing factor for recidivism because offenders who normally would go to prison are put into community services and violate or commit new crimes. All of the comments for this question can be found in the Appendix A.

Prosecutors were asked what tools would help with public safety. Nine respondents provided an answer. The responses included:

- New staff positions, especially deputy prosecutors;
- Drug treatment programs;
- A bigger jail. Our jail is overcrowded and people are being released based upon that decision;
- Better treatment facilities for cases involving addictions and mental health issues. The local jail is the best and safest option right now;
- All executed time on any felony conviction be served in department of corrections. Additional grant funds for drug prosecution cases: Methamphetamine, heroin, opioids;
- More funding for substance abuse treatment and problem solving courts. More funding for office and staffing;
- DOC housing ALL convicted felons regardless of length of sentence. More prosecutors.
- Minimum mandatory sentences. Low level felons going to the DOC instead of overcrowding our local jail. Inpatient treatment facility for drug addicts;
- Increased number of police patrols. Stiffer penalties.

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 HEA1006 on your community?" This was an open ended question and 35 people responded.

- Fourteen respondents stated that the jail population is overcrowded or greatly increasing. Three specified that jails should be used for pretrial only and felons should go to prison.

One said it should be easier to send F6 felonies to prison “The loophole for sending F6 and PVs to prison is too long at 365 ACTUAL days- should be half that.”

- Seven prosecutors reported that reduction in drug crime sentences has had negative impact on the community and led to an increase in crime. Three respondents said the jails are a revolving door for low level felonies who commit new crimes or violate probation over and over. Two have heard backlash from the community due to the lesser sentencing for some felonies. One commented that shortened sentences means less drug treatment for offenders.
- Six respondents said more funding and services are needed to address mental health and substance abuse issues.
- Four respondents discussed that with the reclassification of felony offenses and the limitations of sending people to prison, 1006 has left offenders not being held accountable. The offenders also are aware of the limitations and know they can re-offend and not serve hard time.
- Three commented that the jails do not have the same resources for treatment as the prison does.
- Three respondents stated that defendants have little incentive to seek treatment due to decreased penalties. “We’ve lost some leverage when it comes to high-risk offenders that would be appropriate for problem-solving courts, because they are smart enough to recognize that any term of incarceration will be short whereas problem-solving court will be difficult.”
- Two respondents have seen an increase in the use of evidence-based programming and have seen positive effects.
- Two respondents said their county needs to build a new jail.
- One prosecutor stated that their county has adapted to the new sentencing reform and that alternative placements have worked to keep jail population intact.

Summary of Public Defenders’ Responses

There were 54 respondents, representing 48 counties. Seventy-four percent responded that their county has at least one problem solving court. Thirty-seven percent of respondents have seen an increase in problem solving courts since July 2014. Forty-three percent of respondents have not seen a significant change in the number of defendants served by problem solving courts since 1006 was enacted and 20% did see a significant increase in number of defendants served. Of those that saw an increase in the number of defendants, 55% have been able to meet some but not all of the needs of the individuals and only 27% met the needs of the defendant. Only 20% of public defenders saw a significant increase in the number of request for sentence modifications made since HEA1006, while 39% reported no significant change in sentence modifications. The majority (76%) did not see a significant change in the number of plea agreements since the enactment of HEA1006. Most (61%) of the public defender’s offices have not increased staff due to HEA1006 and only 18% have increased staff since. Of those that hired additional staff, 67% hired some, but not enough staff and 11% were able to hire enough staff.

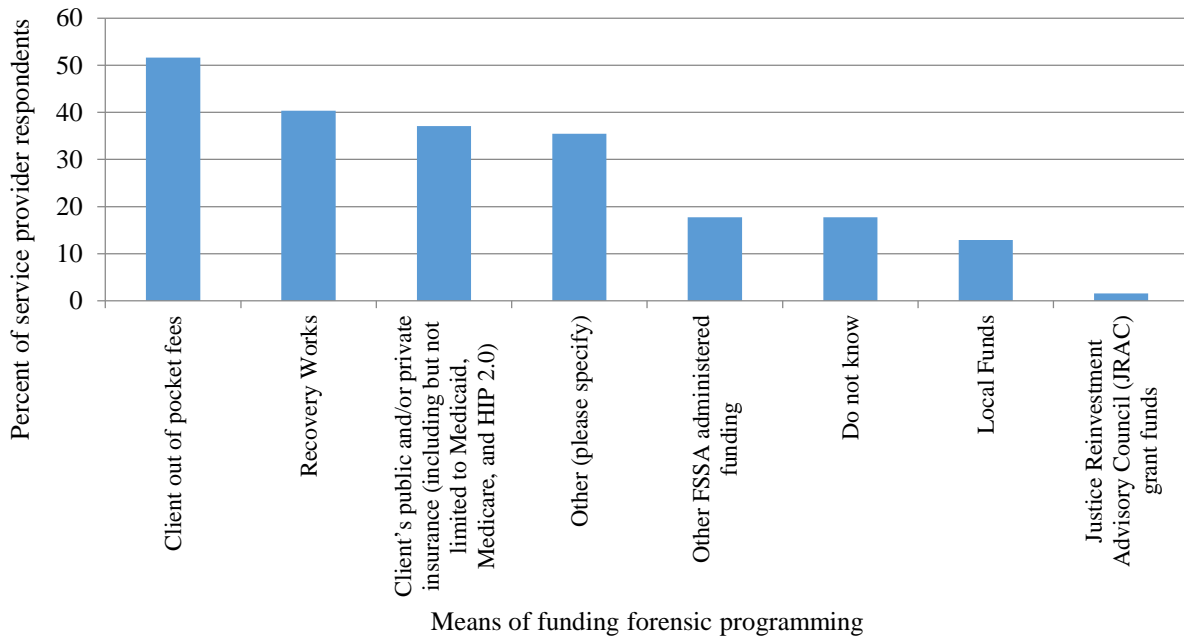
Survey respondents were asked “Is there anything we did not address in this survey that you would like for us to know about the impact of HEA1006 on your community?” This was an open ended question and 10 people responded.

- Three respondents dislike the changes for credit time. Two stated that the change in credit time has greatly increased overall sentences. “...under the old law, a sentence would call for 10 years do 5 years, the usual sentence we see now is more like 8 years do 6 years. Decreases in mandatory non-suspendible minimums and overall sentence minimums (without necessarily changing the maximums) would go a long way towards alleviating the jail overcrowding.”
- Two public defenders said more funding is needed to assist defendants and help them access services. “I do think mental illness and addiction should be treated like diseases needing long term care – we shouldn’t allow people to get sober and then never see a doctor again.”
- Two respondents related the positive effects HEA1006 has had by helping defendants find services and employment.
- Two respondents commented that the jails are overcrowded and believe HEA1006 contributed to the issue.
- One respondent stated more problem-solving courts are needed.
- One respondent feels that prosecutors are finding ways around sentence reductions. “One method is an increased emphasis on stacking and overcharging. One example, a pattern of thefts which would now be all misdemeanors will see a Corrupt Business Influence charge, where this was a rare occurrence prior to the change. This, combined with the reduction in credit time, leads me to believe the long-term impact on prison population will be negligible without additional alterations intended to combat these practices.”
- One respondent has not seen any positive effects from HEA1006 and another respondent said that Recovery Works has failed.

Summary of Community Service Provider Responses

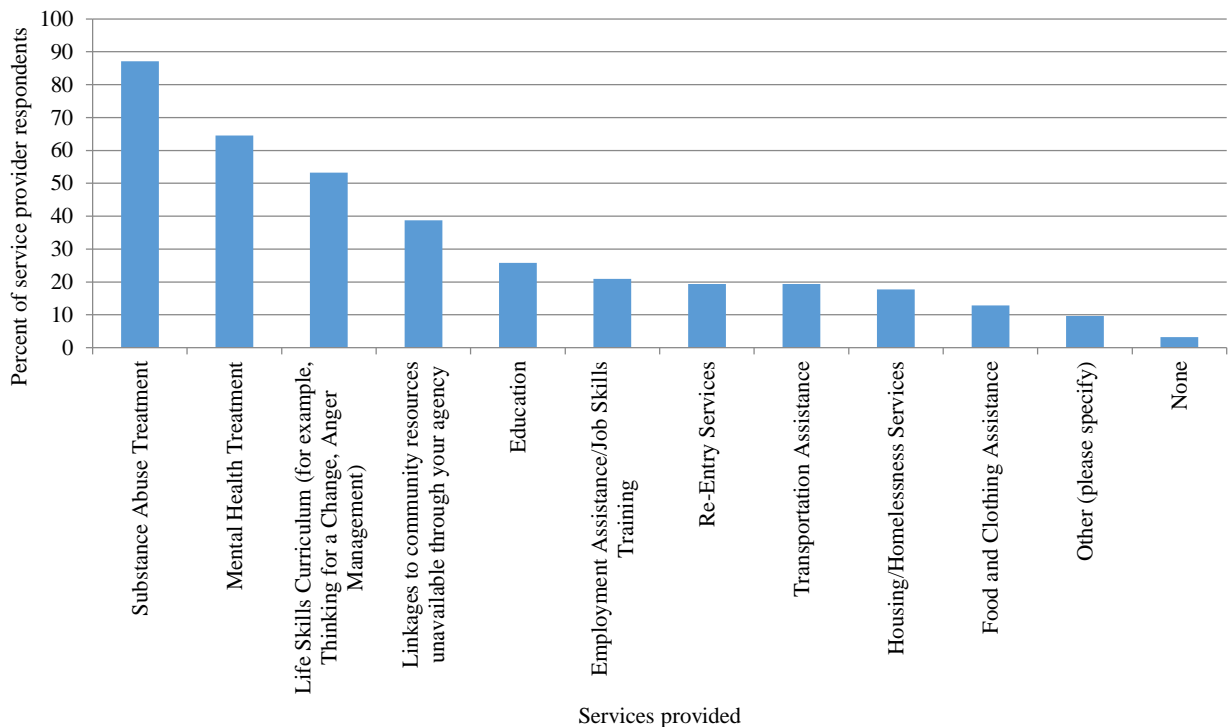
There were 63 responses, representing all 92 counties. Forty percent of service providers did not see a significant change in the number of referrals from criminal justice agencies, 30% did see a significant increase and 16% do not know if there was a change. Forty percent of agencies have created forensic programming, specifically for criminal justice involved clients since HEA1006 was enacted. The most common method to fund forensic programs is through client out of pocket fees (52%), followed by Recovery Works (40%) and client’s insurance (37%). Forty-four percent of respondents said funding has been insufficient to carry out the mission of their forensic programming, while only 24% have sufficient funding.

Figure 60: How does your agency fund its forensic program(s)?



The majority (67%) of agencies have not increased staff since HEA1006 and 24% have hired additional staff. For those that did increase the number of staff, 60% hired some but not enough people and 40% were able to hire enough staff. Thirty-five percent of respondents have seen a significant increase in the overall intensity of services required to assist criminal justice involved clients since the enactment of HEA1006. The top three services provided by the service providers are substance abuse treatment (87%), mental health treatment (64%) and life skills curriculum (53%). Figure 61 below shows the full list of services.

Figure 61: Which service or services does your agency directly provide to criminal justice-involved clients? Please check all that apply.



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 HEA1006 on your community?” This was an open ended question and 16 people responded.

- Three respondents commented that it is difficult to become a Recovery Works provider. One explained that referral of clients to the program is “chaotic and inconsistent. The myriad of rules and regulations unquestionably preclude full ineffective participation and so we have chose to become a subcontractor to a larger entity to allow them to deal with the bureaucracy.” Another also stated the need to partner with another agency in order to access Recovery Works dollars. One responded that “because we are a smaller agency we could not qualify to sign up for (Recovery Works). Specifically time from referral to time client is seen...review the guidelines for agencies.”
- Three respondents stated the funding is not keeping up with the demand for services and more staff is needed. “We’re doing more with essentially the same staff. Recovery Works rates are low.” Another commented that the administrative time to complete task and billing is time intensive and does not get reimbursed.
- One respondent has seen an increase in referrals for clients that are pregnant or women with children and an increase in referrals from DCS. Along with this, they are finding minimal options for housing for these types of clients.
- One respondent would like to see better communication between criminal justice agencies and service providers.
- One respondent reported seeing many positive changes since HEA1006.

- One respondent feels that a criminal justice agency who contracts with one service provider and brings them into the facility could be limiting the choices of the offenders to get the necessary treatment.

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 currently 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

Indiana has taken steps to advance the use of the IRAS-PAT and entering the resulting information in the InCite system, but more work is needed to advance probation and parole reform. Indiana still does not have a schedule of incentives or violations, leading to differences in how probation and parole violations are tracked and addressed from jurisdiction to jurisdiction.

Re-Entry Reform

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, but there have been improvements. Areas such as employment after incarceration and reintegration support still need improvement.

Recommendations for 2017

While the General Assembly has taken great care and continues to work diligently to improve HEA1006, there remain a few select areas needing to be addressed.

Time and Funding

As was previously recommended in both the 2015 and 2016 ICJI Criminal Code Evaluation Reports, 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 HEA1006 in 2014, court, DOC, 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. ICJI cautions against making long term decisions until more time has passed to truly see the long term impact of HEA1006 and the other recommendations from this report and previous reports.

Data

As mentioned above, there is still a dire need to continue improving and collecting data from every aspect of the criminal justice system. As stated in the previous years' reports, ICJI contacted several stakeholders to obtain the necessary data. 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 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.

Pretrial services

The third recommendation comes with support from data, the survey and local focus groups. The information obtained from these sources suggests a need to develop more pretrial and forensic diversion programs. As seen in the Jail Utilization information on page 76, 56% of the county jail population is composed of pretrial detainees. This represents a significant drain on county resources. If additional pretrial or diversion programs were able to be implemented, it would remove a portion of these pretrial offenders. This would represent an enormous cost and resource savings to the counties and eliminate much of the overcrowding issues that many of the county jails currently face. However, it must be understood and appreciated that developing effective and appropriate pretrial release and diversion programs requires both funding and resources for implementation and sustainability. Indiana needs to continue its focus on bail and bond reform, utilize available pretrial release and diversion programs, develop and implement evidence based pretrial release programs for eligible offenders, and implement evidence based screening tools to appropriately assess the needs and eligibility of offenders for pretrial release programs.

Mental Health and Substance Abuse programs

Finally, ICJI recommends continuing efforts to enhance the accessibility of mental health and substance abuse treatment programs for all offenders. As voiced by the focus groups, many counties face difficulties 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. Unfortunately there is no single answer to this problem. 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 post-conviction in the jails, DOC, or through Recovery Works.

Appendix A

Survey – Local Assessment of 1006

Introduction

This survey is being conducted by the Indiana Criminal Justice Institute (ICJI) with the purpose of assessing the local impact of HEA 1006. IC 5-2-6-24 gives ICJI the responsibility to evaluate HEA 1006, which took effect on July 1, 2014 and 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 being invited to participate in this survey because you have been identified as being knowledgeable about treatment and services for adult offenders in your county. Some of the questions may ask information that may not be readily available, which may require additional time completing the survey, but the information that you provide is very important to us. These questions pertain only to your local agency, therefore when thinking about responses to these questions, only consider the changes you have seen within your agency at the local level. Some questions will ask you if a “significant change” has occurred as a result of HEA 1006. We have intentionally undefined this phrase, leaving you the ability to define what is significant to you and/or your agency. We are seeking your experience of the impact HEA 1006 on the typical operations of your agency.

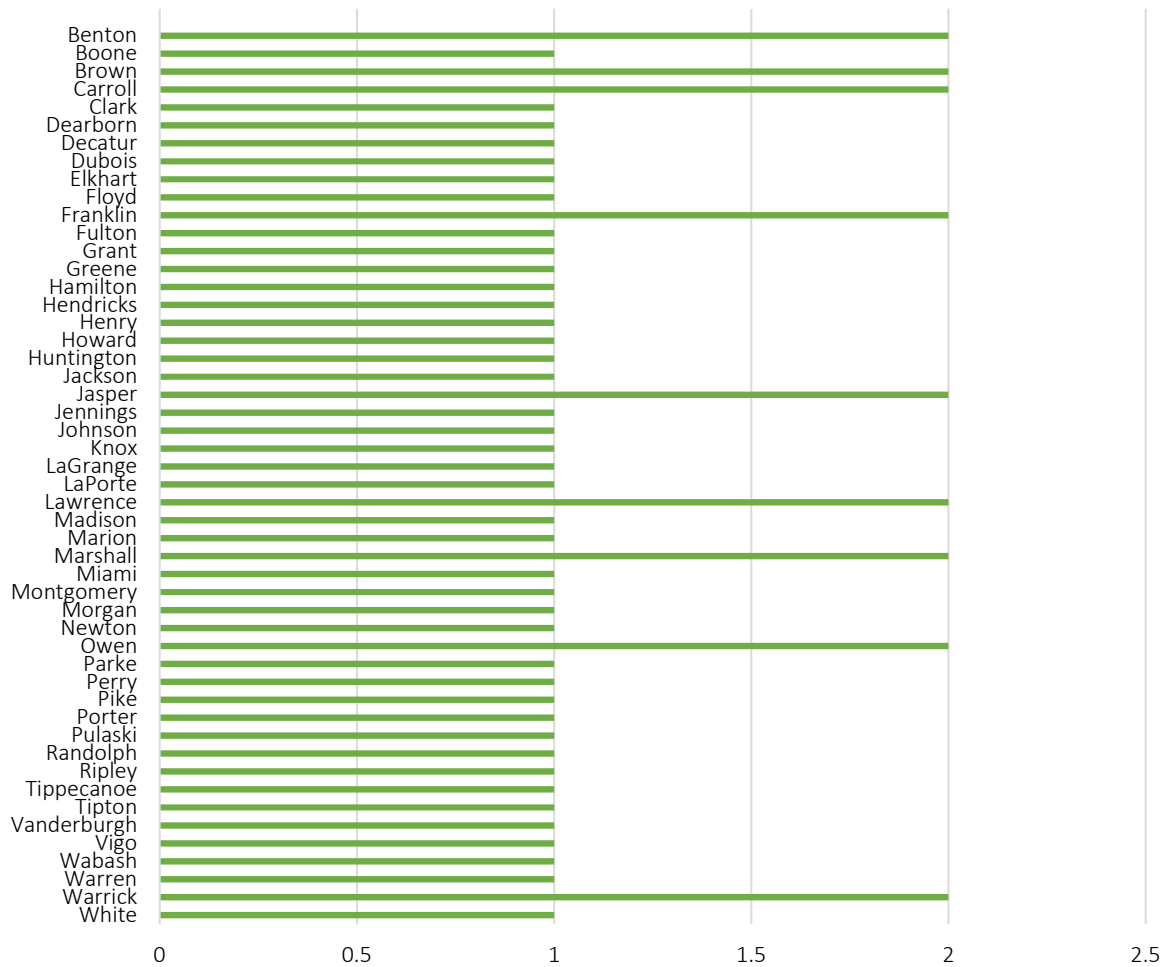
Your responses will be kept confidential. Thank you for your participation.

Q1. What type of agency do you work for?

Answer Choices	Responses	
Jail	15.86%	59
Probation	10.22%	38
Community Corrections (other than probation)	15.59%	58
Judiciary	10.48%	39
Prosecution	16.40%	61
Public Defense	14.52%	54
Community Service Provider	16.94%	63
Total		372

Jail

Q2. What county does your agency serve?



Q3 Has your jail experienced a change you would consider significant in average daily population since the enactment of HEA 1006 in July 2014?

Answer Choices	Responses	
Yes, a significant decrease	1.69%	1
Yes, a significant increase	71.19%	42
No significant change	27.12%	16
Do not know	0.00%	0
Total		59

Q4 Has the length of average jail stay changed in a way you would consider significant since the enactment of HEA 1006 in July 2014?

Answer Choices	Responses	
Yes, a significant decrease	3.39%	2
Yes, a significant increase	72.88%	43
No significant change	18.64%	11
Do not know	5.08%	3
Total		59

Q5 Has your jail experienced a change you would consider significant in the number of days your jail has been over 100% capacity since the enactment of HEA 1006 in July 2014?

Answer Choices	Responses	
Yes, a significant decrease	0.00%	0
Yes, a significant increase	49.15%	29
No significant change	49.15%	29
Do not know	1.69%	1
Total		59

Q6. Has the number of personnel employed at your jail (including full-time, part-time, and contractual staff) changed since the enactment of HEA 1006 in July 2014?

Answer Choices	Responses	
Yes, staff has decreased	5.08%	3
Yes, staff has increased	45.76%	27
No change	49.15%	29
Do not know	0.00%	0

Q7 Have you been able to hire enough staff to meet the needs of your jail?

Answer Choices	Responses	
Yes, hired enough staff	11.11%	3
Hired some but not enough staff	88.89%	24
Do not know	0.00%	0
Total		27

Q8 How did you fund new staff positions? (check all that apply)

Answer Choices	Responses	
County Funds	100.00%	27
Justice Reinvestment Advisory Council (JRAC) grant funds	0.00%	0
DOC Grant	3.70%	1
Other grant funds	0.00%	0
Fees paid by offender	3.70%	1
DOC per diem	11.11%	3
Do not know	3.70%	1
Other (please specify)	0.00%	0
Total Respondents: 27		

Q9 Has your jail needed any infrastructure changes, such as expanded or additional facilities, remodeling, adding beds, technology upgrades, etc., since the enactment of HEA 1006 in July 2014?

Answer Choices	Responses	
Yes	64.41%	38
No	35.59%	21
Do not know	0.00%	0
Total		59

Q10 Have you been able to make the infrastructure changes?

Answer Choices	Responses	
Yes, able to make all changes	14.81%	4
Able to make some but not all needed changes	37.04%	10
Need to make changes but currently unable to	48.15%	13
Not pursuing changes at this time	0.00%	0
Do not know	0.00%	0
Total		27

Q11. How did you fund the infrastructure changes? (check all that apply)

Answer Choices	Responses	
County Funds	80.00%	20
Justice Reinvestment Advisory Council (JRAC) grant funds	0.00%	0
Other grant funds	0.00%	0
Fees paid by offender	12.00%	3
Do not know	4.00%	1
Other (please specify)	28.00%	7
Total Respondents: 25		

Other responses	
1	We had to purchase additional mats and plastic "e-z bunks" with commissary funds.
2	Still going through the process. The project may be bonded
3	Have not yet. We are looking into the feasibility of building a new jail.
4	Misdemeanant fund
5	We need to expand but have not, yet
6	Still in planning stage

Q12 Has your jail's operational budget changed in a way you would consider significant since the enactment of HEA 1006 in July 2014?

Answer Choices	Responses	
Yes, a significant decrease	0.00%	0
Yes, a significant increase	52.54%	31
No significant change	47.46%	28
Do not know	0.00%	0
Total		59

Q13 By how much has your jail's operational budget changed since the enactment of HEA 1006?

Answer Choices	Responses	
1 to 24%	66.67%	20
25 to 49%	30.00%	9
50 to 74%	0.00%	0
75 to 99%	0.00%	0
100% or more	0.00%	0
Do not know	3.33%	1
Total		30

Q14 Have you observed an overall change in the risk level of your offenders since the enactment of HEA 1006 in July 2014? Risk includes any action that may affect the safety, security, order, or ability to provide offender care at your jail.

Answer Choices	Responses	
Yes, fewer risks	1.75%	1
Yes, greater risks	59.65%	34
No, offender risk levels have stayed about the same	38.60%	22
Do not know	0.00%	0
Total		57

Q15 Which services or programs does your jail provide directly or through an outside vendor?
Please check all that apply.

Answer Choices	Responses	
Mental Health Treatment	78.95%	45
Substance Abuse Treatment	73.68%	42
Education	64.91%	37
Life Skills Curriculum (for example, Thinking for a Change, Anger Management)	52.60%	30
Linkages to community resources unavailable through your agency	29.82%	17
Employment Assistance/Job Skills Training	28.07%	16
Re-Entry Services	24.56%	14
Other (please specify)	10.50%	6
Food and Clothing Assistance	12.28%	7
Transportation Assistance	8.77%	5
Housing/Homelessness Services	8.77%	5
None	3.51%	2
Do not know	0.00%	0
Total Respondents: 57		

#	Other (please specify)
1	VA sponsored transition services, Faith based services, Recovery Works. However, the number of inmates these programs reach is negligible.
2	Need more space to offer more programs...
3	Faith based classes
4	CHURCH SERVICES
5	We are a recovery works pilot jail. We have two group counseling sessions a week for our target group of about 12 men. It is made up of our inmate workers so they can live in the same housing unit. We will give our first Vivitrol® injection this week in house.
6	Looking to expand some services for substance abuse / education. We are meeting with local mental health provider to see if we can offer a more sustainable substance abuse education.

Q16 Have you noticed a change in the number of offenders who require services (even if your jail does not offer them), such as those listed in the previous question, since the enactment of HEA 1006 in July 2014?

Answer Choices	Responses	
Yes, a significant decrease	1.75%	1
Yes, a significant increase	59.65%	34
No significant change	38.60%	22
Do not know	0.00%	0
Total		57

Q17 What services or programs that are currently provided in prison does your jail have difficulty replicating or affording due to lack of funds? Check all that apply.

Answer Choices	Responses	
Housing/Homelessness Services	61.40%	35
Life Skills (for example, Thinking for a Change, Anger Management)	57.89%	33
Employment Assistance/Job Skills Training	54.39%	31
Re-Entry Services	54.39%	31
Food and Clothing Assistance	54.39%	31
Transportation Assistance	54.39%	31
Mental Health Treatment	43.86%	25
Substance Abuse Treatment	42.11%	24
Education	35.09%	20
Linkages to community resources unavailable through your agency	35.09%	20
None	10.53%	6
Do not know	3.51%	2
Other (please specify)	3.50%	2
Total Respondents: 57		

#	Other (please specify)
1	Our biggest challenge is space. Our jail was too small even before 1006
2	lack of funds for staff

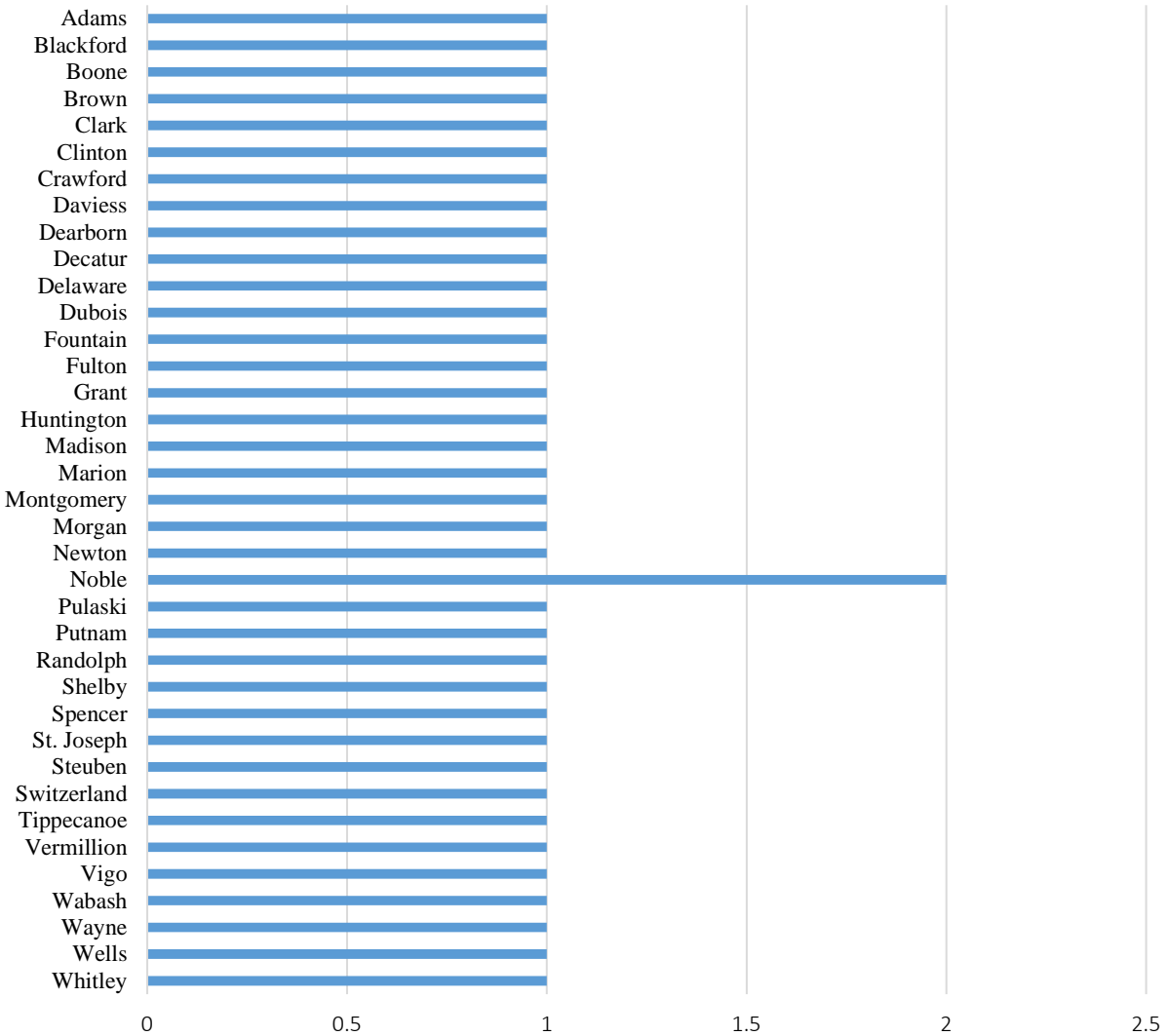
Q120 Is there anything we did not address in this survey that you would like for us to know about the impact of HEA 1006 on your community?

#	Responses
1	THE COUNTY JAILS SHOULD NOT HOLD SENTENCED INMATES FOR OVER A YEAR. I THINK THOSE INMATES SHOULD BE HOUSED IN DOC.
2	Although the new criminal code has not affected us YET - only 8% of or population is post-conviction, 83% of our population is pre conviction felonies. I believe this survey is premature.
3	My population has been as high as 450 inmates in a xxx bed facility. My high number of 1006 inmates has been 60 in my facility since 1006 passed and became effective. Between 1006 and inmates waiting for their day in court my jail remains crowded. County is finally moving on a plan to increase beds in the jail, but I am worried we will not be fast enough or smart enough to get it done right. Multi-million dollar referendum issue will make them want to build on the cheap and I am worried. Legislatures need to remove the price tag on adding more jail space since they force fed us Sheriff's house bill 1006.
4	I think the county jail setting is not set up for long term sentences. I think it should be for a year or less.
5	The female population has been the biggest change since the implementation of HEA 1006, as it has increased by a large number on average. Our ADP hasn't changed significantly, but a definite increase in our females.
6	We have requested additional jail staffing from county council and were denied. Food, medical, and cost of operation has all increased.
7	The ripple effect from 1006 has created a more dangerous environment for both my staff as well the lower level county jail inmates. We have had more fights and injuries since these individuals are being housed for such long periods of time in an over crowded jail. We have been filing additional criminal charges on these offenders for Level 5 Battery SBI, Level 6 Battery against a Public Safety Official, Level 6 Intimidation, Level 5 Prisoner Possessing a Dangerous Device...
8	I think it is important to note a greater amount of Level 6 offenders sentenced to Community Corrections, Home Detention and Probation are violating over and over. Once violating, they are stuck in the County Jails longer than normal to complete their sentence. We need to find a way to get these repeat offenders, who can't follow rules of any kind while on alternative sentencing, to DOC. Success rate at these programs are very poor.
9	It is costing the tax payer (local) a lot more than before, and the inmates are not getting the service that they did before in prison.
10	Per diem. Thirty-five dollars per day since the mid-1980's. Atrocious.
11	DOC services to assist in Mental Health issues are greatly needed... at not at \$85/day
12	We are one of the few jails in Indiana that is not currently overcrowded
13	We hold xx inmates we are currently at 117 with 35 of those inmates being level 6 felonies enough said.

14	I believe the area which has changed the most would be our female population. Since many of the offenders sentenced on Level 6 felonies are female, we've seen a very significant increase in our female population. Many times, this is due to plea agreements, which the Prosecution wishes to keep a felony conviction, but not necessarily give the offender a large amount of time; thus defaulting to the lowest level felony. Most jails in Indiana are equipped for a large male population, and a small female population, but we are having difficulty with space for said increase.
15	INCREASE IN MENTAL HEALTH ISSUES.
16	Funding for local jails to offer some of the programs.
17	The per diem should be at least \$75 per day, and include medical.
18	County jails were built to hold prisoners until they processed through the courts, not to serve lengthy sentences in the county jail. Level 6 prisoners should be housed at D.O.C.
19	Drugs are impacting our community just like everywhere and we must change their mindset and treat the way they think and see there self if we are going to lower our recidivism rate
20	Increase in meal cost/health cost as annual budget is based on previous years' inmate population, liability insurance increase as well.
21	Consistent state jail inspections have placed in non-compliance for at least the past two years.

Probation

Q18 What county does your agency serve?



Q19 Has your probation department experienced a change you would consider significant in the number of offenders sentenced to probation since the enactment of HEA 1006 in July 2014?

Answer Choices	Responses	
Yes, a significant decrease	2.63%	1
Yes, a significant increase	36.84%	14
No significant change	55.26%	21
Do not know	5.26%	2
Total		38

Q20 On June 30th, 2017, what was the average caseload per probation officer in your probation department?

Answer Choices	Responses	
Less than 50	2.63%	1
50-75	13.16%	5
76-100	10.53%	4
101-125	18.42%	7
126-150	10.53%	4
151-175	13.16%	5
176-200	13.16%	5
More than 200	18.42%	7
Do not know	0.00%	0
Total		38

Q21 Has the average caseload per probation officer changed in a way you would consider significant since the enactment of HEA 1006 in July 2014?

Answer Choices	Responses	
Yes, a significant decrease	5.26%	2
Yes, a significant increase	34.21%	13
No significant change	57.89%	22
Do not know	2.63%	1
Total		38

Q22 Has the average daily cost of supervision for one probationer changed in a way you would consider significant since the enactment of HEA 1006 in July 2014?

Answer Choices	Responses	
Yes, a significant decrease	2.63%	1
Yes, a significant increase	18.42%	7
No significant change	39.47%	15
Do not know	39.47%	15
Total		38

Q23 On June 30th, 2017, what was the average daily cost of supervision for one probationer?

#	Responses
1	4.56
2	\$14.41
3	\$10
4	Not sure exactly what you are asking here
5	Have not figured but new PO's hired and new programs implemented.
6	\$1.17
7	Unknown - would take a lot of work to figure out as it will be different for each risk level.
8	17.75
9	\$ 2.17
10	Hard to estimate
11	2.73
12	10

Q24 Has the number of staff employed by your probation department changed since enactment of HEA 1006 in July 2014?

Answer Choices	Responses	
Yes, staff has decreased	0.00%	0
Yes, staff has increased	50.00%	19
No change	50.00%	19
Do not know	0.00%	0
Total		38

Q25 (If yes) Has your probation department been able to hire enough staff to meet its needs?

Answer Choices	Responses	
Yes, hired enough staff	52.63%	10
Hired some but not enough staff	42.11%	8
Do not know	5.26%	1
Total		19

Q26 How did you fund new staff positions? (check all that apply)

Answer Choices	Responses	
County Funds	27.78%	5
Justice Reinvestment Advisory Council (JRAC) grant funds	83.33%	15
Other grant funds	44.44%	8
Fees paid by offender	16.67%	3
Do not know	0.00%	0
Other (please specify)	5.50%	1
Total Respondents: 18		

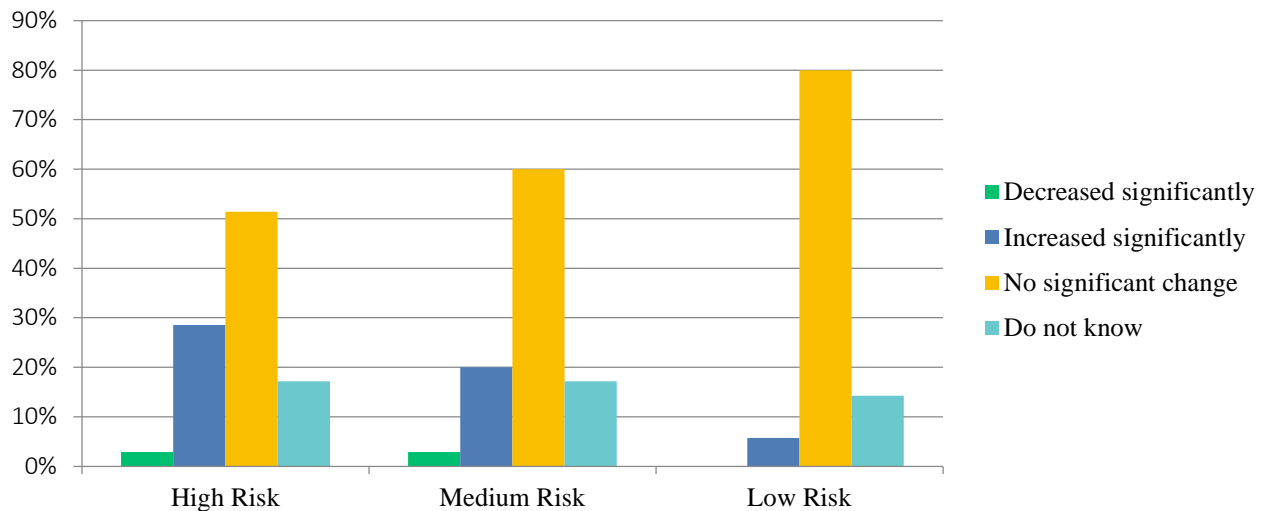
Q27 Has your probation department's annual budget changed in a way you would consider significant since the enactment of HEA 1006 in July 2014?

Answer Choices	Responses	
Yes, a significant decrease	2.63%	1
Yes, a significant increase	18.42%	7
No significant change	76.32%	29
Do not know	2.63%	1
Total		38

Q28 By how much has your agency's annual budget changed since the enactment of HEA 1006 in July 2014?

Answer Choices	Responses	
1 to 24%	83.33%	5
25 to 49%	0.00%	0
50 to 74%	0.00%	0
75 to 99%	0.00%	0
100% or more	0.00%	0
Do not know	16.67%	1
Total		6

Q29 Has there been a change you would consider significant in the risk level of your probationers since the enactment of HEA 1006 in July 2014?



Q30 Which services does your probation department provide directly or through an outside vendor to probationers? Please check all that apply.

Answer Choices	Responses	
Substance Abuse Treatment	88.57%	31
Mental Health Treatment	82.86%	29
Life Skills Curriculum (for example, Thinking for a Change, Anger Management)	77.14%	27
Employment Assistance/Job Skills Training	62.86%	22
Education	62.86%	22
Linkages to community resources unavailable through your agency	57.14%	20
Housing/Homelessness Services	34.29%	12
Food and Clothing Assistance	28.57%	10
Re-Entry Services	25.71%	9
Transportation Assistance	20.00%	7
Other (please specify)	5.71%	2
None	2.86%	1
Do not know	0.00%	0
Total Respondents: 35		

Respondents	Other (please specify)
1	Moving On Program and MRT
2	Drug screening services

Q31 Have you noticed a change you would consider significant in the number of probationers who require services, such as those listed in the previous question, since the enactment of HEA 1006 in July 2014?

Answer Choices	Responses	
Yes, a significant decrease	5.71%	2
Yes, a significant increase	54.29%	19
No significant change	34.29%	12
Do not know	5.71%	2
Total		35

Q32 Which services or programs that are currently provided in prison does your probation office have difficulty replicating or affording due to lack of funds? Check all that apply.

Answer Choices	Responses	
Mental Health Treatment	37.14%	13
Transportation Assistance	37.14%	13
Housing/Homelessness Services	37.14%	13
Substance Abuse Treatment	34.29%	12
Food and Clothing Assistance	25.71%	9
None	25.71%	9
Re-Entry Services	22.86%	8
Life Skills Curriculum (for example, Thinking for a Change, Anger Management)	20.00%	7
Employment Assistance/Job Skills Training	20.00%	7
Education	8.57%	3
Linkages to community resources unavailable through your agency	8.57%	3
Other (please specify)	8.57%	3
Health care	0.00%	0
Total Respondents: 35		

#	OTHER (PLEASE SPECIFY)
1	the offender a lot of times can't afford all the services ordered
2	Treatment in a secure environment (i.e., inpatient mental health or substance abuse treatment)

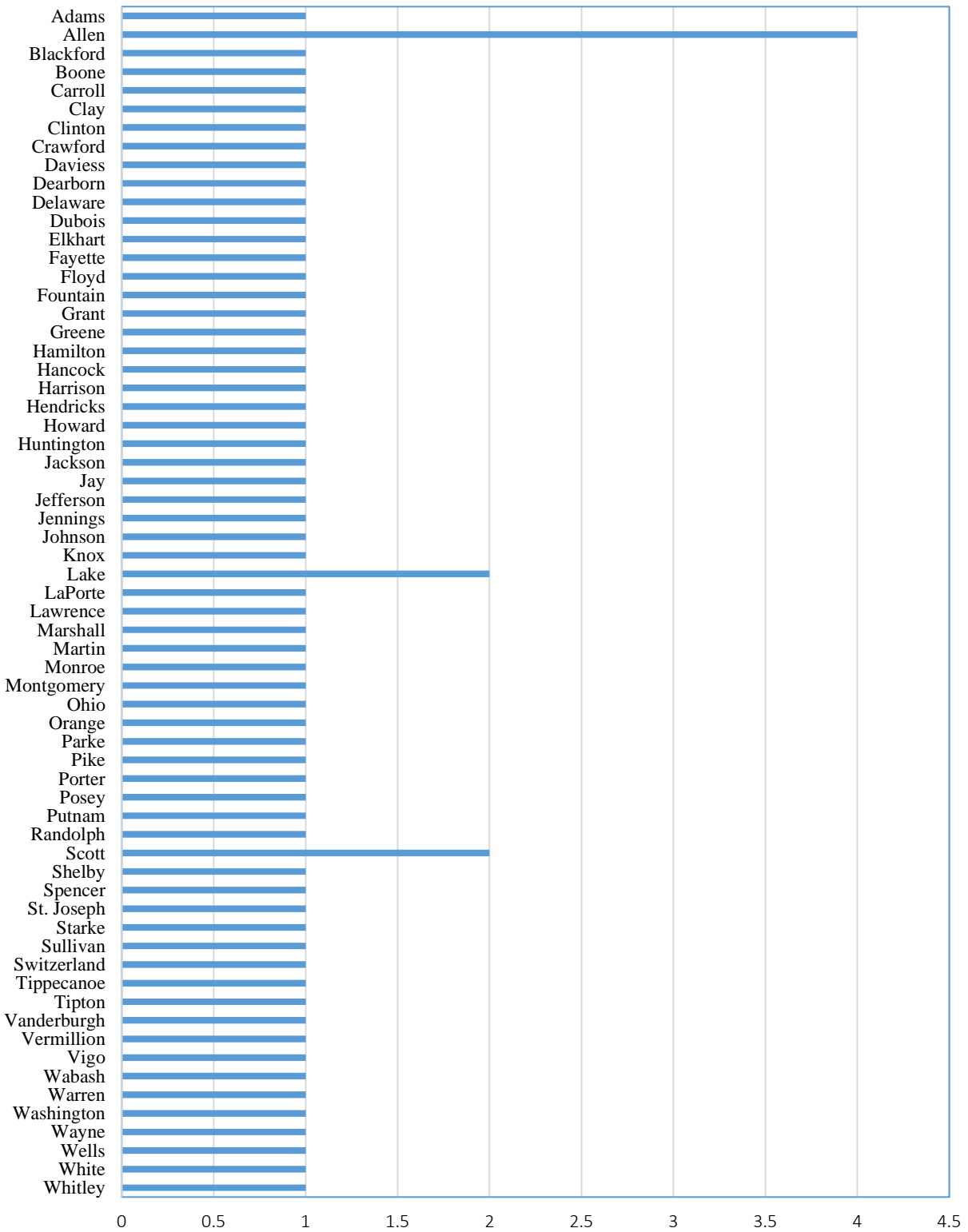
Q120 Is there anything we did not address in this survey that you would like for us to know about the impact of HEA 1006 on your community?

#	Responses
1	HEA 1006 has greatly impacted our jail population as to overcrowding. Also, since 1006, the level of supervision given to our probationers has significantly increased. Although the caseload sizes have remained the same, the time each offender gets has greatly increased.
2	While the number of probationers we are serving has decreased, the amount of time and effort invested in each probationer has increased significantly. More specifically, this department has moved beyond a compliance based model and is implementing practices that have shown to have a tremendous impact, in other areas of the county. While The true impact is anecdotal at this time, I feel as though we are now conducting probation supervision in a way that is meaningful.
3	The impact of having a combined department that includes probation and community corrections. It was difficult to answer some of the questions since our population and department are so intertwined.
4	It has allowed our probation department to: have a specialized mental health probation officer; a quality assurance officer; develop a Sanction Committee and sanction grid to address technical violations; and increased follow-up on Sanctions imposed by the Sanction Committee. It has allowed our department to increase home visits to monitor no alcohol condition compliance and to obtain more drug test at offenders' residences. It has allowed officers to spend more time working with moderate to high offenders implementing evidence based programs/tools such as Carey Guides and EPICS.
5	Our local jail and community corrections has also seen a significant increase in offenders. A probation appointment takes a longer amount of time because of EBP that we are implementing in an attempt to better help probationers. More training and time is required for each of my probation officers.
6	Jail population is at an all-time high. The increase in case load is also due to Opioid epidemic.
7	More offenders in jail, on Probation, and in Community Corrections. Jail is overcrowded, impetus is for us to develop alternatives to jail, i.e. new work release, etc. Also low risk re-offend a lot, and yes we are assessing them correctly with the IRAS. Sometimes the correct answers are not asked and are relevant, like criminal history. It may be unchanging but 20 prior misdemeanors should be considered possibly high risk, but can get screened out due to that question. 1006 has resulted in higher caseloads, more jail inmates, funding for new positions helps but does not cover all programming that is also necessary to address needs identified through assessments.
8	There continues to be a high need for long term residential addiction treatment. The few that are available under Recovery Works have long wait lists.
9	HEA 1006 provides resources for felony populations, but none for misdemeanors or juveniles. Our operation includes all jurisdictions and we base our supervision and services on risk as opposed to level of offense in most situations. Funding provided in HEA 1006 to assist community supervision must be directly tied to felons and because many of our high and moderate risk individuals are low level felons or misdemeanants and juveniles, we must rely on residual funding of the felony population. (NOTE: at this time

	our agency does not receive HEA 1006 funding. Our courts do not yet find the cost/benefit of receiving funds to positively impact our services to the probationers or community.)
10	Although our department has not seen a significant increase in numbers, the grant funding allowed us to hire a full-time law enforcement Officer that assists us in conducting home visits. We are better able to monitor and supervise our high risk offenders. Prior to this hire, we were limited in our ability to do home checks. This Officer also assists in drug screening, checks on Sex Offenders and DNA registration among other tasks.
11	Is there a perceived relationship between the following? (1) the increased opioid(heroin) epidemic/overdoses and increased use of methamphetamine, and (2) the lessening the severity of penalties for drug possession charges including marijuana?.
12	Why is operating a vehicle while intoxicated a C misdemeanor? Public Intoxication is a B misdemeanor. Why is it more of an offense to be drunk in public than drunk in a vehicle?
13	We are supervising a lot of offenders for offenses that used to be felonies, especially thefts that are due to substance abuse. These offenders previously went to prison and received services that we cannot replicate. Incarceration actually helped rehabilitate these offenders and now they just get release to probation with no real consequences.
14	On paper, the average daily cost of supervising an individual offender has probably DECREASED significantly because we are supervising MORE people on the same budget. Budget \$\$\$ divided by 1400 offenders looks smaller than budget \$\$\$ divided by 1100 offenders.

Community Corrections

Q33 What county or counties does your agency serve?



Q34 Has your community corrections office experienced a change you would consider significant in the number of offenders sentenced to community corrections since the enactment of HEA 1006 in July 2014?

Answer Choices	Responses	
Yes, a significant decrease	3.45%	2
Yes, a significant increase	56.90%	33
No significant change	34.48%	20
Do not know	5.17%	3
Total		58

Q35 On June 30, 2017, what was the average caseload per officer in your community corrections office?

Answer Choices	Responses	
Less than 50	68.97%	40
50-75	25.86%	15
76-100	1.72%	1
101-125	0.00%	0
126-150	0.00%	0
151-175	1.72%	1
176-200	0.00%	0
More than 200	0.00%	0
Do not know	1.72%	1
Total		58

Q36 Has the average caseload per officer changed in a way you would consider significant since the enactment of HEA 1006 in July 2014?

Answer Choices	Responses	
Yes, a significant decrease	6.90%	4
Yes, a significant increase	41.38%	24
No significant change	46.55%	27
Do not know	5.17%	3
Total		58

Q37 Has the average daily cost of supervision for one offender in your community corrections office changed in a way you would consider significant since the enactment of HEA 1006 in July 2014?

Answer Choices	Responses	
Yes, a significant decrease	3.45%	2
Yes, a significant increase	17.24%	10
No significant change	63.79%	37
Do not know	15.52%	9
Total		58

Q38 On June 30th, 2017, what was the average daily cost of supervision for one offender in your community corrections office?

#	Responses
1	\$11.00
2	\$14.97
3	Average cost of all our programs: \$33.99
4	each component has a different daily cost
5	19.35
6	\$20.27
7	24.47
8	24.47
9	\$15
10	\$36.10
11	12.85
12	\$21.16
13	18.00
14	\$21
15	\$21.64
16	\$28.77
17	24.22
18	it greatly depends on the program in which they are being supervised
19	\$4.57
20	\$23
21	13.00
22	\$20
23	\$45.00
24	\$17.06
25	\$10.00
26	19.77

27	Daily cost of supervision for Day Reporting was \$23.11 and Home Detention was \$38.12
28	35
29	\$6.89
30	\$38.02
31	The average cost across all components is approximately \$19 per person.
32	\$35.83
33	\$20.30
34	EHD \$23.14 and WR \$46.90
35	\$3.33
36	\$25.50
37	Work Release Per Diem 27.00 dollars per day.... Electronic Monitoring 23.00 dollars per day
38	Work Release 30.86, Home Detention 24.46. Community Service 2.48, CTP 21.40
39	22.35
40	15.00
41	37.35
42	\$18.30 work release. \$13.40 treatment court
43	\$17.35
44	That would depend upon the level of Supervision. Electronic Monitoring was \$21.31 and Residential was \$56.09
45	Differs per component
46	\$10.27
47	\$26.58
48	Home Detention: \$15.47; Day Reporting: \$9.89; Drug Court: \$29.08; Pretrial \$2.12
49	9.36
50	10.00
51	60
52	21.00
53	\$35.00

Q39 Has the number of staff employed by your community corrections office changed since the enactment of HEA 1006 in July 2014?

Answer Choices	Responses	
Yes, staff has decreased	3.45%	2
Yes, staff has increased	79.31%	46
No change	13.79%	8
Do not know	3.45%	2
Total		58

Q40 (If increased) Has your agency been able to hire enough staff to meet the needs of your agency?

Answer Choices	Responses	
Yes, hired enough staff	58.70%	27
Hired some but not enough staff	36.96%	17
Do not know	4.35%	2
Total		46

Q41 How did you fund new staff positions? (check all that apply)

Answer Choices	Responses	
DOC Grant	70.45%	31
Justice Reinvestment Advisory Council (JRAC) grant funds	45.45%	20
Fees paid by offender	43.18%	19
Other grant funds	18.18%	8
County Funds	9.09%	4
Total Respondents: 44		

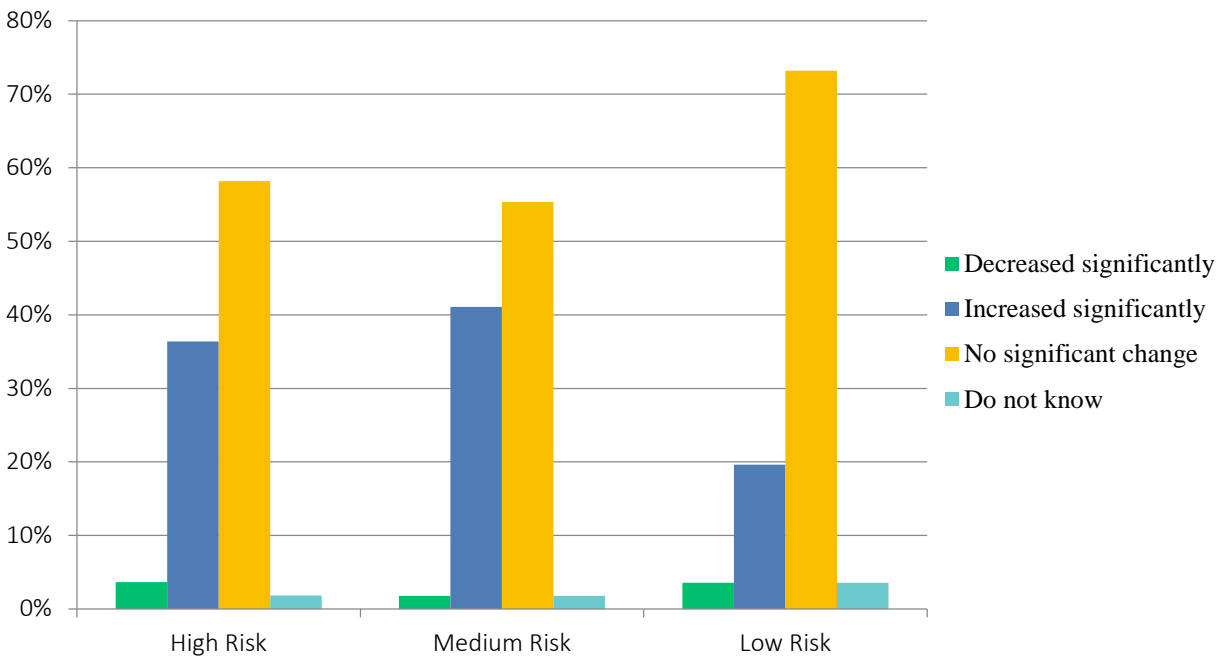
Q42 Has your community corrections office's annual budget changed in a way you would consider significant since the enactment of HEA 1006 in July 2014?

Answer Choices	Responses	
Yes, a significant decrease	1.72%	1
Yes, a significant increase	65.52%	38
No significant change	27.59%	16
Do not know	5.17%	3
Total		58

Q43 By how much as your agency's budget changed?

Answer Choices	Responses	
1 to 24%	50.00%	20
25 to 49%	22.50%	9
50 to 74%	20.00%	8
75 to 99%	0.00%	0
100% or more	5.00%	2
Do not know	2.50%	1
Total		40

Q44 Has there been a change you would consider significant in the risk level (based on IRAS scores) of your offenders since the enactment of HEA 1006 in July 2014?



Q45 Which services does your community corrections office provide directly or through an outside vendor to offenders? Please check all that apply.

Answer Choices	Responses	
Life Skills Curriculum (for example, Thinking for a Change, Anger Management)	100.00%	56
Substance Abuse Treatment	96.43%	54
Mental Health Treatment	96.43%	54
Employment Assistance/Job Skills Training	92.86%	52
Education	85.71%	48
Linkages to community resources unavailable through your agency	80.36%	45
Food and Clothing Assistance	66.07%	37
Transportation Assistance	60.71%	34
Re-Entry Services	57.14%	32
Housing/Homelessness Services	48.21%	27
Other (please specify)	7.14%	4
Do not know	1.79%	1
None	0.00%	0
Total Respondents: 56		

#	Other (please specify)
1	Moving on for women.
2	We do assist with required clothing/shoes/boots for work but not food.
3	Jail Treatment
4	Sex Offender Treatment

Q46 Have you noticed a change you would consider significant in the number of offenders who require services, such as those listed in the previous question, since the enactment of HEA 1006 in July 2014?

Answer Choices	Responses	
Yes, a significant decrease	3.57%	2
Yes, a significant increase	66.07%	37
No significant change	28.57%	16
Do not know	1.79%	1
Total		56

Q47 Which services or programs that are currently provided in prison does your community corrections office have difficulty replicating or affording due to lack of funds? Check all that apply.

Answer Choices	Responses	
Housing/Homelessness Services	50.00%	28
Transportation Assistance	39.29%	22
Mental Health Treatment	25.00%	14
Food and Clothing Assistance	23.21%	13
Re-Entry Services	17.86%	10
Substance Abuse Treatment	16.07%	9
Education	14.29%	8
None	14.29%	8
Life Skills Curriculum (for example, Thinking for a Change, Anger Management)	10.71%	7
Employment Assistance/Job Skills Training	12.50%	6
Other (please specify)	10.70%	6
Do not know	8.93%	5
Linkages to community resources unavailable through your agency	7.14%	4
Total Respondents: 56		

#	Other (please specify)
1	We have mental health in the local area, but the waiting lists for services create a problem
2	Most are provided by local resources. Not cost effective to replicate.
3	on site medical services and better access to prescriptions
4	I do not know the extent of what is offered in prison
5	We rely heavily on our community partners for services we do not provide directly in house. I think the biggest problem for our agency in getting the immediate health care or medication for offenders coming out of prison. There is a waiting period often times for these to get started and that is an area we cannot afford to pay for in our budgets.
6	Our overall activity has increased significantly in the facility because we allow support groups, faith based organizations, and other service providers to work with our clientele to help them overcome barriers that lead to recidivism.

Q120 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?

#	Responses
1	We experienced a significant increase in the number served due to now assessing at the pretrial stage. Regarding service needs, we continue to notice increased need for substance abuse treatment, recovery support services and mental health assessment and treatment. Initially following the passing of 1006 we experienced a decrease in the numbers served. We are now experiencing an increase in referrals beyond pretrial into our post sentence referrals. Based upon discussion during a recent EBDM meeting, we anticipate the increase in referrals to continue.
2	The greatest impact of HB 1006 has been to the local jails. If there is not additional legislation requiring prosecutors to give Community Corrections a chance at treatment before locking up a significant portion of the offenders then HB1006 will never reach its full potential and many people who would succeed in treatment are never given the chance.
3	Lack of services provided by Recovery Works providers. We have significant problems getting clients to be able to utilize Recovery Works services but our provider does not fulfill all of them.
4	It takes time for systems and individuals to adjust to the change, it is too early to draw concrete conclusions.
5	HEA 1006 gave us the ability to reduce our ratio of clients to case managers drastically. It also gave us the ability to increase our collaboration with drug court as the drug court case manager is on community corrections grant.
6	Yes. First, the level of violent offenders being referred to our agency has increased. These individuals require more staff time. Thus, when looking at whether or not staff for entities needs increased, the number of new referrals cannot be the only factor, the type of offenders being served needs considered. Second, the local courts have been sending our agency a great deal of pre-trial referrals. Staff time is being spent supervising a population that we are not funded for, or even have a clear guideline on the legalities of serving. Staff time is getting thinned out by these cases, and taking case management time away from the individuals that need it. The courts expect this agency to provide this

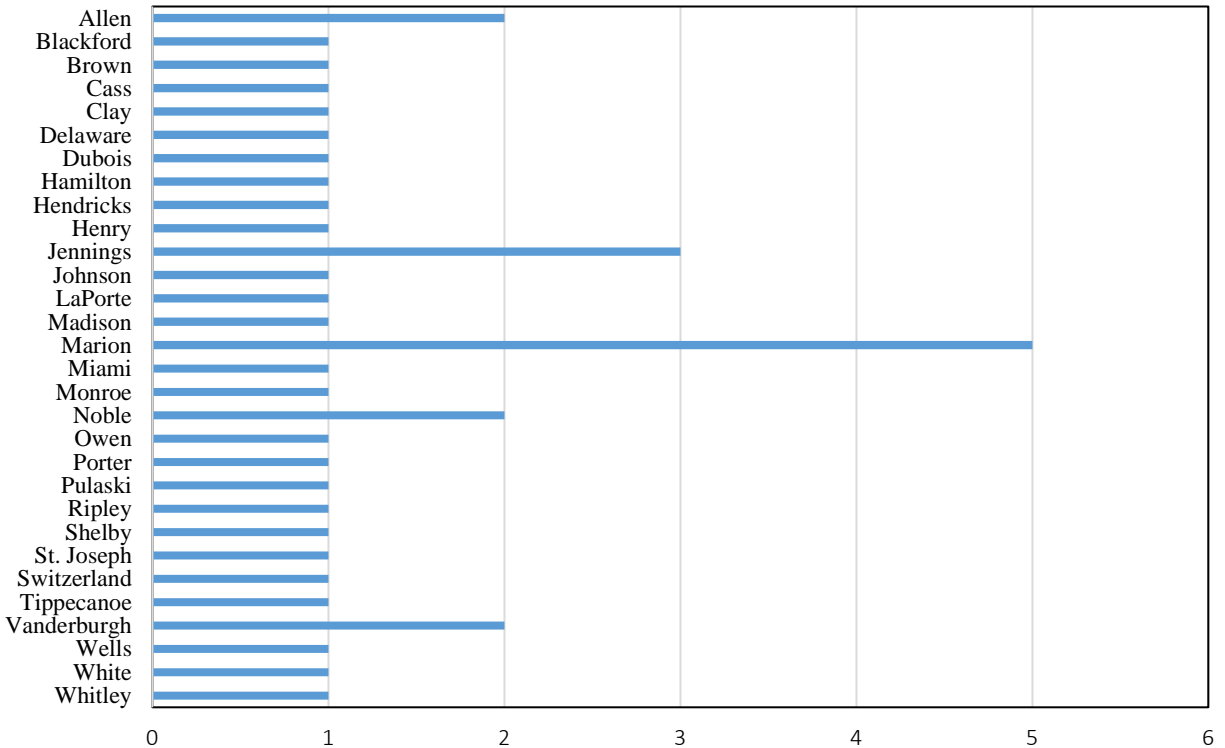
	population the same services as we provided our target population, i.e. counseling, programs, urine testing, etc. This is not feasible due to uncertainty of their length of time on the program creates issues with compliance with assessment and program time guidelines.
7	I believe the significant increase in High Risk offenders is due more to a change in Prosecutor and not HB1006.
8	Need more providers to be eligible for DMHA funding. We need an open treatment and healthcare market to refer people to daily.
9	We are a new community corrections so we are just getting started.
10	The HEA 1006 funds that we received have made it possible for us to have a Full Time Trainer to implement Evidence Based Programming on site and it has also allowed us to have a Full Time Services Case Coordinator. Both of these positions have been essential due to the number of high risk and special needs that our caseloads now demand. We are experiencing a high volume of offenders who have long term behavioral, medical, and learning needs due to substance abuse damage. We have a large number of participants that require more assistance with their cognitive programming. The new positions enable us to identify risks and participant needs so that we can streamline their services and referrals to outside agencies such as our mental health provider as well as to Recovery Works which has been invaluable for their treatment, transportation, and housing assistance. The HEA 1006 funds along with our IDOC grant funding have made it possible for alternative sentencing options for our court system while assisting in local overcrowding issues in our jail, and also for long term recovery for the offenders we serve.
11	The funding has allowed us to hire an additional part-time case manager as well as augment our equipment leasing fund, making it possible to increase the number of clients on electronic monitoring, one of our most effective accountability tools.
12	I would like it noted that it is hard to answer these questions as HEA 1006 was not the only significant change in the operations of the work release facility. In January of 2017, we began providing transportation which has also made a huge impact on our population due to County not having public transportation. Also, it is hard to know what our numbers could be as we are experiencing an addiction epidemic that is significantly affecting the population due termination from the program.
13	The court can't place level 6 in DOC per 1006 so they have to place them somewhere. Our jail is over capacity so everyone comes to Home Detention even if they can't pay. There is a big increase in people that can't pay for one reason or another. Used to be 3 % maybe, but now more like 10 % can't pay at all.
14	Our rated Jail capacity is xx inmates. Our population is averaging 130-140 which requires us to house inmates in other county jails.
15	Our felony and misdemeanor numbers have increased significantly in the last several months, which may be due to an increase in the number of people being held in the local jails.
16	The lack of a linked Case Management Software System that would produce information required/requested by JRAC is a MUST...The uncertainty that data not being accurate is very concerning!

17	With HEA 1006, the dynamics of our offender population has changed. Community Corrections is now supervising more violent offenders who would generally have gone to prison. Threats on staff have greatly increased. Before HEA 1006, our agency would maybe have 1 staff threatened a year. Now, we are being threatened at least once a month with some threats getting physical. Our staff is going through more training on defensive tactics. We are also looking at increasing our office security system with more cameras, panic buttons, steel doors, etc. In the past, our judges would have sent these individuals to prison. Now, Community Corrections is supervising them.
18	I believe that it will take 3 to 4 years before we can definitively say what the impact will be. Currently I believe that stakeholders within the criminal justice system are experiencing a culture change to which they are unaccustomed. Over time the changes will likely become more natural for the local stakeholders and I believe that we will experience a greater increase in the use of our services and a decrease in incarceration. My concern is that there will be an immediate reaction to what entities are experiencing shortly after implementation and that changes will be encouraged that might not necessary if we give the stakeholders and the local CJ system time to adjust.
19	Because of the increase in High risk offenders we tend to have many more violations/sanctions.
20	Our agency underwent a significant change since HEA1006. The work release agency was given up by the Sheriff and the Judges assumed control turning it into a therapeutic model. The significant increase in numbers locally is largely attributable to that change.
21	Substance abuse and mental health treatment is lacking in our community. It can take up to 3 months for an individual to obtain services due to not enough counselors at Community Mental Health Center.

Questions 48-62 of the survey pertained to parole. After the survey was created, it was decided not to be distributed to parole personnel. Therefore, there are no results to report for these questions and the survey results will jump to question 63.

Judiciary

Q63 What county does your agency serve?



Q64 Does your jurisdiction have at least one problem-solving court?

Answer Choices	Responses	
Yes	69.23%	27
No	30.77%	12
Do not know	0.00%	0
Total		39

Q65 Has the number of problem-solving courts in your county changed since the enactment of HEA 1006?

Answer Choices	Responses	
Yes, decreased	0.00%	0
Yes, increased	38.46%	15
No, stayed the same	38.46%	15
Not applicable	23.08%	9
Total		39

Q66 Has the number of defendants served by problem-solving courts changed in a way you would consider significant since the enactment of HEA 1006 in July 2014?

Answer Choices	Responses	
Yes, a significant decrease	0.00%	0
Yes, a significant increase	20.51%	8
No significant change	43.59%	17
Not applicable	25.64%	10
Do not know	10.26%	4
Total		39

Q67 Has your county's problem-solving courts been able to meet the needs of these defendants?

Answer Choices	Responses	
Yes	37.50%	3
No, we have been able to meet some but not all of the needs	50.00%	4
No, we have not been able to meet the needs	0.00%	0
Do not know	12.50%	1
Total		8

Q68 Has there been a change you would consider significant in the number of requests for sentence modification since the enactment of HEA 1006 in July 2014?

Answer Choices	Responses	
Yes, a significant decrease	2.56%	1
Yes, a significant increase	38.46%	15
No significant change	43.59%	17
Do not know	15.38%	6
Total		39

Q69 Has the number of staff employed by your county's criminal courts changed since the enactment of HEA 1006 in July 2014?

Answer Choices	Responses	
Yes, staff has decreased	5.13%	2
Yes, staff has increased	25.64%	10
No change	58.97%	23
Do not know	10.26%	4
Total		39

Q70 (If increased) Have you been able to hire enough staff to meet the needs of your county's criminal courts?

Answer Choices	Responses	
Yes, hired enough staff	40.00%	4
Hired some but not enough staff	50.00%	5
Do not know	10.00%	1
Total		10

Q71 How did you fund new staff positions? (check all that apply)

Answer Choices	Responses	
County Funds	44.44%	4
Justice Reinvestment Advisory Council (JRAC) grant funds	22.22%	2
Other grant funds	33.33%	3
Fees paid by offender	0.00%	0
Do not know	11.11%	1
Other (please specify)	11.11%	1
Total		9

#	OTHER (PLEASE SPECIFY)
1	DOC grant

Q72 Has the annual budget for your county's criminal court services changed in a way you would consider significant since the enactment of HEA 1006 in July 2014?

Answer Choices	Responses	
Yes, a significant decrease	5.41%	2
Yes, a significant increase	21.62%	8
No significant change	51.35%	19
Do not know	21.62%	8
Total		37

Q73 By how much has the annual budget changed (Increased or decreased)?

Answer Choices	Responses	
1 to 24%	44.44%	4
25 to 49%	22.22%	2
50 to 74%	22.22%	2
75 to 99%	0.00%	0
100% or more	0.00%	0
Do not know	11.11%	1
Total		9

Q74 Which services does your court provide to defendants either directly or through an outside vendor? Please check all that apply.

Answer Choices	Responses	
Substance Abuse Treatment	100.00%	34
Mental Health Treatment	94.12%	32
Life Skills Curriculum (for example, Thinking for a Change, Anger Management)	85.29%	29
Employment Assistance/Job Skills Training	55.88%	19
Education	55.88%	19
Re-Entry Services	55.88%	19
Linkages to community resources unavailable through your agency	52.94%	18
Housing/Homelessness Services	20.59%	7
Transportation Assistance	17.65%	6
Food and Clothing Assistance	8.82%	3
Other (please specify)	0.00%	0
None	0.00%	0
Do not know	0.00%	0
Total Respondents: 34		

Q75 Have you noticed a change you would consider significant in the number of defendants who require services, such as those listed in the previous question, since the enactment of HEA 1006 in July 2014?

Answer Choices	Responses	
Yes, a significant decrease	0.00%	0
Yes, a significant increase	41.18%	14
No significant change	52.94%	18
Do not know	5.88%	2
Total		34

Q76 Which services or programs has your criminal court had difficulty providing due to lack of funds? Check all that apply.

Answer Choices	Responses	
Mental Health Treatment	58.82%	20
Housing/Homelessness Services	52.94%	18
Substance Abuse Treatment	44.12%	15
Transportation Assistance	41.18%	14
Life Skills Curriculum (for example, Thinking for a Change, Anger Management)	35.29%	12
Employment Assistance/Job Skills Training	32.35%	11
Education	32.35%	11
Food and Clothing Assistance	32.35%	11
Re-Entry Services	26.47%	9
Linkages to community resources unavailable through your agency	20.59%	7
None	14.71%	5
Do not know	11.76%	4
Other (please specify)	2.94%	1
Total Respondents: 34		

#	OTHER (PLEASE SPECIFY)
1	We don't have in patient rehabilitative treatment available in our county. We have to send defendants elsewhere.

Q120 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?

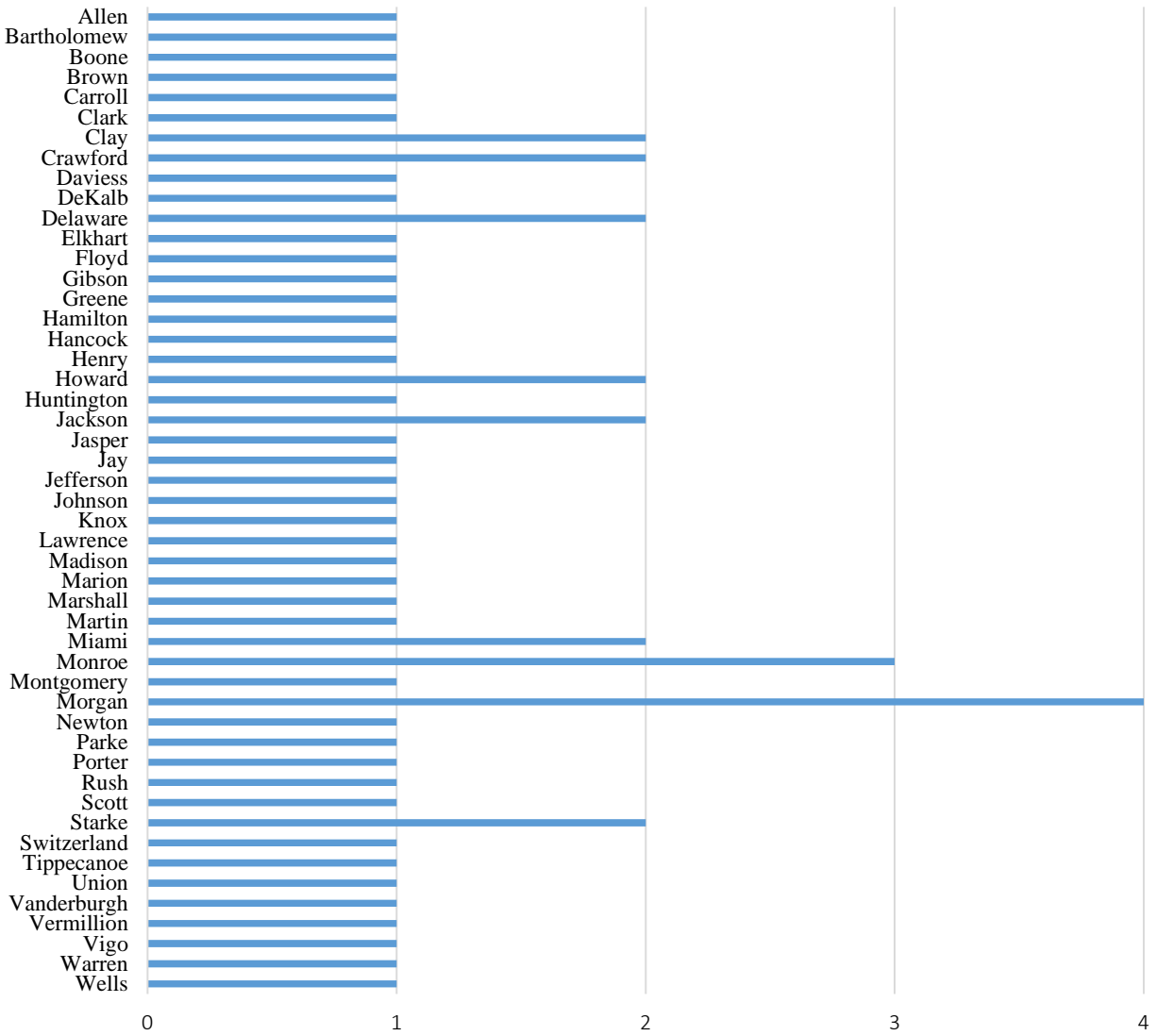
1	Seems like more is expected from county without much, if any, additional funding.
2	The overcrowding in the county jails. Level 6 offenders staying in local jails is crippling counties. Instead of building one prison the state legislature is forcing 92 jails to be built.
3	Population of jail has increased due to not being able to send Level 6 felons to IDOC and difficulty with procuring necessary treatment for addiction and mental ill issues.
4	It seems our local jail population is always at capacity since DOC doesn't take many level six felonies. Also, I am concerned that my staff is undercompensated.
5	Jail overcrowding
7	The limitations on placing level 6 felonies directly at the DOC has had an unintended consequence. Both because more high risk people must be kept locally, and because a new case is necessary to become DOC placement-eligible, more new L6 Failure to Return cases are now being filed. Previously, many of these would have been handled as sentence violations in the original case, without a new FTR being filed.
8	Some first-time offenders who were charged with a felony before are not now filed in this court. Number of Level 6 felony charges have dropped. As a result, jail populations did decrease - at least from this court.

9	Lot of felony charges for theft for prior conviction. Very few jury trials of L6 cases. Increase in waivers to the bench -- probably due to sentencing discretion. Increased amendment of charges to misd with jury trial waiver. Jail population up significantly. Also probation. More probation and community corrections matters in courts. More time required to manage criminal docket coupled with increasing law enforcement and more cases being filed.
10	The jail has been full, and we are using beds from other jurisdictions due to HEA 1006.
11	With the exception of Recovery Works funding our county has seen no appreciable increase in services or funding from the state. Monthly DOC commitments have dropped from 647 to 127 for FD/L6 offenders...and DOC has reaped no cost saving, which were to be passed on to local gov't?! Our jail is busting at the seams, no appreciable new money for alternatives, (work release facility, expansion of community corrections, home detention...). The state has balanced its books on the backs of the counties. Unintended consequences include things like increase in CHINS cases, abuse, neglect and increased out of home placements, along with the increased costs, due to children being with drug dependent parents who previously would have been incarcerated.
12	We have not as experienced much change as others because we weren't sending many FDs to IDOC
13	I thought this survey would be asking about the impact of 1006 on our local jail population. I feel this law has transferred the cost of level 6 felony offenders from the State to the Counties. Our jail is full of Level 6 felony offenders that should probably be in the Department of Correction. I frequently have a person convicted of a Level 6 felony placed on probation and then continue to commit crimes. These folks are rearrested sometimes 2-4 times before the first probation violation is resolved. This scenario has dramatically increased since the passage of HEA 1006. We need to reduce the requirements to get Level 6 offenders into the DOC. The current situation is not working for our county.
14	overcrowded our jail dramatically
15	First, just because things have changed "since" the enactment of 1006, does not necessarily mean they changed because of 1006. Your survey methodology seems to assume it does. Second, the bottom line is, in spite of what recent surveys have declared, 1006 HAS caused a strain on local resources, including jails, community corrections, probation departments and law enforcement. Local jails, cc and probation departments do not have resources, space, time or training to provide the services needed by most of these Level 6 type offenders. It is more than an issue of money or jail population. The popular focus on those simple items as evidence of 1006's effect is misplaced.
16	I think HEA 1006 is very good legislation. However, the state needs to provide more money address drug and alcohol addiction, and mental illness treatment.

17	<p>Since Felony Level 6 defendants cannot serve a sentence at the DOC except under certain circumstances, our county jail has reached and exceeded capacity. Many in the community had worked very hard in recent years to reduce the jail numbers. HEA 1006 set us back in a bad way. I fear public safety is at risk because judicial officers must release lower level offenders or place them back in community corrections or release to the community. These are the types of crimes that affect the average person's quality of life; victims of theft, forgery and other level 6 felony offenses. Judges in our county were doing a fine job of determining who needed DOC vs. who could be rehabilitated in the community. HEA 1006 took that discretion away. I think that was a mistake because each criminal case has unique circumstances which should be evaluated by those of us in the trenches with experience.</p>
18	<p>HEA 1006 is directly responsible for the jail overcrowding crisis that we are experiencing in many counties across the state of Indiana. The promise of financial assistance to the local communities has not come even close to reimbursing the counties for the added expenses incurred due to HEA 1006.</p>
19	<p>Jail population.</p>
20	<p>By reducing some of the penalties for drug offenses, the time to work with certain individuals through community corrections and/or probation as also be reduced. We are seeing more repeat offenders as a result of 1006.</p>

Prosecution

Q77 What county does your agency serve?



Q78 Does your county have at least one problem-solving court?

Answer Choices	Responses	
Yes	54.10%	33
No	45.90%	28
Do not know	0.00%	0
Total		61

Q79 Has the number of problem-solving courts in your county changed since the enactment of HEA 1006 in July 2014?

Answer Choices	Responses	
Yes, decreased	0.00%	0
Yes, increased	27.87%	17
No change	70.49%	43
Do not know	1.64%	1
Total		61

Q80 Has the number of defendants served by problem-solving courts changed in a way you would consider significant since the enactment of HEA 1006 in July 2014?

Answer Choices	Responses	
Yes, a significant decrease	1.64%	1
Yes, a significant increase	16.39%	10
No significant change	42.62%	26
Not applicable	34.43%	21
Do not know	4.92%	3
Total		61

Q81 (if increase) Has your county been able to meet the needs of these defendants?

Answer Choices	Responses	
Yes	20.00%	2
No, we have been able to meet some but not all of the needs	60.00%	6
No, we have not been able to meet the needs	10.00%	1
Do not know	10.00%	1
Total		10

Q82 Has there been a change you would consider significant in the number of requests for sentence modification since the enactment of HEA 1006 in July 2014?

Answer Choices	Responses	
Yes, a significant decrease	0.00%	0
Yes, a significant increase	61.02%	36
No significant change	32.20%	19
Do not know	6.78%	4
Total		59

Q83 Has the number of juvenile waivers to adult courts changed in a way you would consider significant since the enactment of HEA 1006 in July 2014?

Answer Choices	Responses	
Yes, a significant decrease	1.69%	1
Yes, a significant increase	3.39%	2
No significant change	81.36%	48
Do not know	13.56%	8
Total		59

Q84 In your opinion has recidivism increased or decreased? Please explain.

#	Responses
1	Having assumed office in January 1, 2015, I am unable to provide an accurate answer to # 6, 7, and 8.
2	Certainly increased. Additionally, the number of people that bond out and get re arrested one or more times while the first case is pending is increasing rapidly
3	I do not see a change.
4	It has always been a problem in our county. There does not seem to be a significant change.
5	Increase due to abuse of controlled substances
6	Increased. With the promised money failing to reach the treatment providers over the last 2+ years, the local service providers have not been able to increase services to meet the demand.
7	Empirically, it feels like there has been an increase in recidivism, particularly with regard to Level 6 felonies. There is a perception (and possibly a reality) that there are no meaningful consequences for them. Many of them don't want to engage in problem-solving courts, because they present actual accountability when the alternative is not going to be incarceration.
8	I believe recidivism has increased primarily due to Level 6 felony offenders. Since they are no longer DOC eligible under most circumstances and our jail doesn't have enough space, we are frequently forced to put Level 6 Felony offenders on house arrest or probation (even when they are of a high risk to reoffend) in lieu of incarceration.
9	increased
10	Increased.
11	Increased. The use of drugs has increased substantially in the last few years, and consequently, so has recidivism. I am seeing very few people conquer their addiction long term.
12	Until the repeat offender is jailed, recidivism continues.
13	Substantially increased. Reducing penalties and felony levels combined with the issues associated with an overcrowded jail have led to a revolving door of drug dealers and those committing property crimes.
14	Increased on drug cases. nothing else

15	about the same here
16	It has increased. The offenders who would have otherwise been going to prison after their conviction are now being placed back into the community and are committing additional crimes.
17	I wouldn't say either way--I think with using programs like Purposeful Incarceration we monitor offenders more closely and so we are seeing recidivism now--but we're also looking much closer for it now. I don't believe this reflects a change, it reflects a change in monitoring practices. I don't believe recidivism rates in and of themselves are trending especially up or down. I think it's nice to have the 1006 options but I also think that in tackling something like a drug user/possessor they will reflect a recidivism rate different from other offenders given the particular difficulties of addiction.
18	Recidivism is rampant. Has recidivism increased? I don't know. Recidivism was high, and continues to remain high.
19	Increased. In general, it is my opinion and experience that crime in general is up in my community.
20	increase for drug dealing
21	I think it is still too early to tell whether recidivism has increased or decreased. I do think the reduced penalties for drug offenders has hurt our ability to reduce drug dealing and drug abuse.
22	Increased. more drug cases
23	Increased - drug charges are up & there's not a lot we can do with them other than putting them on community corrections, which they quickly violate by using more drugs.
24	Increased because low level offenders are no longer held to break their pattern of behavior that leads to the offenses. Instead, they're right back out in the community committing new crimes and creating new victims which is an incredible drain on already strained resources.
25	Recidivism has increased due to the number of drug offenses and drug addiction that keeps bringing defendants back into the system.
26	No noticeable change in my opinion.
27	Increased due to the opioid problem. Offenders are first referred to treatment and probation. Many of them relapse and re-offend.
28	Increased because level 6 felony defendants do local time not DOC time. This has placed a huge burden on our county.
29	Increased.
30	Increased for possession cases.
31	I am not aware of any noticeable change.
32	So far, I have not seen a noticeable increase or decrease in recidivism.
33	The rate of recidivism is increasing. Judges are sentencing people to lower sentences or suspended (probation only sentences) and the offenders seem to believe that there are no ramifications for their behavior. Moreover, because of the IDOC policy in refusing to house convicted felons that have shorter sentences, our local jail is significantly over-crowded. This is resulting in

	judges O.R. releasing folks that should not be, who are then engaging in pre-conviction recidivism. Indiana is going in the wrong direction.
34	I have not seen any change.
35	Increased for people with less serious offenses.
36	Increased.
37	Increased. We can't put hold them, with catch and release, they keep offending. This is a product of reducing the length of sentences, kicking people out of prison for the lower felonies that drug convictions are now, and the hype for pretrial reform. Also, probation violations are off the charts, because people who previously wouldn't have been on probation are there instead of incarceration, and because of the new model for monitoring defendants, which catches more of them violating the many conditions.
38	Increased our local jail is overcrowded so defendants get out of jail and keep re-offending.
39	Dramatically, increased. The offenders know the penalties are lower and they will not spend much time, if any in prison. They are even aware that there are virtually no minimum mandatory sentences. They brag about that to police as well when they talk to their family members on the recorded jail calls.
40	I think it is too soon to tell.
41	Increased. Lower penalty ranges reduce potential suspended sentences and hence supervision. Eliminating mandatory minimums increase the number of offenders at large.
42	Increased.
43	No change that I can tell
44	Neither. Our only problem-solving court is a veterans' court, and it serves a tiny fraction of our offender population. We have more heroin and less meth. Same song, different words.
45	In light of the Heroin problem that hit our area at about the same time that this bill became law it's fair to say that recidivism increased. Our community has changed from having alcohol being the driver of criminal activity to now it is mostly meth, heroin, and prescription drugs driving crime here now.
46	Grossly increased due to drug addiction, primarily opiates, but also Methamphetamine and synthetic cannabinoids.
47	Same as always
48	Increased. The decriminalization, meaning less severe penalties, has increased recidivism. The number of petitions to revoke probation or repeat offenders I have is disheartening.
49	Increased. Offenders are receiving more opportunities to remain in the community under the "evidence based" format which has not proven successful, thus more report offenses or probation violations.
50	Increased. With lesser penalties hanging over their heads in suspended sentences, offenders have very little to lose given the recodification. Further,

	the IDOC recidivism numbers are completely false since they do not take into consideration misdemeanors or low level felonies that do not return to IDOC.
51	Increased. The fling of habitual offender charges as reached a high in this county.
52	recidivism for drug offenses has increased significantly
53	No significant change.

Q85 Has the number of staff employed by your office changed since the enactment of HEA 1006 in July 2014?

Answer Choices	Responses	
Yes, staff has decreased	1.69%	1
Yes, staff has increased	32.20%	19
No change	66.10%	39
Do not know	0.00%	0
Total		59

Q86 (If increased) Have you been able to hire enough staff to meet the needs of your office?

Answer Choices	Responses	
Yes, hired enough staff	26.32%	5
Hired some but not enough staff	68.42%	13
Do not know	5.26%	1
Total		19

Q87 How did you fund new staff positions? (check all that apply)

Answer Choices	Responses	
County Funds	72.22%	13
Other grant funds	61.10%	11
Other (please specify)	22.20%	4
Fees paid by offender	11.11%	2
Justice Reinvestment Advisory Council (JRAC) grant funds	5.56%	1
Do not know	0.00%	0
Total Respondents: 18		

#	Other (please specify)
1	Diversion and Deferral funds
2	Pretrial diversion program fees.
3	incentive money for IV-D prosecutor
4	Diversion programs

Q88 Has your office's annual budget changed in a way you would consider significant since the enactment of HEA 1006 in July 2014?

Answer Choices	Responses	
Yes, a significant decrease	3.39%	2
Yes, a significant increase	13.56%	8
No significant change	72.88%	43
Do not know	10.17%	6
Total		59

Q89 (If changed) By how much has your agency's budget changed (decreased or increased)?

Answer Choices	Responses	
1 to 24%	70.00%	7
25 to 49%	10.00%	1
50 to 74%	0.00%	0
75 to 99%	0.00%	0
100% or more	0.00%	0
Do not know	20.00%	2
Total		10

Q90 What tools would help with public safety in your current environment? Please explain.

#	Responses
1	new staff positions, especially deputy prosecutors
2	drug treatment programs
3	A bigger jail. Our jail is overcrowded and people are being released based upon that decision.
4	Better treatment facilities for cases involving addictions and mental health issues. The local jail is the best and safest option right now.
5	All executed time on any felony conviction be served in department of corrections. Additional grant funds for drug prosecution cases: Methamphetamine, heroin, opioids.
6	More funding for substance abuse treatment and problem solving courts. More funding for office and staffing.
7	IDOC housing ALL convicted felons regardless of length of sentence. More prosecutors.
8	Minimum mandatory sentences. Low level felons going to the DOC instead of overcrowding our local jail. Inpatient treatment facility for drug addicts.
9	Increased number of police patrols. Stiffer penalties.

Q91 Which services does your office provide directly or through an outside vendor to defendants? Please check all that apply.

Answer Choices	Responses	
None	42.11%	24
Substance Abuse Treatment	36.84%	21
Life Skills Curriculum (for example, Thinking for a Change, Anger Management)	36.84%	21
Mental Health Treatment	31.58%	18
Employment Assistance/Job Skills Training	26.32%	15
Linkages to community resources unavailable through your agency	24.56%	14
Other (please specify)	19.30%	11
Re-Entry Services	14.04%	8
Education	12.28%	7
Food and Clothing Assistance	7.02%	4
Transportation Assistance	7.02%	4
Housing/Homelessness Services	5.26%	3
Do not know	1.75%	1
Total Respondents: 57		

#	Other (please specify)
1	Many, if not all, of these services are provided by Community Corrections and Probation Departments, but not the Prosecutor's Office.
2	Community corrections responsibility. My job is to protect the community, not give the defendant an excuse for their behavior
3	We house an APS hub, a victim assistance unit, and run a pilot program with Sage 4. All of which provide a myriad of services
4	We have an opiate treatment clinic using Vivitrol®--we have worked this into plea conditions and terms of probation as well.
5	My office does not provide services.
6	all services are thru drug ct, veterans ct and Delaware Co Comm Corrections
7	Our office's IV-D works with our Community Corrections to try to assist non-paying parents.
8	This is done through probation and court services
9	As a prosecutor, I don't provide services. Often I require them as part of a resolution, but I NEVER provide them.
10	We are a prosecutor's Office. We do not provide services.
11	We do not SUPPLY any such. We sometimes REQUIRE such services through Diversion.

Q92 Have you noticed an overall change in the number of defendants who require services, such as those listed in the previous question, since the enactment of HEA 1006 in July 2014?

Answer Choices	Responses	
Yes, decrease	1.75%	1
Yes, increase	47.37%	27
No change	28.07%	16
Do not know	22.81%	13
Total		57

Q93 Which services or programs, if any, does your office have difficulty providing due to lack of funds? Check all that apply.

Answer Choices	Responses	
Mental Health Treatment	42.11%	24
Substance Abuse Treatment	36.84%	21
None	35.09%	20
Employment Assistance/Job Skills Training	22.81%	13
Education	22.81%	13
Housing/Homelessness Services	22.81%	13
Re-Entry Services	21.05%	12
Transportation Assistance	21.05%	12
Life Skills Curriculum (for example, Thinking for a Change, Anger Management)	19.30%	11
Food and Clothing Assistance	17.54%	10
Other (please specify)	15.79%	9
Linkages to community resources unavailable through your agency	14.04%	8
Do not know	14.04%	8
Total		57

#	Other (please specify)
1	We have more hearings, with the same amount of staff.
2	I wanted to add here that while we're underfunded I think most counties are--we make do.
3	WE don't provide services, but we WANT to require misdemeanants to get psych help and can't because of money.

Q120 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?

#	Responses
1	It is failing the drug addicts by not holding them accountable.
2	Insufficient funding for mental health services and overcrowding of the jail
3	1006 has turned our local jail into a revolving door of low level felony offenses. Our overcrowded jail cannot hold them pre-trial, and we cannot sentence people directly to the jail for the same reason. And the defendants are fully aware of the limitations we are facing because they cannot go to prison on these offenses. They know how to play the game. And the lack of fear of IDOC time has emboldened many to the point that a level 6 escape charge from pretrial Work Release or In-home Detention is no concern to many defendants - so we have seen an increase in these charges as well.
4	I fully support problem-solving courts and evidence-based alternatives to incarceration. I also appreciate the decreased penalties for lower-level drug offenses. However, we've lost some leverage when it comes to high-risk offenders that would be appropriate for problem-solving, because they are smart enough to recognize that any term of incarceration will be short whereas problem-solving court will be difficult. We simply do not have the jail space here to create a meaningful consequence for failure to participate in community corrections and probation for defendants who are not motivated to change.
5	In recent history, we have always had an overcrowded jail. HEA 1006 exacerbated that problem. Funding for a work release center would be a great option to help us address overcrowding and also have a non-DOC alternative for our higher risk offenders who cannot comply with traditional probation or house arrest.
6	The reduction in drug crime sentences has had a negative impact on our community.
7	Yes, felons belong in prison, not a county jail! Jail should be for pretrial detainees, not felons serving a sentence. We have county jails, including ours, bursting at the seams while prisons are going empty and closing down. The F6 defendant who used to go to DOC (and often times the most appropriate candidate for purposeful incarceration) are now stuck here with us and we don't have those resources to provide that same level of treatment. Our GA needs to get its act together.
8	Before substance abuse services will improve, we need a big improvement in mental health services. They are linked. This county has always had deficient mental health services. I have advocated for a change in providers, but so far to no avail. While the commissioners are in agreement, they have been unwilling to undertake the action necessary to make the change.
9	It's a terrible piece of legislation for a number of reasons. It gutted drug laws, especially marijuana. It removed mandatory minimums which was a great tool to deter crime. It allows drug dealing closer to schools and family housing units.
10	Crime is up, recidivism is up, CHINS filings are up, overdose deaths are up, murders are up, and the jail is over capacity. I am not going to go as far to blame all of these issues on HEA 1006, but it certainly hasn't helped. We need funding for substance abuse and mental health treatment. Neither are properly funded in this state. Further, we don't need grants of money looking to be spent. We need to identify existing treatment facilities that are working and dedicate that money to helping them grow. The money that has come

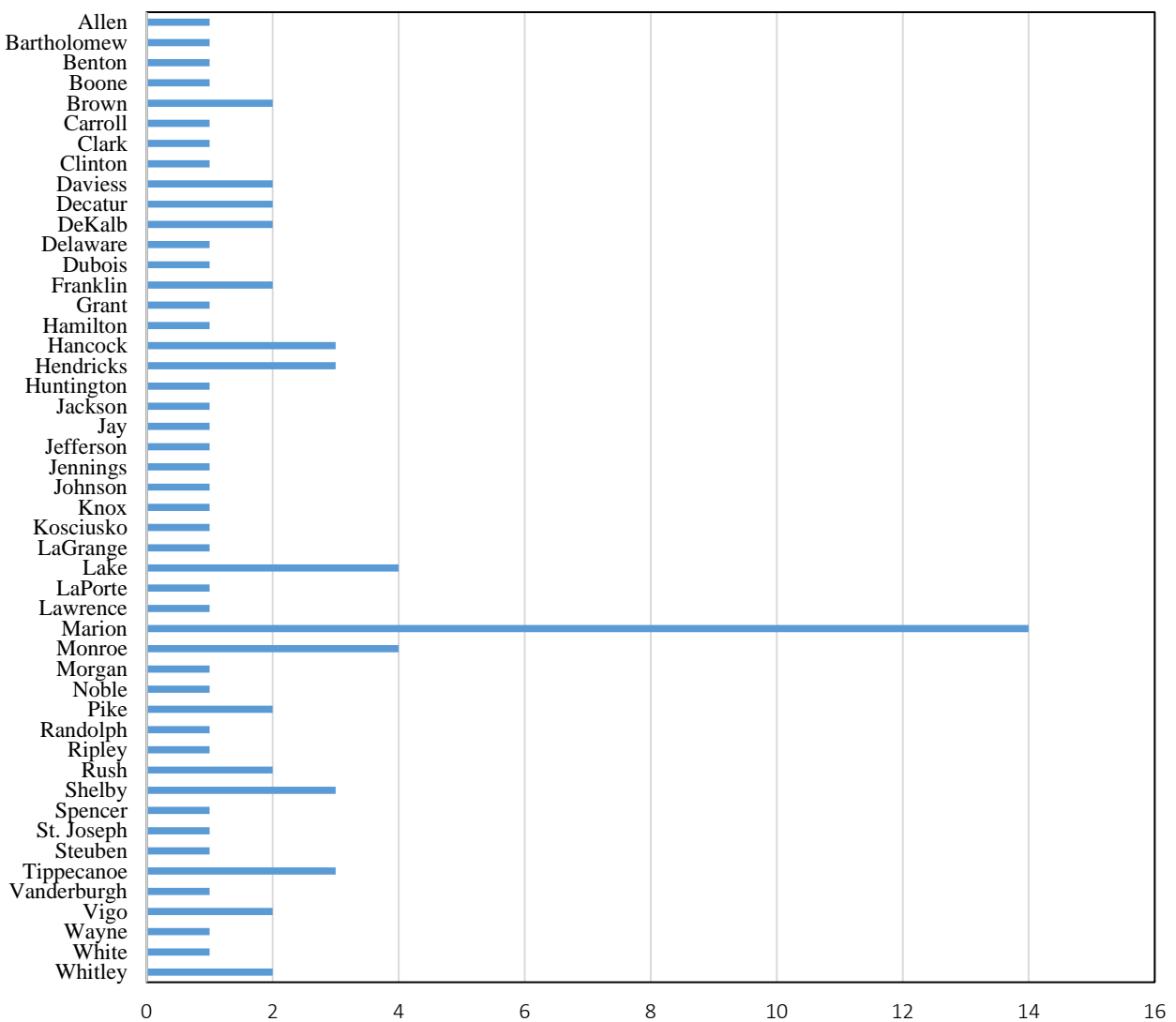
	from 1006 has led to growing bureaucracy and inflated budgets, but we have not seen it go toward the treatment that our clientele desperately need.
11	Need more drug treatment facilities so I can cut down on the jail population
12	The significant reduction in penalties for drug dealers has dramatically increased drug activity. Indiana went from one of the worst to one of the best states to be a drug dealer. That fact could not be more apparent with the heroin epidemic we now face.
13	That was a fair amount of questions but it did not directly address the impact of Level 6 Felons doing local time. Small counties like mine are much more willing to place people on home detention, work release, or suspended time on misdemeanor and level 6 felony cases because of the stress it would place on our local jail and the sheriff's department. And actually, it seems to working just fine. Our Judge has adapted, our law enforcement officers have adapted, and we find it easier to use placement other than incarceration-- which was one "benefit" 1006 seemed like it was aiming for. The paradigm has shifted, serious/violent offenders are reserved for jail/prison meanwhile nuisance crimes and non-violent crimes are kept mostly out.
14	HEA 1006 has limited our ability to punish and rehabilitate (yes, these go hand in hand), as the shortened sentences result in offenders receiving less drug treatment. Also, our county jail is overcrowded, and our county jail offers no drug treatment to offenders (unlike the DOC).
15	Drug dealing penalties are too low. It is catch and release. There is no incentive to get treatment v. incarceration. Violent crime is up due to drug sales.
16	Yes. The reclassification of the bulk of felony offenses to level 6 status, coupled with the prohibition of sending almost all of these level 6 offenders to DOC, has led to extreme overcrowding of our county jail. Despite heavy reliance on community corrections programming, our county is now faced with building a new jail at a significant cost to the taxpayers. I believe this was the true intent of HEA 1006 all along, that is, to shift the burden of housing felons from the state DOC to local government. In that respect, HEA 1006 has been a rousing success.
17	Lowering the felony levels on crimes against children and drug-related crimes has generated understandable backlashes from the community.
18	Yes, HEA 1006 has unfortunately taken problems that could best be addressed at the State or regional basis and passed the problems to local officials that lack the resources and facilities to handle the increased burden to the criminal justice system.
19	Jail population has doubled since 2014. We have not been at capacity since the new jail was built in 1995. We are currently at capacity.
20	HEA 1006 has had a negative and extremely costly impact on counties. The State is closing prisons and look at all the counties forced to build new jails to house inmates! Indiana needs to get serious with funding to help mentally ill and addicted defendants.
21	1006 penalties for drug crimes has had a significant impact on our ability to successful prevent the distribution of drugs in our county.
22	Our jail is significantly overcrowded and we have no resources to build a jail.

23	We are the second poorest county in the State. The decision to make low level offenders stay here has burdened our small community greatly. We didn't have the money for services before the change and this has burdened our county with monetary commitments we just don't have available.
24	Non-drug charges also have problems. SVF in possession is too low. Gun laws are flat missing, like poss of a sawed off shot gun, and possession by a felon. Burglary F5 is too low. The loophole for sending Level 6 and PVs to prison is too long at 365 ACTUAL days--should be half that.
25	HEA 1006 has caused virtually all defendants to be placed in our local jail at some point during the case. Our jail is overcrowded. I'm all for helping Defendants beat their addiction but how many times should they be allowed to continue to violate probation or community corrections by testing positive for illegal drugs or committing new offenses before we say enough is enough. Most of those offenders are Level 6 felons and the only place for them is our overcrowded jail.
26	Our local jail is overcrowded and busting at the seams while the DOC has hundreds if not thousands of empty beds. Criminals on the street know and in some instances brag about low penalties and the lack of minimum mandatory sentences. Drug dealers routinely mock the system stating "all they have to do is ask for therapeutic community" and then they can modify out within 9 months and then be right back out on the street dealing drugs.
27	We have fewer defendants interested in Problem Solving Court programs due to decreased sentences pursuant to 1006.
28	The significant shift of decision making from prosecutors to judges has changed the criminal justice landscape in our community entirely. Since the majority of offenses are now completely suspendible, including crimes against persons involving weapons, judges are inclined to probate offenders whenever possible. Defendants with prior felonies who would go to prison pre-1006 are now getting probation and are re-offending. Our communities are less safe.
29	The local jail has become substantially overcrowded as a result of the level 6 offenders being housed there. This is most commonly due to the offender violating probation. We currently have in excess of 230 people incarcerated in a facility designed for xxx. Community corrections is also completely full. However, with crisis comes new ways of resolving cases and opportunity for innovation. We have had many more outcomes that are "treatment based" for severe substance abuse defendants or severe mental health defendants and there have been numerous occasions where very high risk offenders seem to have changed their behavior in some part due to the programs being offered in partnership with our county.
30	Your questions asked about changes since the enactment of HEA 1006 and not about changes I perceive to be the result of the enactment of HEA 1006. My answers might have been considerably different.
31	This survey misses the real problem. Low level felons going to county jails is a disaster.
32	We have almost zero treatment options for drugs (meth). We cannot get mental competency evaluations for defendants.
33	It has shifted the role of the jail from a pretrial detention facility to a penitentiary. The result has been overcrowding at the local jail.

34	Yes, it appears to have reinforced the social norming of anti-social behaviors such as drug abuse, thievery, and defiance to law enforcement. By reducing penalties, it has suggested to our community that their victimization is not as important.
35	The significant increase in drug crimes is, in my opinion, related to the drastic reduction in penalties enacted by HEA 1006. Defendant drug users have little incentive to seek treatment. Drug dealers return to dealing after they serve their minimal sentences. Your survey did not address the issue of what new crimes should be enacted to help address the drug epidemic we are facing statewide.

Public Defense

Q94 Which county or counties does your agency serve?



Q95 Does your jurisdiction have at least one problem-solving court?

Answer Choices	Responses	
Yes	74.07%	40
No	22.22%	12
Do not know	3.70%	2
Total		54

Q96 Has the number of problem-solving courts in your county changed since the enactment of HEA 1006 in July 2014?

Answer Choices	Responses	
Yes, decreased	1.85%	1
Yes, increased	37.04%	20
No change	46.30%	25
Do not know	14.81%	8
Total		54

Q97 Has the number of defendants served by problem-solving courts changed in a way you would consider significant since the enactment of HEA 1006 in July 2014?

Answer Choices	Responses	
Yes, a significant decrease	3.70%	2
Yes, a significant increase	20.37%	11
No significant change	42.59%	23
Do not know	33.33%	18

Q98 Has your county been able to meet the needs of these defendants?

Answer Choices	Responses	
Yes	27.27%	3
No, we have been able to meet some but not all of the needs	54.55%	6
No, we have not been able to meet the needs	9.09%	1
Do not know	9.09%	1
Total		11

Q99 Has there been a change you would consider significant in the number of requests for sentence modification since the enactment of HEA 1006 in July 2014?

Answer Choices	Responses	
Yes, a significant decrease	0.00%	0
Yes, a significant increase	20.41%	10
No significant change	38.78%	19
Do not know	40.82%	20
Total		49

Q100 Has there been a change you would consider significant in the number of plea agreements since the enactment of HEA 1006 in July 2014?

Answer Choices	Responses	
Yes, a significant decrease	2.04%	1
Yes, a significant increase	4.08%	2
No significant change	75.51%	37
Do not know	18.37%	9
Total		49

Q101 Has the number of staff employed by your agency changed since the enactment of HEA 1006 in July 2014?

Answer Choices	Responses	
Yes, staff has decreased	4.08%	2
Yes, staff has increased	18.37%	9
No change	61.22%	30
Do not know	16.33%	8
Total		49

Q102 (if increased) Have you been able to hire enough staff to meet the needs of your agency?

Answer Choices	Responses	
Yes, hired enough staff	11.11%	1
Hired some but not enough staff	66.67%	6
Do not know	22.22%	2
Total		9

Q103 How did you fund new staff positions? (check all that apply)

Answer Choices	Responses	
County Council Budget	40.00%	2
Justice Reinvestment Advisory Council (JRAC) grant funds	0.00%	0
Other grant funds	20.00%	1
Fees paid by offender	20.00%	1
Do not know	60.00%	3
Other (please specify)	0.00%	0
Total		5

Q104 Has your agency's annual budget changed in a way you would consider significant since the enactment of HEA 1006 in July 2014?

Answer Choices	Responses	
Yes, a significant decrease	4.44%	2
Yes, a significant increase	0.00%	0
No significant change	48.89%	22
Do not know	46.67%	21
Total		45

Q105 (If changed) By how much has your agency's budget changed?

Answer Choices	Responses	
1 to 24%	50.00%	1
25 to 49%	0.00%	0
50 to 74%	50.00%	1
75 to 99%	0.00%	0
100% or more	0.00%	0
Do not know	0.00%	0
Total		2

Q106 Which services does your agency provide directly or through an outside vendor to defendants? Please check all that apply.

Answer Choices	Responses	
None	48.78%	20
Substance Abuse Treatment	26.83%	11
Mental Health Treatment	19.51%	8
Linkages to community resources unavailable through your agency	14.63%	6
Life Skills Curriculum (for example, Thinking for a Change, Anger Management)	9.76%	4
Food and Clothing Assistance	9.76%	4
Housing/Homelessness Services	9.76%	4
Other (please specify)	9.76%	4
Employment Assistance/Job Skills Training	7.32%	3
Transportation Assistance	7.32%	3
Education	2.44%	1
Re-Entry Services	0.00%	0
Total Respondents: 47		

#	Other (please specify)
1	Criminal defense and social work (often including referrals to the above services)
2	Criminal defense
3	Legal
4	Legal services

Q107 Have you noticed an overall change in the number of defendants who require extra services, such as those listed in the previous question, since the enactment of HEA 1006 in July 2014?

Answer Choices	Responses	
Yes, decrease	0.00%	0
Yes, increase	41.46%	17
No change	41.46%	17
Do not know	17.07%	7
Total		41

Q108 Which services or programs, if any, does your agency have difficulty providing due to lack of funds? Check all that apply.

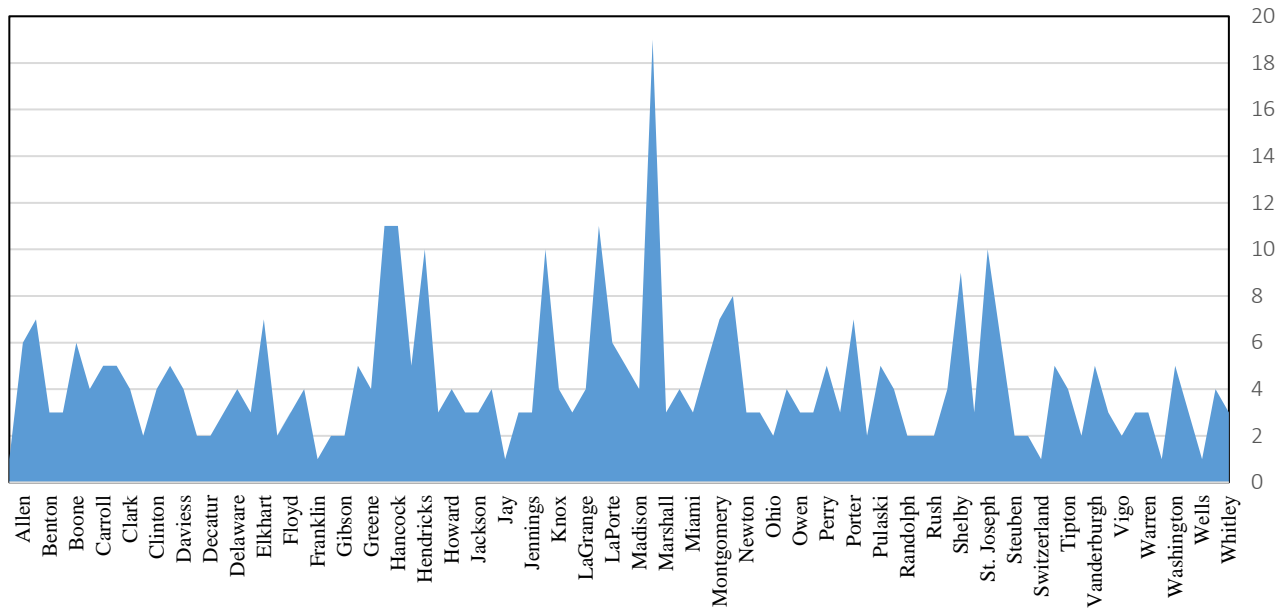
Answer Choices	Responses	
Mental Health Treatment	39.02%	16
Do not know	31.71%	13
Substance Abuse Treatment	29.27%	12
Employment Assistance/Job Skills Training	24.39%	10
Transportation Assistance	24.39%	10
Housing/Homelessness Services	24.39%	10
Re-Entry Services	21.95%	9
Food and Clothing Assistance	21.95%	9
Life Skills Curriculum (for example, Thinking for a Change, Anger Management)	19.51%	8
Education	17.07%	7
Linkages to community resources unavailable through your agency	14.63%	6
None	12.20%	5
Other (please specify)	7.32%	3
Total Respondents: 41		
#	Other (please specify)	
1	Effective Assistance of Counsel on Misdemeanors	
2	I'm not sure because I'm not responsible for the budget - but based on the number of clients I have who cannot afford all kinds of services, I suspect we have difficulty providing services due to lack of funds.	
3	Investigation	

Q120 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?

#	Responses
1	We need more funding in order to assist the Defendants. There is no help for those indigent clients in assisting them in getting the help that they need on a low income basis
2	Allowed more defendants to obtain employment and restart their lives.
3	The change in credit time has greatly increased over all sentences. IPAC sold it to the legislators as truth in sentencing but it is easier to divide by 2 then factor by 75%. The real problem before was prosecutors refusal or inability to accurately communicate the actual time and possibilities for time cuts.
4	It is my opinion that the prosecutors of the state have embarked on a deliberate and collective end-run around the sentence reductions intended by HEA 1006 through various means. One method is an increased emphasis on stacking and overcharging. To take one example, a pattern of Thefts which would now be all misdemeanors will see a Corrupt Business Influence charge, where this was a rare occurrence prior to the change. Other changes (reverse waiver, for example) are met with blanket refusals on "office policy" grounds. This, combined with the reduction in credit time, leads me to believe the long-term impact on prison population will be negligible without additional alterations intended to combat these practices
5	Our county jail is constantly full (due in part to Level 6s not going to DOC). We also strongly dislike the change in credit time to 3 for 1 time, it is difficult for the judges/attorneys/defendants to calculate quickly and understand.
6	It is a huge step in the right direction to actually help people and not destroy them.
7	HEA 1006, while well-intentioned, has led to an increase in the jailed population in my county. Nearly continuously since 2014, the County Jail have been at or above capacity (and, in fact, they have been required to ship inmates out to other counties). This is primarily because although few of the sentences changed in plea agreements and judicial sentence, the credit time did. So, for example, whereas under the old law, a sentence would call for 10 years do 5 years, the usual sentence we see now is more like 8 years do 6 years. Decreases in mandatory non-suspendible minimums and overall sentence minimums (without necessarily changing the maximums) would go a long way towards alleviating the jail overcrowding.
8	We need problem solving courts, and we need funding to help people access the services they need. Also, I do think mental illness and addiction should be treated like diseases needing long term care - we shouldn't allow people to get sober and then never see a doctor again. There should be funding for them to get regular checkups and check ins and ongoing cognitive behavioral therapy.
9	The failure of Recovery Works in my County
10	I've seen nothing positive for our clients with HEA 1006.

Community Service Providers

Q109 Which county or counties does your agency serve?



Q110 Have you noticed a change you would consider significant in the number of referrals from criminal justice agencies to provide services to criminal justice-involved clients since the enactment of HEA 1006 in July 2014? 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).

Answer Choices	Responses	
Yes, a significant decrease	14.29%	9
Yes, a significant increase	30.16%	19
No significant change	39.68%	25
Do not know	15.87%	10
Total		63

Q111 Has your agency experienced a change you would consider significant in the number of criminal justice-involved clients receiving services since the enactment of HEA 1006 in July 2014?

Answer Choices	Responses	
Yes, a significant decrease	11.11%	7
Yes, a significant increase	28.57%	18
No significant change	42.86%	27
Do not know	17.46%	11
Total		63

Q112 Have you created forensic programming in your agency to specifically address the needs of your criminal justice-involved clients since the enactment of HEA 1006 in July 2014? Forensic programming refers to programming that specifically targets your criminal justice-involved clients.

Answer Choices	Responses	
No	49.21%	31
Yes	39.68%	25
Do not know	11.11%	7
Total		63

Q113 Has your agency's annual budget for forensic programming changed in a way you would consider significant since the enactment of HEA 1006 in July 2014?

Answer Choices	Responses	
Yes, a significant decrease	6.35%	4
Yes, a significant increase	14.29%	9
No significant change	68.25%	43
Do not know	11.11%	7
Total		63

Q114 Has the number of staff employed to work with your criminal justice-involved clients changed since the enactment of HEA 1006 in July 2014?

Answer Choices	Responses	
Yes, staff has decrease	6.35%	4
Yes, staff has increase	23.81%	15
No change	66.67%	42
Do not know	3.17%	2
Total		63

Q115 Were you able to hire enough staff to meet the needs of your criminal justice-involved clients?

Answer Choices	Responses	
Yes, hired enough staff	40.00%	6
Hired some but not enough staff	60.00%	9
Do not know	0.00%	0
Total		15

Q116 How does your agency fund its forensic program(s)?

Answer Choices	Responses	
Client out of pocket fees	51.61%	32
Recovery Works	40.32%	25
Client's public and/or private insurance (including but not limited to Medicaid, Medicare, and HIP 2.0)	37.10%	23
Other (please specify)	35.48%	22
Other FSSA administered funding	17.74%	11
Do not know	17.74%	11
Local Funds	12.90%	8
Justice Reinvestment Advisory Council (JRAC) grant funds	1.61%	1
Total Respondents: 62		

#	Other (please specify)
1	We have a contract with DCS
2	Do not have a forensic program on site. Participate in weekly Family Drug Court & Drug Court Programs sponsored by Grant County courts.
3	Private donor dollars
4	We don't do forensic programs
5	We do not have a forensic program
6	Donations and Fund raising and client fees are on a sliding scale and we never refuse services to anyone regardless of their ability to pay.
7	in kind
8	No specific program
9	Drug Court
10	DCS

Q117 Has funding been sufficient to carry out the mission of your forensic programming?

Answer Choices	Responses	
Yes, funding has been sufficient	24.19%	15
No, funding has been insufficient	43.55%	27
Do not know	32.26%	20
Total		62

Q118 Have you noticed a change you consider significant in the overall intensity of services (the level of need, frequency of contact, and number of services required to meet the needs of the client) required to assist your criminal justice-involved clients since the enactment of HEA 1006 in July 2014?

Answer Choices	Responses	
Yes, a significant decrease	1.61%	1
Yes, a significant increase	35.48%	22
No significant change	45.16%	28
Do not know	17.74%	11
Total		62

Q119 Which service or services does your agency directly provide to criminal justice-involved clients? Please check all that apply.

Answer Choices	Responses	
Substance Abuse Treatment	87.10%	54
Mental Health Treatment	64.52%	40
Life Skills Curriculum (for example, Thinking for a Change, Anger Management)	53.23%	33
Linkages to community resources unavailable through your agency	38.71%	24
Education	25.81%	16
Employment Assistance/Job Skills Training	20.97%	13
Re-Entry Services	19.35%	12
Transportation Assistance	19.35%	12
Housing/Homelessness Services	17.74%	11
Food and Clothing Assistance	12.90%	8
Other (please specify)	9.68%	6
None	3.23%	2
Total Respondents: 62		

#	Other (please specify)
1	We do Father Engagement services
2	Sex Offender Treatment
3	Sex offender treatment; sexually abusive youth treatment
4	We are an acute psychiatric facility
5	Self-sufficiency Services/Economic Empowerment Program
6	Active case management

Q120 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?

#	Responses
1	It has been critical in expanding treatment for substance use disorders. It is critical that we recognize the importance of accessible treatment for all individuals seeking treatment or involved in the criminal justice system for substance related offenses (regardless of status of the crime).
2	I would like for more local courts to refer individuals who need substance disorder treatment rather than incarceration.
3	There has been a substantial increase in criminally justice involved women whom are pregnant or have children. This has also led to an increase in referrals from the Department of child services whom I also contract substance abuse and mental health services. For re-entry Housing continues to be a substantial issue for women, with housing options either not accepting felonies, drug felonies etc. and transitional housing not accepting women with children leaving these clients with very minimal options, if any depending on the situation.
4	We are incarcerating sex offender who have a 4% recidivism rate for substantially longer periods of time and fewer are ending up on Probation which does a better job of supervision and behavior modification than parole.
5	It would appear that a select few are getting the referrals regardless of quality of services. This includes the system feeding itself IE Community Corrections. We are partnering with another agency to try and access Recovery Works Dollars but the CMHC seem to have the market on that even though their quality of services and reporting is poor if not downright false.
6	Need to get local Agencies more informed about service delivery systems
7	Even though additional funds were made available through Recovery Works, because we are a smaller agency we could not qualify to sign up for that. Specifically time from referral to time client is seen. Being able to access those funds would be helpful - may review the guidelines for agencies.
8	Develop better communication between treatment agencies, Criminal Justice agencies and resource/referral organizations, along with government agencies that our clients need to interact with, would allow the client a stronger community support system that encourages their participation and recovery.
9	The difficulty of becoming a Recovery Works provider
10	Funding has not kept up with demand for the services in a very tight labor market.
11	Our criminal justice system contracts only with the local mental health centers Or brings the services into community corrections. This does not offer individuals the choice to seek out services that are available in their area and provide individualized services. Individuals that have gone to these organizations in the past have shared their inability to be honest with a criminal justice agency that is providing them "therapy".
12	We're doing more with essentially the same staff. Recovery Works rates are low. We have SIGNIFICANT labor availability issues at all levels of staff.
13	Counties I work with have addressed these needs as long as I have worked with them.

14	The changes have been by and large positive. There has been need and challenges with space at county jails. Also, because these services were sparsely funded until recently, there are not yet enough providers to keep up with the need, particularly in more rural counties and in terms of psychiatry.
15	The referral of these clients to private affiliates of the program remains chaotic and inconsistent. The myriad of rules and regulations unquestionably preclude full ineffective participation and so we have chosen to become a subcontractor to a larger entity to allow them to deal with the bureaucracy while we concentrate on helping the patients.
16	The administrative time to complete tasks and billing is extreme and not reimbursed.

Appendix B

County Focus Group Questions

1. In your opinion, has HEA 1006 impacted the number of individuals your agency is servicing (e.g. impacted the number on probation)? If so, has it increased, decreased or stayed the same?
2. Have the people who your agency is servicing changed since the enactment of HEA 1006 (e.g. type of inmates in regards to felony level)?
 - a. Has sentences (time and type/level) changed since HEA 1006?
 - b. Do you think this statute has resulted in more proportional penalties for crime? How so?
 - c. Do you think this statute has resulted in some convicted felons getting sentences that are either more lenient or harsher?
3. What sort of day to day operations have been impacted due to HEA 1006, and what infrastructure/supply changes will need to be made to accommodate those changes?
4. Has your caseload/workload changed due to HEA 1006?
5. Did your agency need to hire more staff due to HEA 1006?
 - a. If yes, was your agency able to hire enough staff to handle the changes due to HEA 1006?
 - b. How much did it cost and how was funding made available to hire more staff?
6. How do you define recidivism, since lowering recidivism is a focus of HEA 1006?
7. Have there been any positive effects from HEA 1006?
8. Has HEA 1006 impacted care for those receiving your agencies services (e.g. mental health issues)?
 - a. Do you currently have the resources to adequately handle those needing health services?
9. Are there any other ways that HEA 1006 has impacted your agency that you would like to mention?
 - a. Has this statute affected how you do your job?
 - b. Has this changed how others/key actor do their jobs in the criminal justice system?

Service Provider Focus Group Questions

1. Has request for services changed since HEA 1006 went into effect? *How so, increased, decreased or stayed the same?*
2. What are some of your most effective services?
3. What gaps or unmet needs are there in treatment programs or available services?
 - o Is there a “wait list” for individuals needing services due to these gaps?
4. What, if any, services or programs have you had difficulty replicating or affording?
5. What kinds of services or programs would you like to see offered?
 - o Where have you seen this program instituted before?
 - o Do you know the name of a program like this elsewhere?

6. Do you think that you have enough community resources (such as section 8 housing, food pantries, job training, and clothing banks) to meet changes in demand? Please explain.
7. If you received funding, such as grants, how did that benefit your organization?
8. What mechanisms are in place to help indigent defendants pay for treatment or services? Were any of these a result of HEA 1006?
9. What is the capacity for payment assistance? (Recovery Works, HIP 2.0)
10. Are your providers able to offer the same programs/services as other counties/organizations? What differences in services do you see?
11. How has HEA 1006 impacted local (non-criminal system involved) citizens if more people are using services in the community?
 - o Who is receiving priority?