



Jail Overcrowding Task Force

September 30, 2019

Web site:

<https://www.in.gov/judiciary/iocs/3874.htm>



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Jail Overcrowding Task Force

David Bottorff, Executive Director
Association of Indiana Counties

Association of Indiana Counties represents county elected officials including county council and commissioners.

www.indianacounties.org



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Jail Overcrowding Task Force

The task forces charge:

- (1) Conduct a statewide review of jail overcrowding to identify common reasons and possible local, regional, and statewide solutions.
- (2) Study the issue of how to reduce recidivism for convicted felons in county jails by offering programs that address:
 - (A) mental health and drug and alcohol treatment services;
 - (B) educational programs; and
 - (C) other evidence based programs designed to reduce recidivism.



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State Court Administration Assistance

- Efforts of the State Court Administration to alleviate over-crowding
- Evidence Based Decision Making (Bringing stakeholders together)
- Special drug courts, veterans courts
- Development and implementation of risk assessment programs
- Opioid Summit and Pre-Trial Summit



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Fundamental Changes for County Government and Jails

- The State expects a fundamental change in local services. More programs/less cells.
- The public expects a fundamental change in “jail” services.



Growing pains in in other states Texas



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California Early Adopter of Sentence Reform 2011

Realignment Stressed Jails, Prop 47 Provided Some Relief

“The statewide jail population increased steadily in the first year following realignment—straining jail facilities—and then fell sharply under Prop 47. Before realignment took effect in 2011, the statewide jail population was at the lowest it had been in 10 years. In fact, in the four years preceding realignment, the jail population had gradually decreased from a record high in 2007. But after one year under realignment, the statewide jail population grew 12 percent, from an average daily population of 72,285 to 80,941. In the next two years, the population continued to creep up.”



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California Early Adopter of Sentence Reform 2011

- “Enter Proposition 47 - Reduced the penalties for certain lower-level drug and property crimes. Findings show that the offender composition of jails largely changed in ways targeted by the reforms.”



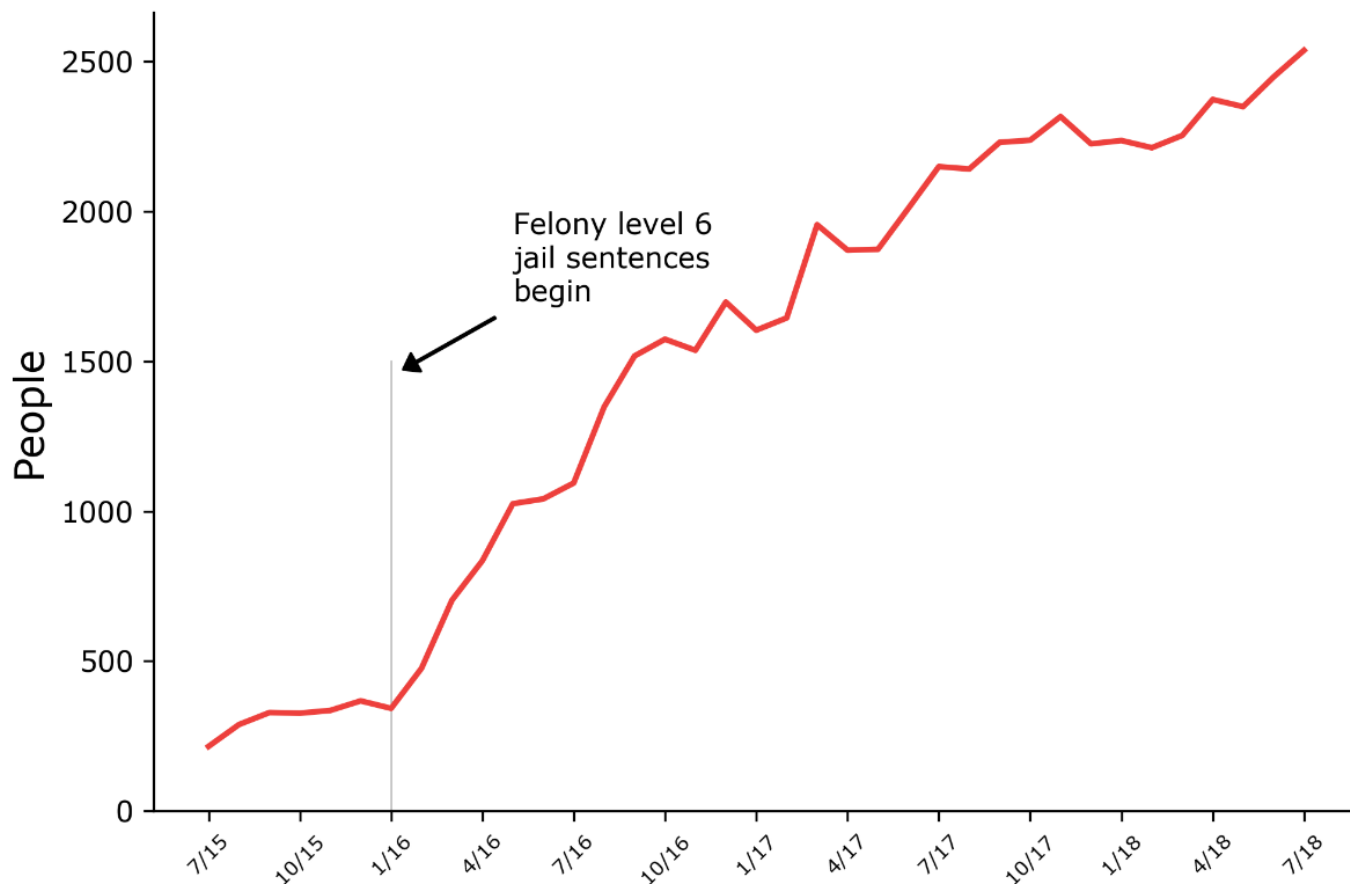
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California Early Adopter of Sentence Reform 2011

- “By June 2014, five months prior to the passage of Prop 47, a majority of jail facilities were at or above 90 percent of their rated capacity; and 20 counties had court-ordered population caps (Lofstrom and Martin 2015). The jail population had reached 83,280, just below the all-time high of 84,046 in 2007. After the passage of Prop 47, the jail population immediately began to drop, decreasing 11 percent from 82,005 to 73,253 in four months.”

PEOPLE IN INDIANA COUNTY JAILS FOR LEVEL 6 FELONIES



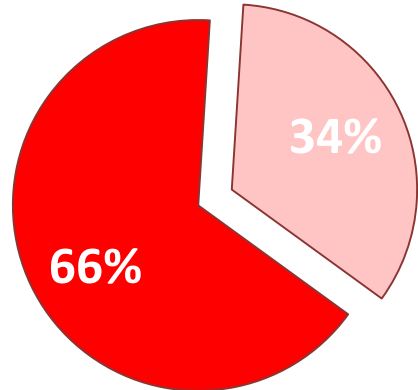
AIC Conference on Jails Bill Wilson ISA

Why Are Jails Full

- New Bureau of Justice Statistics data reveal that jails held 745,200 inmates in 2017, virtually identical to the 747,500 they held in 2005, and significantly higher than the 584,400 they held in 1998.
- The number of individuals held in jail while awaiting trial has soared 45.3 percent, from 331,800 in 1998 to 482,000 in 2017. By contrast, the number of convicted inmates is almost the same as it was 20 years ago (252,600 in 1998 vs. 263,200 in 2017). About 95 percent of the jail population's growth is thus accounted for by people who haven't been convicted of a crime.

**INDIANA COUNTY JAILS
AT OR ABOVE 80%
RECOMMENDED CAPACITY**

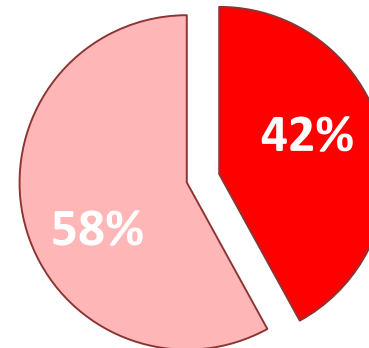
- ABOVE 80% CAPACITY
- AT OR BELOW 80% CAPACITY



**INDIANA COUNTY JAILS
ABOVE 100%
CAPACITY**

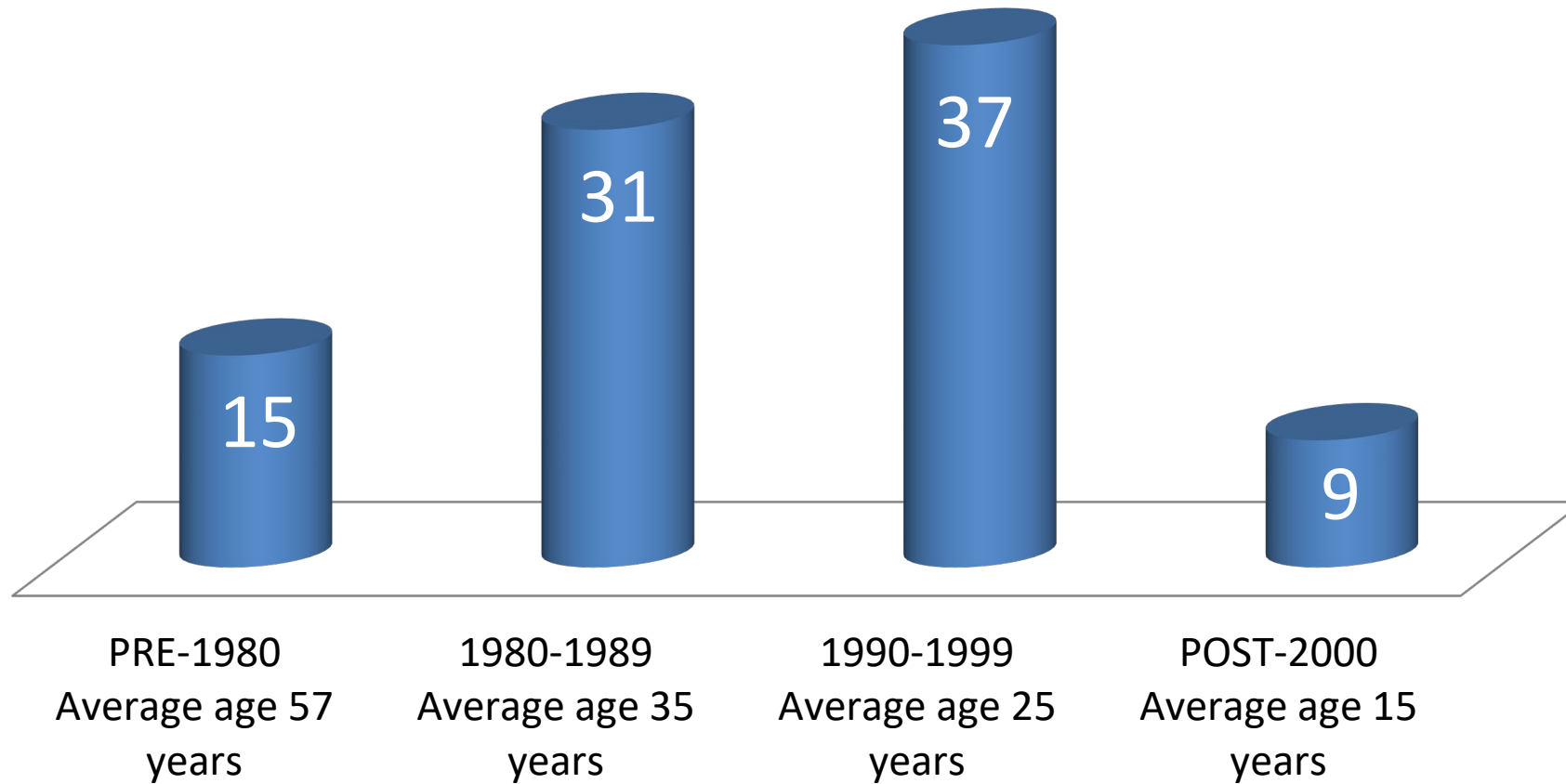
(highest = 190%)

- ABOVE 100% CAPACITY
- AT OR BELOW 100% CAPACITY



AGE OF INDIANA COUNTY JAILS

YEAR BUILT OR RENOVATED





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Zogby Analytics Memo February 2018

Based on RTI Survey (RTI formerly Research Triangle Institute)

- More than 1 in 3 Americans feel “rehabilitation or treatment” is the purpose of jail, as opposed to “punishing people for committing crime,” “showing the consequences,” or “removing them from the community.”
- Seventy-three percent of Americans who are familiar with pretrial services support their use. Pretrial services are procedures that determine the immediate risk a defendant poses to the community, make recommendations concerning the conditions under which that person could be released from jail while awaiting trial, and provide appropriate supervision to those accused of a crime.



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Con't Zogby Public Perception of Jails

- Sixty-two percent of Americans believe that “rehabilitating or treating the person” is the most appropriate response to non-violent offenses as opposed to “punishing the person for committing the crime” or “keeping the person off the street so they can’t commit more crimes.” Support for rehabilitation rises to 71% for non-violent offenses by those who suffer from mental illness.
- Except for the most serious crimes, 75% of Americans believe the most appropriate sentence for an offense by a person with a mental disorder should not involve jail time. People see alternatives to incarceration—such as treatment or rehabilitative services, probation, or community service—as the best option in these cases.



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Immediate Options

- Housing inmates out of county.
- Suspending the incarceration of non-violent offenders on arrest warrants.
- Increase in public defender assistance for indigent pre-trial detainees.
- Funding additional court staff so cases can be processed more quickly.
- More robust treatment programs.

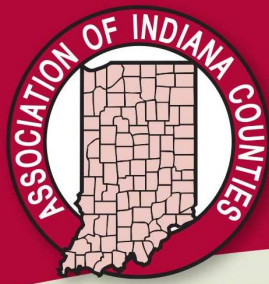


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Finance Options

- Increase Level 6 reimbursement
 - Remove the cap on the appropriation or reimbursement rate as the rate of \$35/\$37.50 will actually decrease due to expanding population of Level 6 violations.
 - Provide money to counties who have Level 6 under the court's jurisdiction such as probation, community corrections or pre-trial services.
 - If the reimbursement is only for those incarcerated, not as much incentive/money to create pre-trial programs.



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Finance Options

- Increase Level 6 reimbursement
 - The state should reward counties for robust pre-trial services and evidence based programs that reduce recidivism.
 - State should review number of Level 6 violations. Perhaps some could be infractions or Level 5 felons.



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Finance Options

- General Assembly should amend 6-3.6-7-21.5 Jail Local Income Tax. IC 6-3.6-7-21.5 is limited to construction and operation of a jail with maximum 20% for operations. The Jail Income Tax should be allowed to be used for programs that may reduce jail populations, including housing inmates in another jail or treatment programs and remove the 20% operations restriction.
- Amend the public safety income tax 6-3.6-6-8 so that distribution is not based on civil unit's levies but on public safety expenses. Counties fund the bulk of courts, prosecutors, public defenders, jails including operations. Most civil levies were frozen in the 1970s.



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Finance Options

- Allow counties a levy adjustment for creation of new courts. Funding the space and operations is a burden on county budgets.
- Misdemeanants should be eligible for Recovery Works.
- Opioid Lawsuit - ensure any settlement or reward is spent on addiction service or mental health programs. Money should supplement current expenditures and not supplant them.



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Inmate Health Care

- Federal regulations require that benefits such as Medicare and Veteran Benefits are suspended when a person “loses their freedom of movement”. Therefore, many pre-trial inmates lose benefits even though they have not been convicted of a crime. The federal government should allow benefits to remain in place until conviction for pre-trial inmates receiving services in the jail. *Benefits are usually reinstated for procedures outside the jail.*



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Health Care – Some Progress

Have freedom of movement and eligible for benefits

Greene County Community Corrections

Wabash Valley Regional Community Corrections (Knox & Pike Counties)

LaPorte County Community Corrections

CorrectionsDuvall Center (Marion County CCRC)

CorrectionsCraine House (Marion County)

County)Hendricks County Community Corrections

CorrectionsVanderburgh County Community Corrections

Howard County Community Corrections Center

Hancock County Community Corrections

Madison County Community

Cass-Pulaski Community

DuComb Center (St. Joseph

Vigo County Community

Dubois County Community Correction

Mixed Status (case by case)

Kimbrough Work Program (Lake County)

Hope Hall (Vanderburgh County)

Elkhart County Corrections Center



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Continued Progress

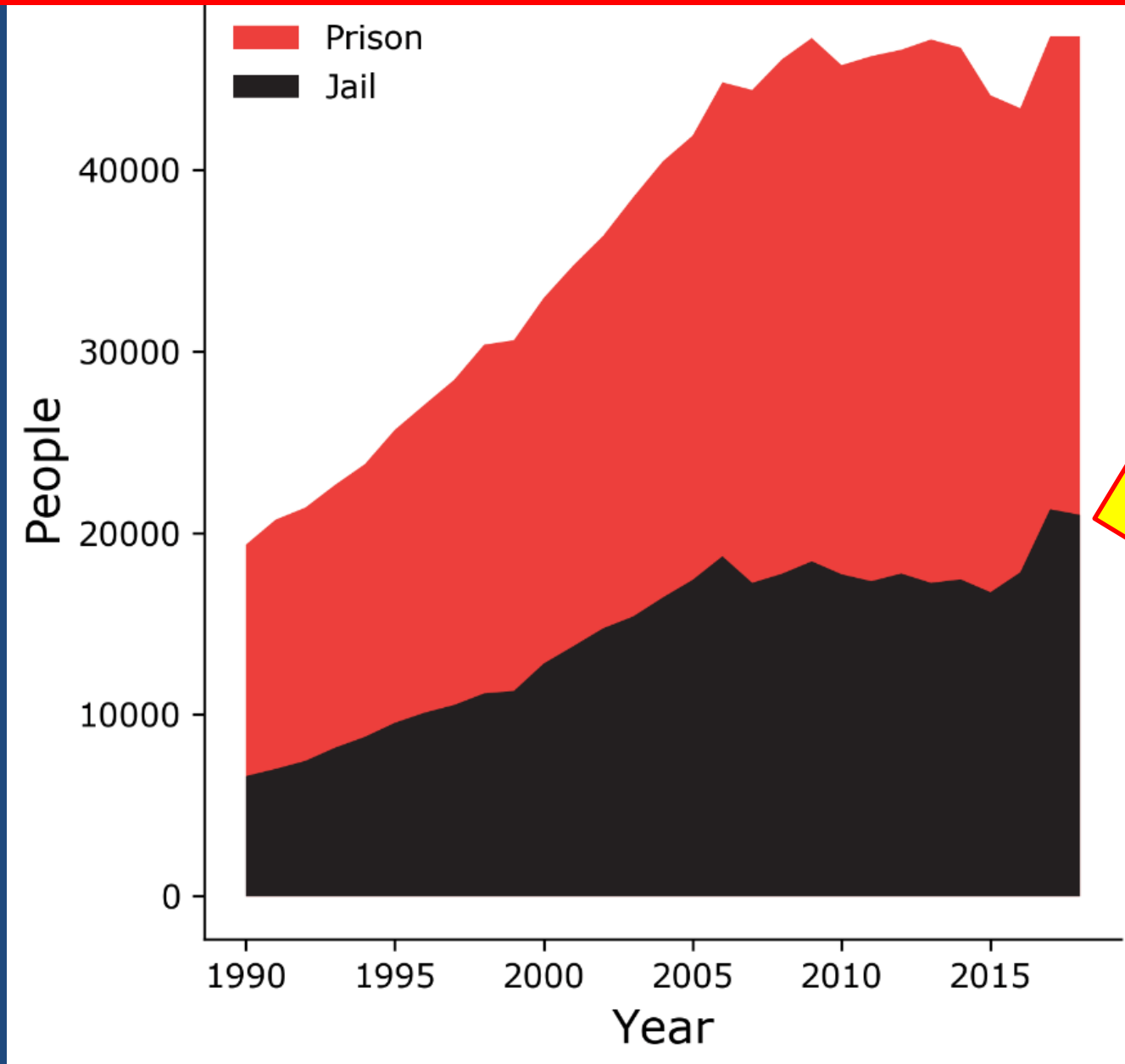
- Thank you and we look forward to working with the court administration, state agencies and legislature on making progress to reduce jail populations and improve local services.

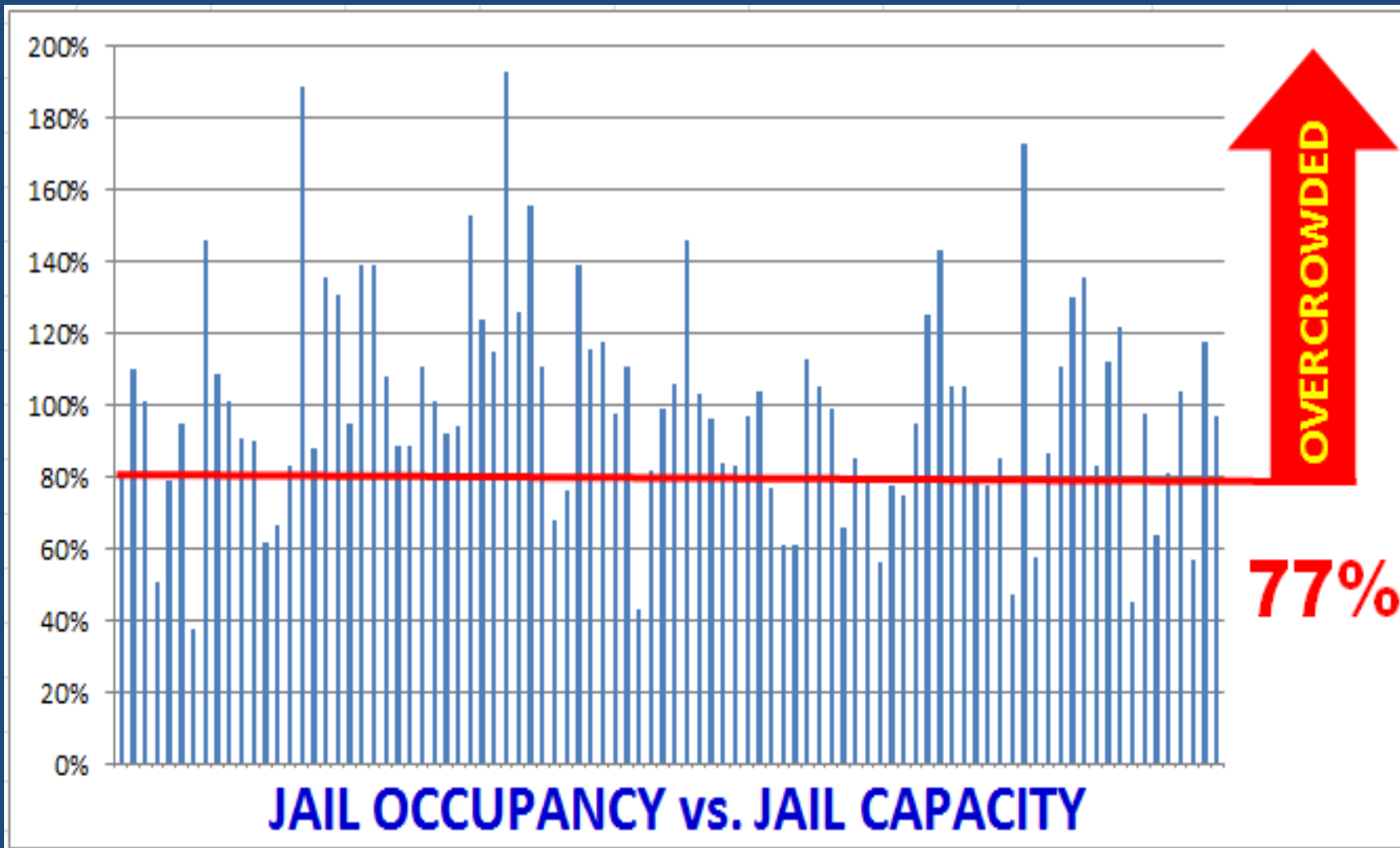
Many Indiana Jails are old, in disrepair, and/or lack modern design

- Even if regularly updated, have difficulty meeting modern standards**
- Overcrowding increases wear and tear**
- Systems are failing with increasing frequency**
- ADA requirements much more difficult to meet**

**An Increase in the
Overall Population of County Jails**

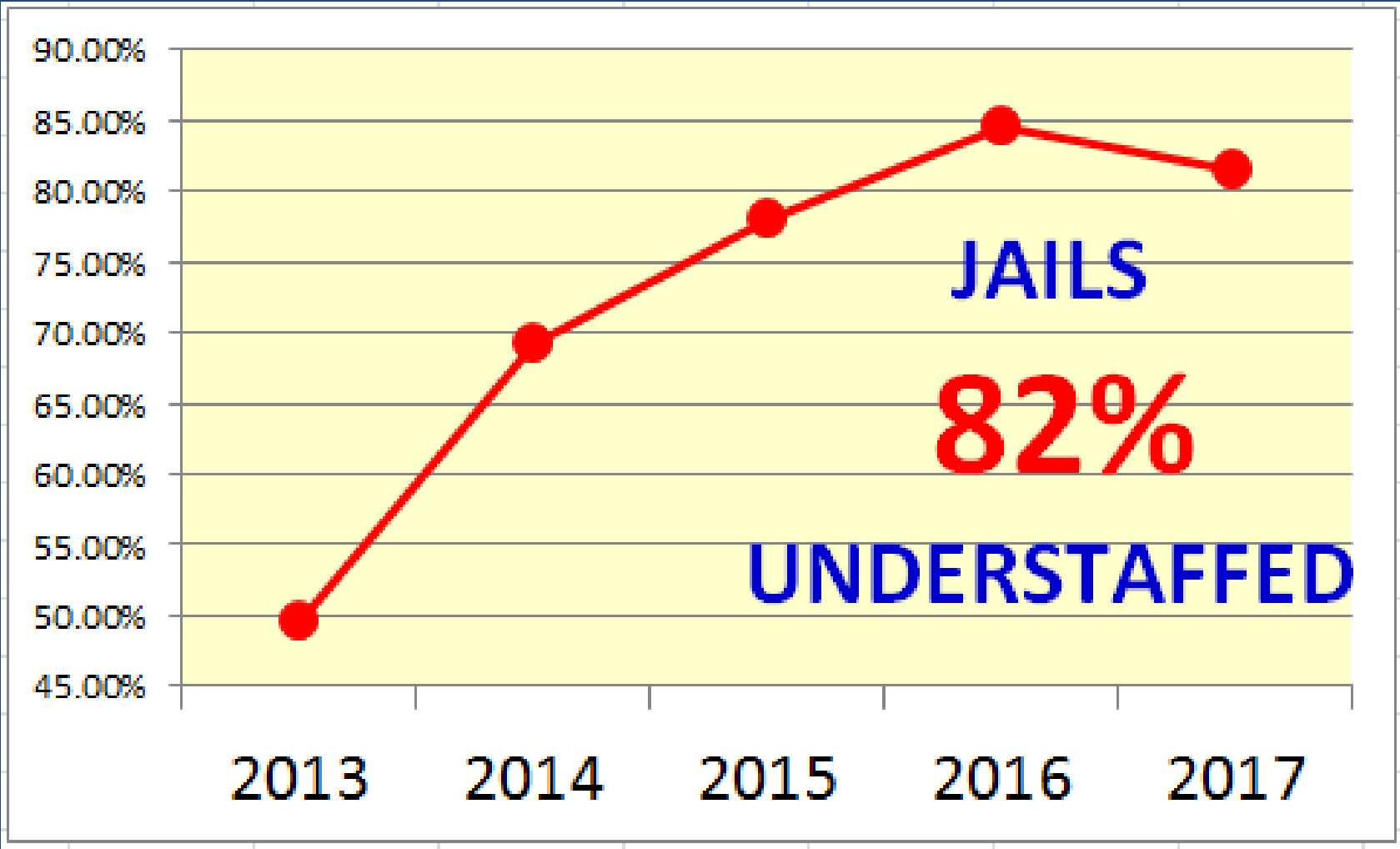
INCARCERATION IN INDIANA PRISONS AND JAILS





Demands on Jail Staff Changing

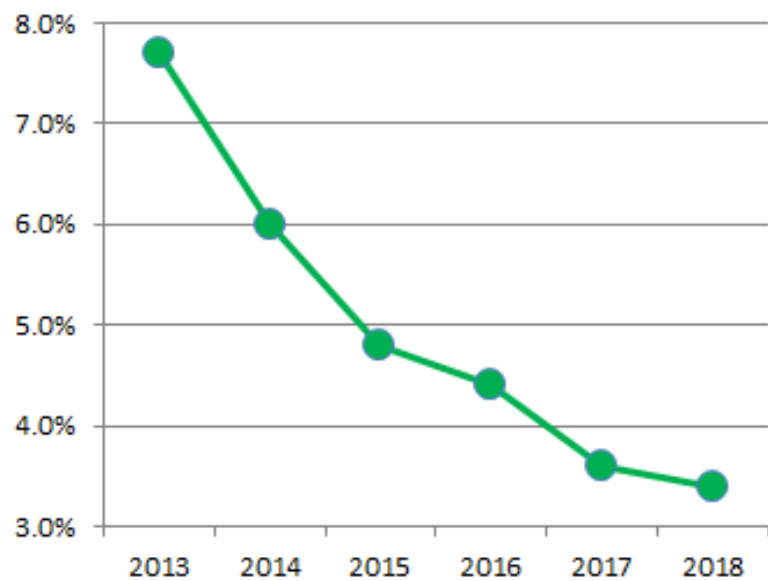
- **Growing Number of Prisoners**
- **Demographic Changes and Social Expectations Are Changing the Mission of Corrections Officers**
- **Overcrowding = New Workload Demands on Staff**
- **82% of Jails Are Understaffed**



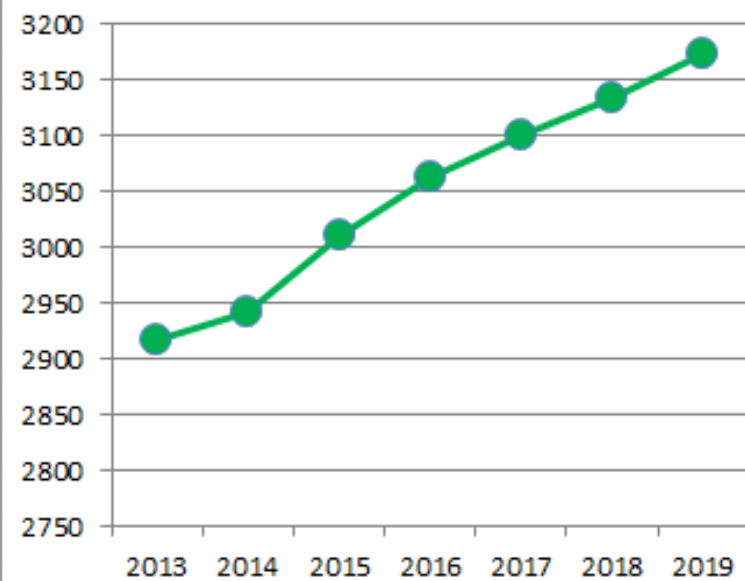
Staff Recruiting Challenges

- **An improved economy.**
- **Generally rising wages.**
- **Lower unemployment.**
- **A wider range of employment opportunities.**
- **Cost of a corrections officer can be expected to rise.**

Unemployment Rate - Indiana



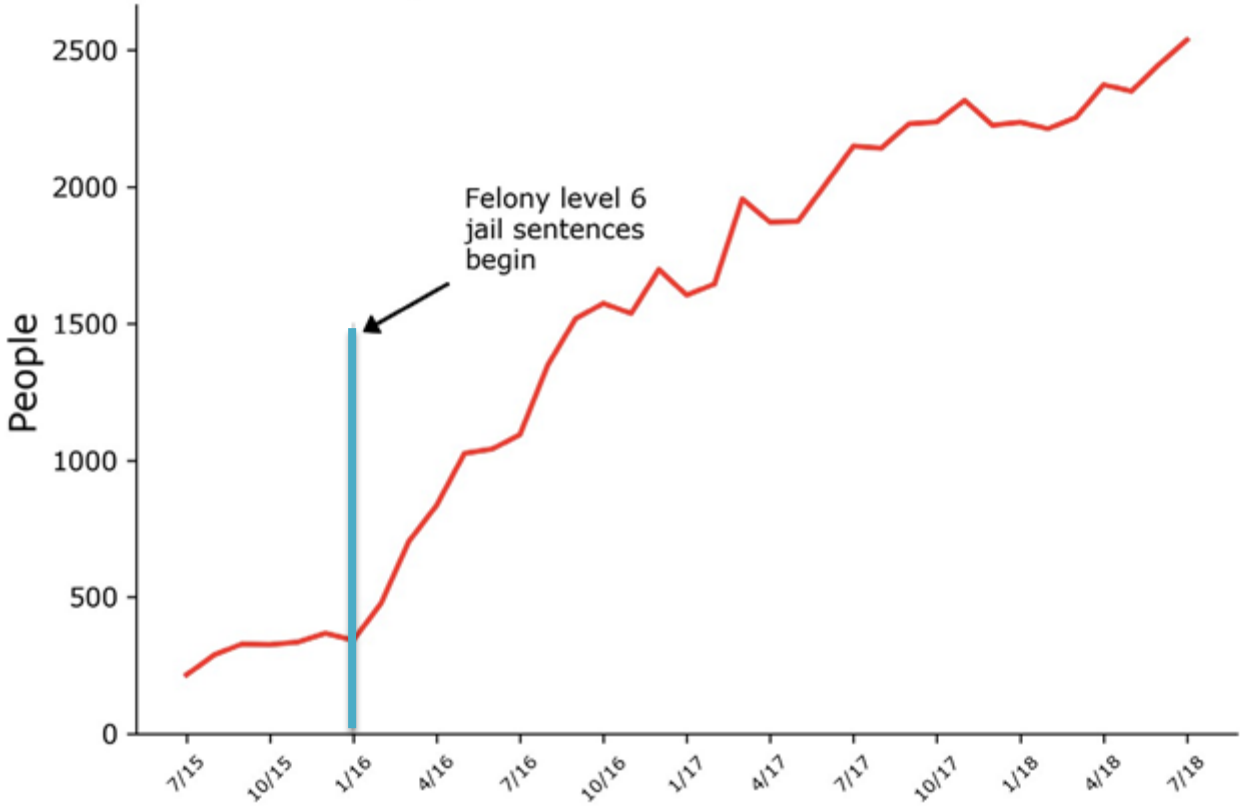
Non-Farm Employment - Indiana



Introduction of Level 6 Felons into County Jails

- **Significant use of existing county jail capacity**
- **New challenges to jail management**

People in Indiana Jails for Level 6 Felonies



Change in Jail Demographics

- **Female Population Growing**
- **Number of prisoners with Serious Medical Issues Increasing**
- **Gender Issues Emerging**
- **Housing segregation needs more complicated**

Growth in Number of Pre-trial detainees

- **Nationally: 45% growth**
- **Nationally: 95% of jail population growth are people who have not been convicted of a crime**
- **Indiana: 56% of the jail population currently consists of pre-trial detainees**

Opiate Crisis

- **Increase in people involved in the criminal justice system.**
- **Increase in persons who come into the system with significant medical issues/needs.**
- **Increase in self-destructive behavior.**
- **Increase in risk of contraband in jails.**
- **Need for specialized medical treatment (MAT)**

Suicide/Self-Harm Trends Way Up

- **Drug related increase**
- **Many will end up in Jails**
- **Suicide prevention is personnel intensive and requires special facilities**

Percent Change in Age-Specific Mortality Rate, 2012–14 to 2015–17



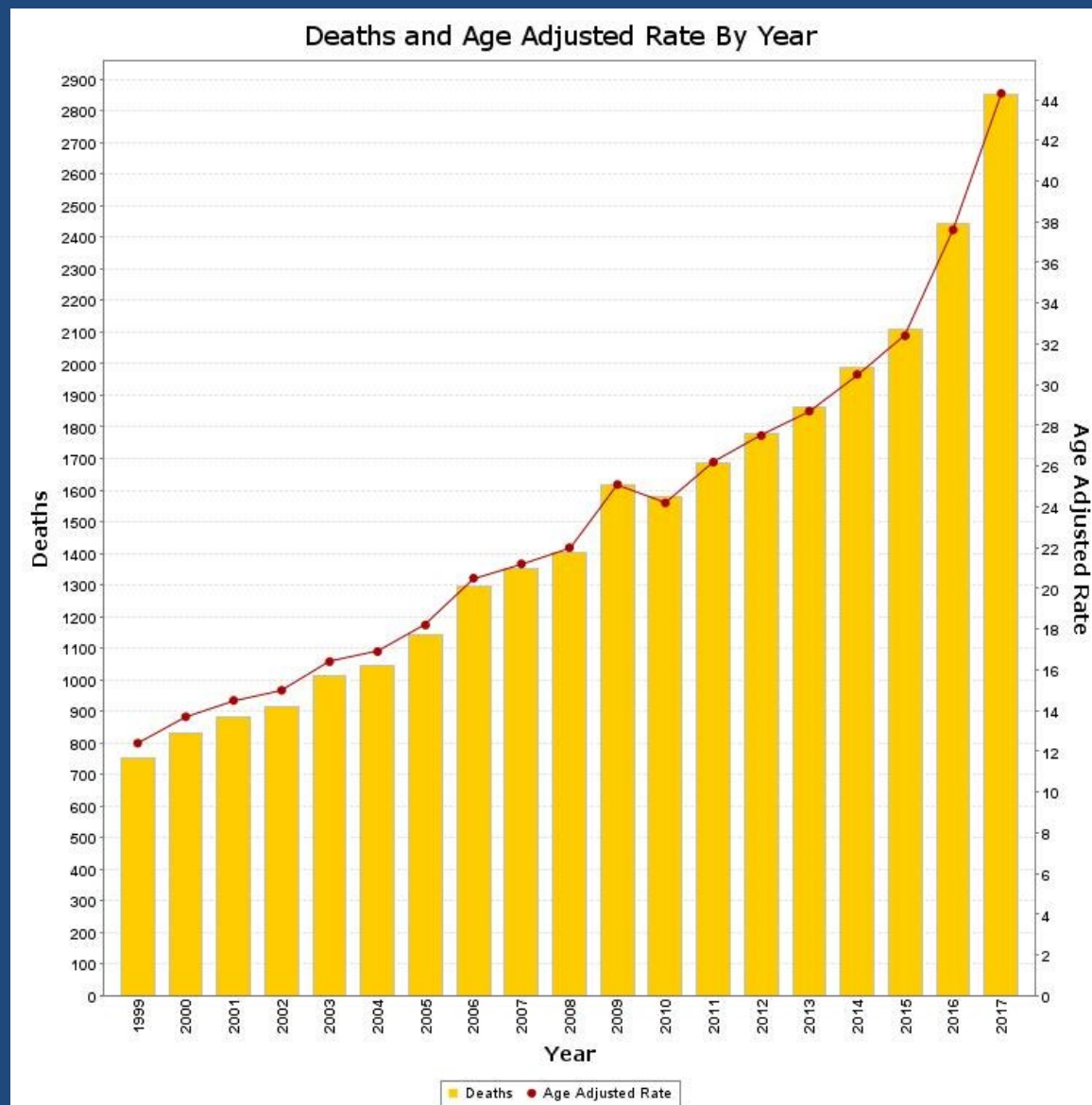
Source: CDC WONDER

Percent Change in Age-Specific Mortality Rate, 2012–14 to 2015–17



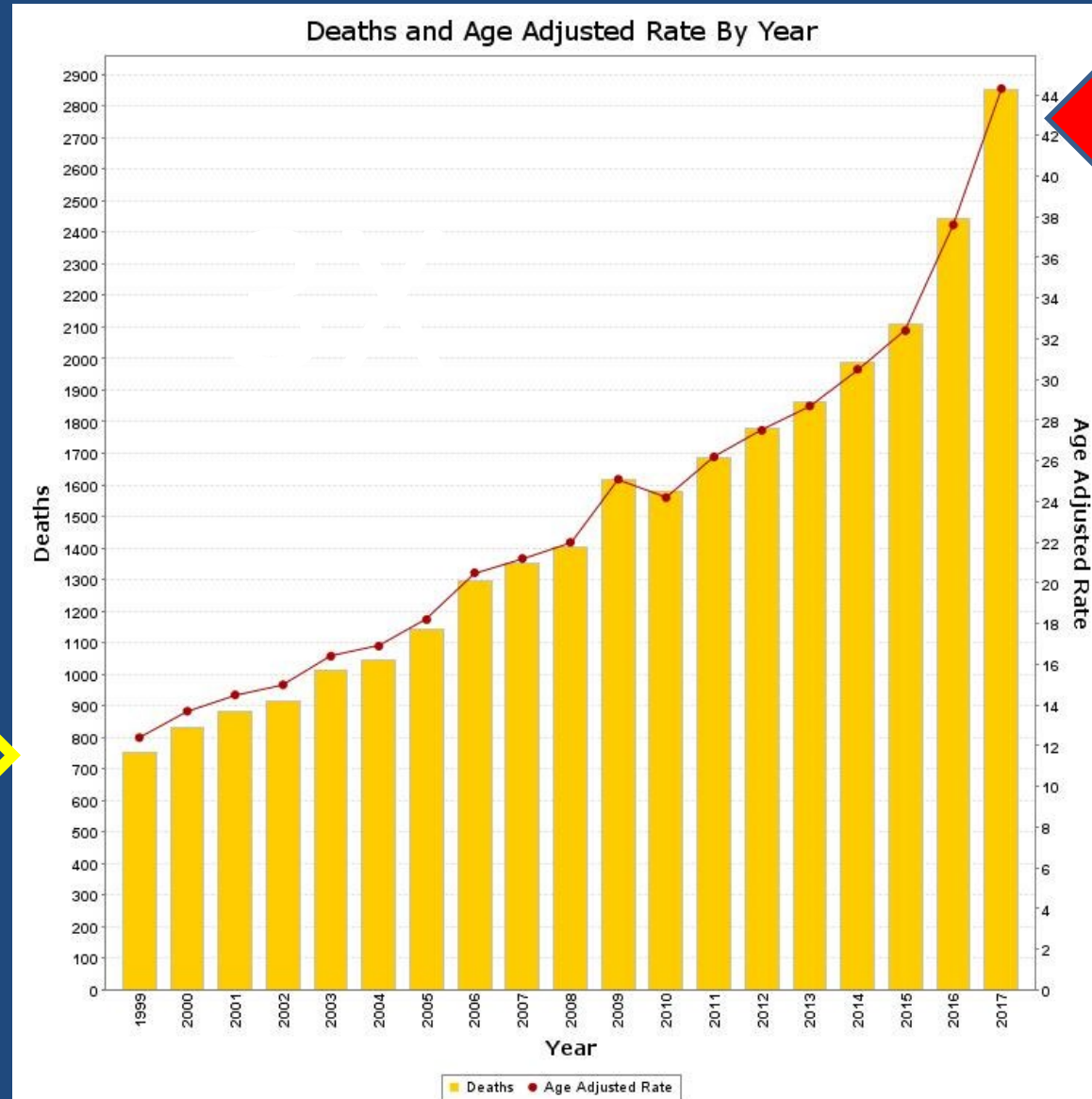
Source: CDC WONDER

Indiana Accidental Poisoning & Intentional Self-Harm Deaths, 1999-2017



Source: Centers for Disease Control and Prevention, National Center for Health Statistics. Underlying Cause of Death 1999-2017, CDC WONDER Online Database

Indiana Accidental Poisoning & Intentional Self-Harm Deaths, 1999-2017



775

2,850

Source: Centers for Disease Control and Prevention, National Center for Health Statistics. Underlying Cause of Death 1999-2017, CDC WONDER Online Database

Changes in the Law

- **Threshold for proving liability for substandard conditions of confinement have - substantially lowered for Pre-trial detainees.**
- **Increase in frequency and cost of lawsuits**
- **Increased exposure to Federal Court intervention**

Failure to provide adequate:

Medical, Mental and Dental treatment

- Suicide screening and segregation,
- Medication Assistance Treatment – “MAT”,
- prompt treatment of painful or contagious maladies.

Failure to provide adequate:

Physical security

Failure to protect against:

- Inmate attacks and rapes
- Theft of a prisoner's property
- Dangerous contraband
- Inmate weapons



This little bit of
Fentanyl
Will kill you



Failure to provide adequate: Living conditions

- **Mold**
- **Dirty cells**
- **Broken or inadequate toilets and showers**
- **Excessive noise and light**
- **Denial of adequate exercise**
- **Cramped or dangerous living space**
- **Exposure to inmates with communicable diseases**

Some things to consider:

**Favor strategies that avoid
incarcerating people who don't need
to be in jail.**

- Counties Fully Embrace Evidence Based Risk Assessment Program

Create effective alternatives to jail

- **Veterans Court**
- **Drug Court**
- **Electronic Monitoring**
- **Work release programs**

Reduce recidivism. Help change behaviors that lead to re-arrest by funding:

- **Chemical Dependency & Addiction Classes**
- **Anger Management Classes**
- **Alcoholics Anonymous Classes**
- **Narcotics Anonymous Meetings**
- **After release community social services**

**To be sure, renovated, expanded
and new jail facilities are needed.**

Very important also:

Consider expanding the amount of revenue from the new Jail Income Tax Option that can be spent on operations and programs

... particularly for staffing

Each county's needs are different.

- Reconsider the pro-construction bias.
- Allow counties more flexibility in how, when and where to apply this new revenue.

**Thank you for this opportunity
to share these thoughts.**

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PRE-TRIAL DETENTION

The Use of Jail Data

- In Indiana, there currently exist no mechanism to gather jail data to determine incarceration trends across the state. With the majority of Indiana jails facing crowded conditions the question is... Why are so many of the jails in Indiana experiencing crowded conditions?
- The current method of soliciting jail data is using surveys. This method is slow and unreliable. The State of Indiana should produce a more efficient method of capturing this data in “real time.”

Pretrial

- Pretrial spans the point of arrest through disposition of a case, and includes diversion, jail, pretrial release, and court processing. Decision makers include police, prosecutors, judges and magistrates, and pretrial services professionals, all of whom aim to strike a balance between due process for the defendant, public safety, and efficient court operation.

Jail Incarceration

- Reasons for Jail Incarceration can include:
 - People awaiting trial for a criminal offense
 - People serving time for a criminal offense
 - People who failed to appear for a court hearing
 - People for violating terms of probation
 - People for violating terms of parole
 - People convicted and sentenced and waiting transport to prison
 - People for short terms holds for the federal government and other counties

Police and the Decision to Arrest

- According to Timothy R. Schnacke, Law Enforcement in the United States arrest approximately 12 million people per year.
- Between 2004 – 2010, total stops increased 92%, and arrests increased 155%.
- An arrest is made in this country every three seconds, for approximately 30,000 arrests per day.

The Courthouse

- Once arrested, courts need to decide whether to hold individuals pending trial, release them with conditions, or release them on their own recognizance. Many arrested individuals spend at least some time in jail before trial. According to the Bureau of Justice Statistics, 2018 Update on Prisoner Recidivism, inmates who are incarcerated once, even for a short time, are more likely to be incarcerated again.
- America leads the world in pretrial detention at three times the world average.
- The federal government estimates that approximately 38% of presumptively innocent felony defendants are detained for the duration of their cases and, of those, 90% remain in jail because they can't afford to post bail.

Cost of Pretrial Detention

- According to a report by the Pretrial Justice Institute (PJI) released in January 2017, U.S. taxpayers “spend approximately \$38 million per day to jail people who are awaiting trial (63% of the total jail population, or more than 450,000 individuals on any given day).” The report noted that this amounts to around \$14 billion annually – which would cover the cost of 300,000 firefighters or 250,000 elementary school teachers or provide free or low-cost lunches for 31 million children.
- Many people in jail have behavioral health needs that would be better met outside the justice system. One in five jail inmates has a serious mental illness. Only 11% of people with substance-use disorders in the justice system receive any type of treatment.

Benefits of Managing Pretrial Risk

The use of money bail in most U.S. jurisdictions allows wealthier arrested people to buy their freedom regardless of how dangerous they might be while simultaneously jailing poor and working-class individuals who could be successful in the community before trial simply because they don't have the resources to pay their way out.

A commonsense alternative is to give courts better information about arrested people and a wider menu to choose from when courts set release conditions.

It has been estimated that implementing validated, evidence-based risk assessment to guide pretrial release decisions could yield \$78 billion in savings and benefits, nationally," the report concluded.

Using Data to Manage Pretrial Risk

- Santa Clara County, California has a dashboard which shows its daily jail population, with breakdowns by felony or misdemeanor charge, people who are sentenced and unsentenced, and length of stay.

Consequence of Status Quo..

- A recent ISA Jail Survey completed by 89 county jails indicated:
 - 11 jails reported crowding 120 % or more of capacity
 - 8 jails reported crowding between 110 -120 % of capacity
 - 14 jails reported crowding between 100 - 109 % of capacity
 - 18 jails reported crowding between 90 - 99% of capacity
 - 10 jails reported crowding between 80 - 89% of capacity

Crowded Jails

- Jails that are alleged to have violated constitutional rights because of crowding, typically are accused of the following:
 - Breakdown of inmate health and safety concerns
 - Lack of inmate recreation
 - Lack of inmate welfare checks
 - Increase in inmate violence
 - Lack of Jail Staff

Summary

- Jail Crowding is managed by decreasing the rate of inmates entering the jail; increasing the rate at which inmates leave the jail or a combination of both.
- Building bigger jails should not be the first option.

Jail Overcrowding Task Force Presentation on Court Information and Data

Office of Judicial Administration

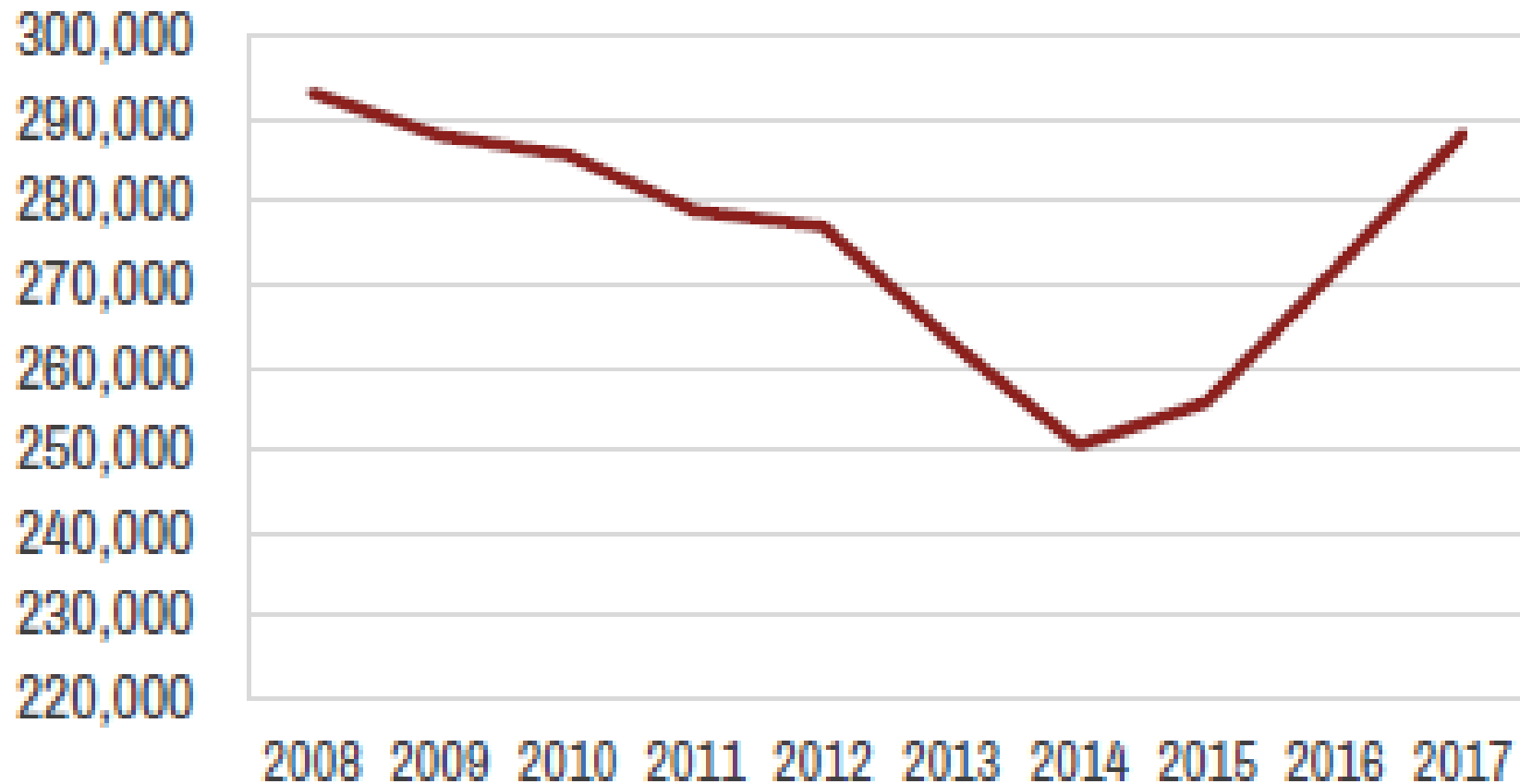
September 2019

Case Filing Data

Trend in Criminal Case Filings – 2017

Judicial Services

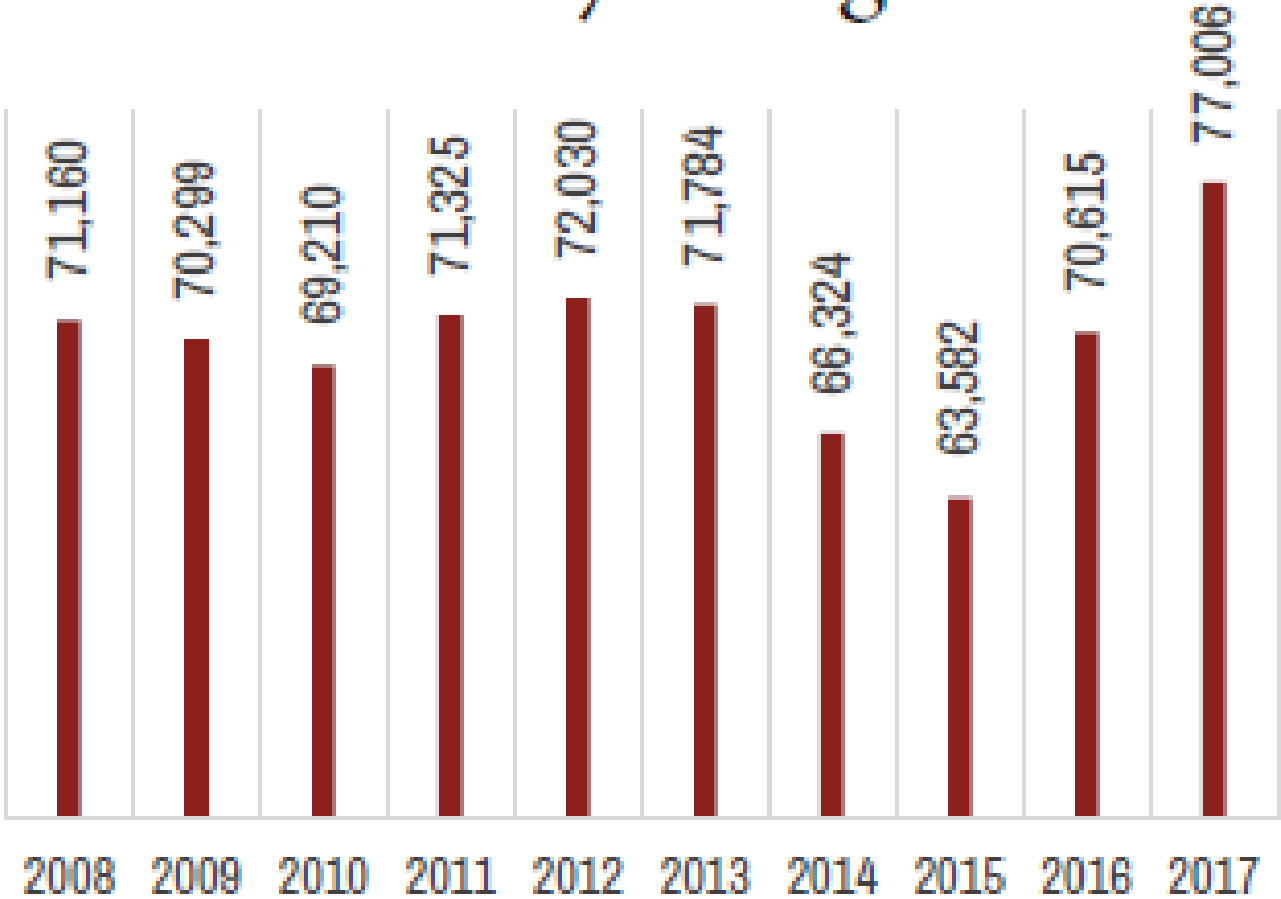
Criminal Filings



Trend in Criminal Case Filings – 2017

Judicial Services

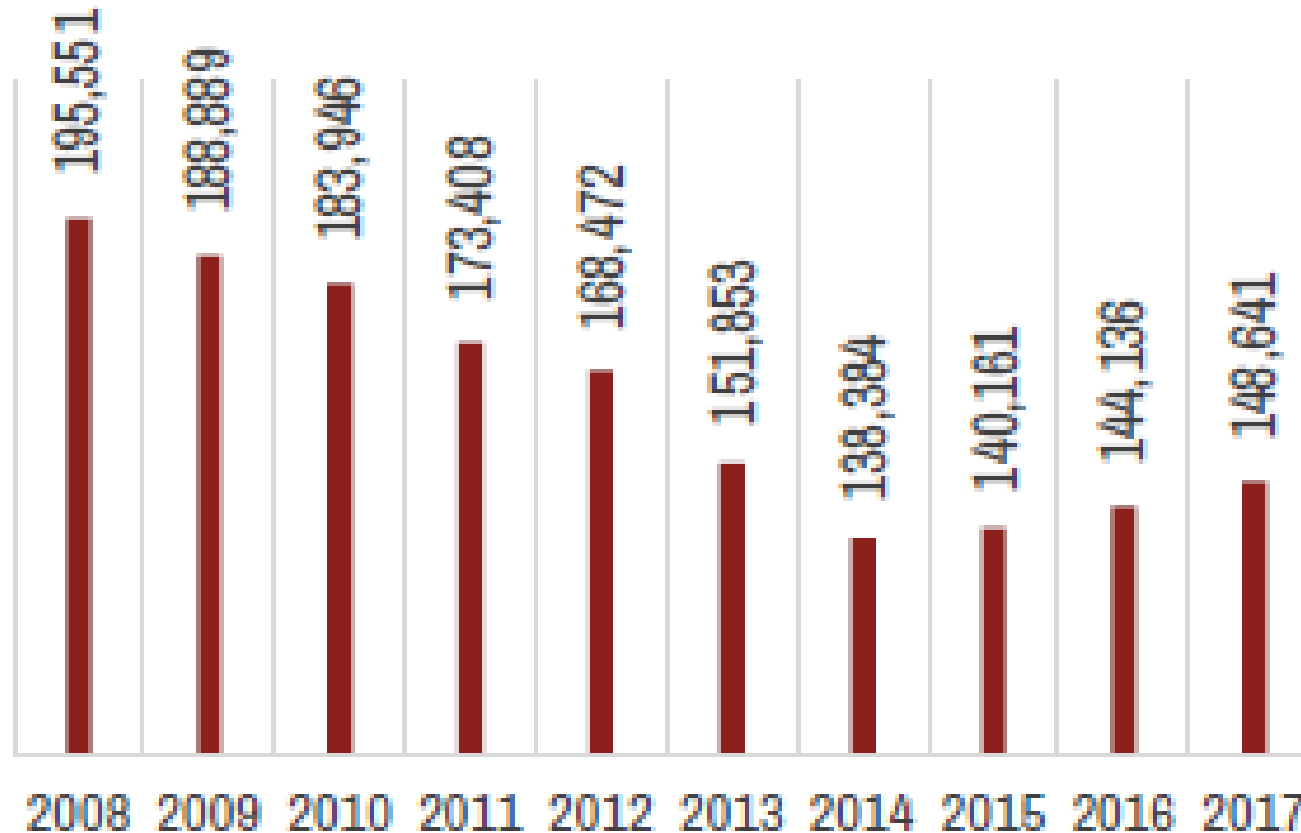
Felony Filings



Trend in Criminal Case Filings – 2017

Judicial Services

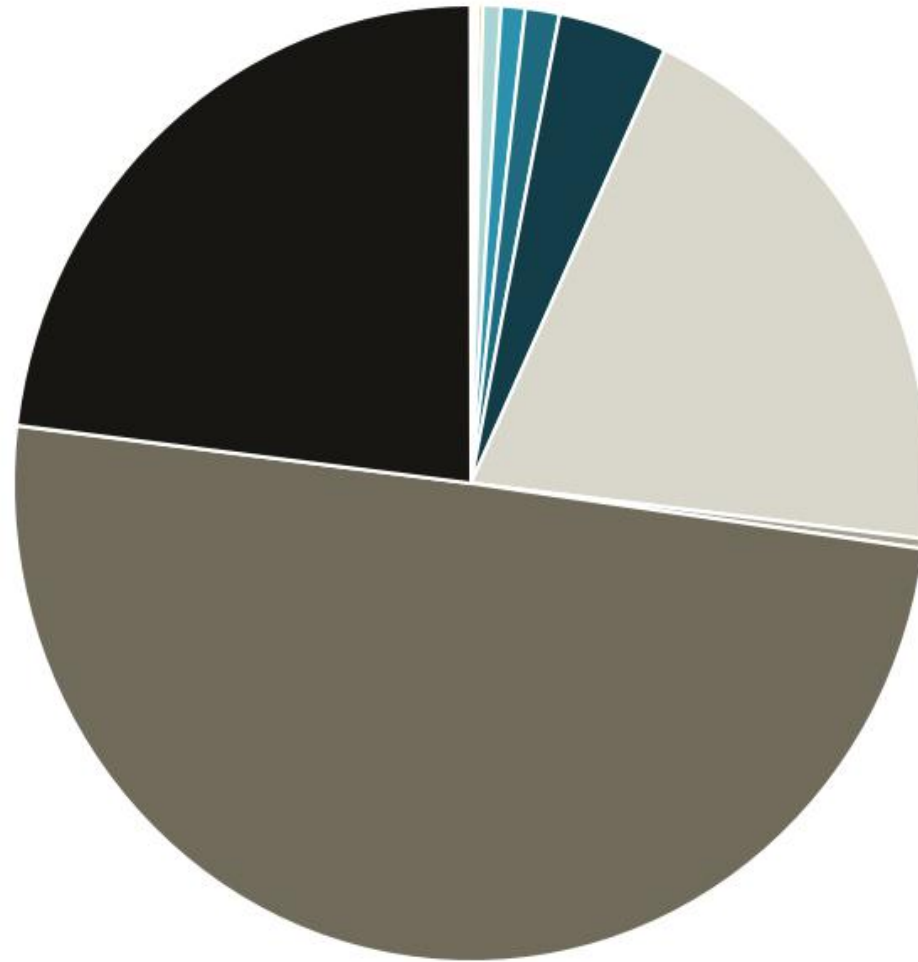
Misdemeanor Filings



New Criminal Cases Filed

Overview
of Case
filings

2018
Trial
Court
Statistics



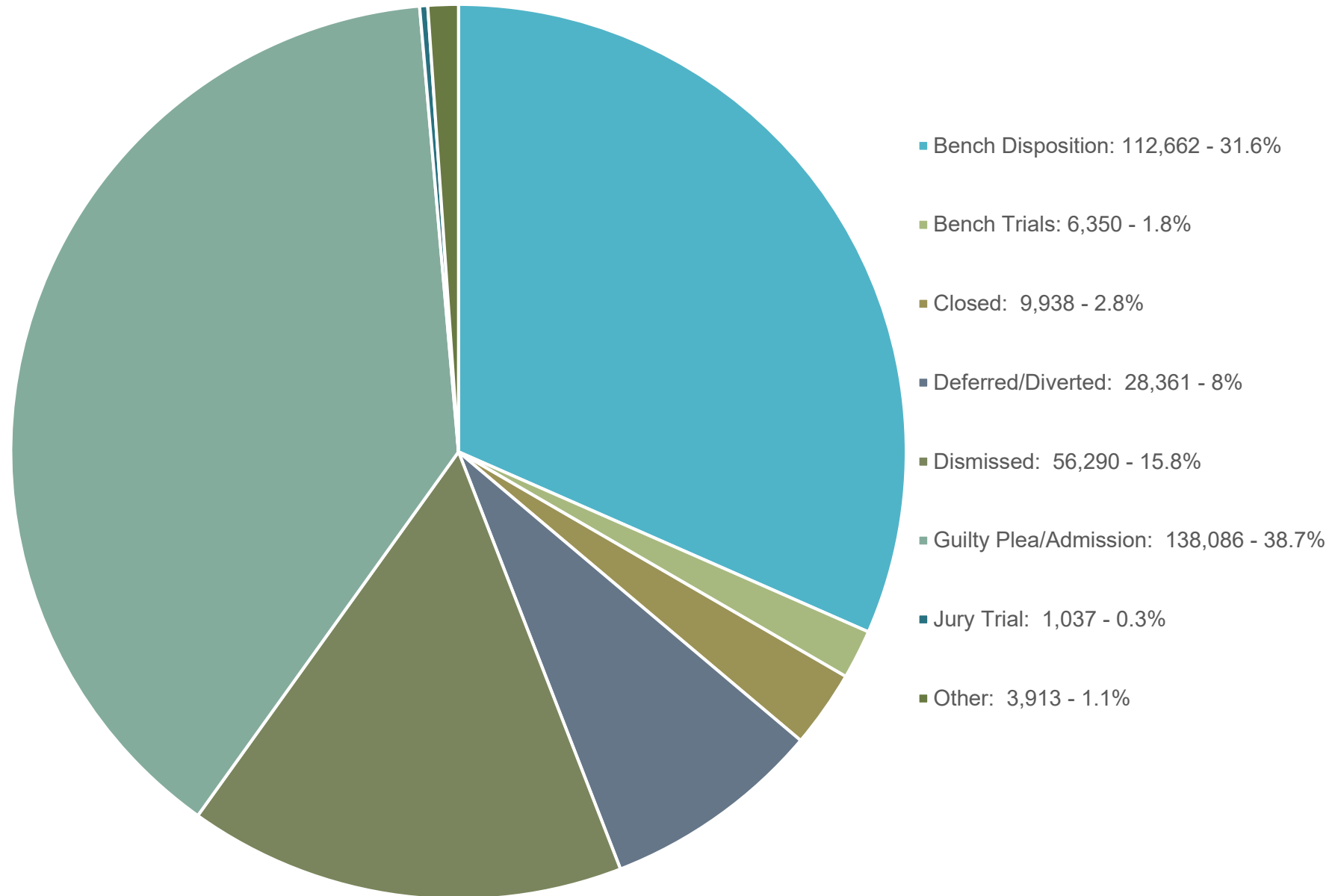
Murder: 261 - 0.1%
Class A Felony: 100 - 0.0%
Class B Felony: 38 - 0.0%
Class C Felony: 203 - 0.1%
Class D Felony: 128 - 0.0%
Felony Level 1: 503 - 0.2%
Felony Level 2: 1843 - 0.6%
Felony Level 3: 2483 - 0.9%
Felony Level 4: 3521 - 1.2%
Felony Level 5: 11222 - 3.9%
Felony Level 6: 57942 - 19.9%
Post Conviction: 961 - 0.3%
Misdemeanor: 144833 - 49.7%
Miscellaneous Criminal: 67169 - 23.1%

Case Disposition Data

Overview of Case Dispositions

2018 Trial Court Statistics

Methods of Disposition (Criminal Cases)



Overview of Sentencing Abstract Data

Data source:

Abstracts of Judgment – completed for all felony sentencings in Indiana
Required by statute and Criminal Rule 15.2

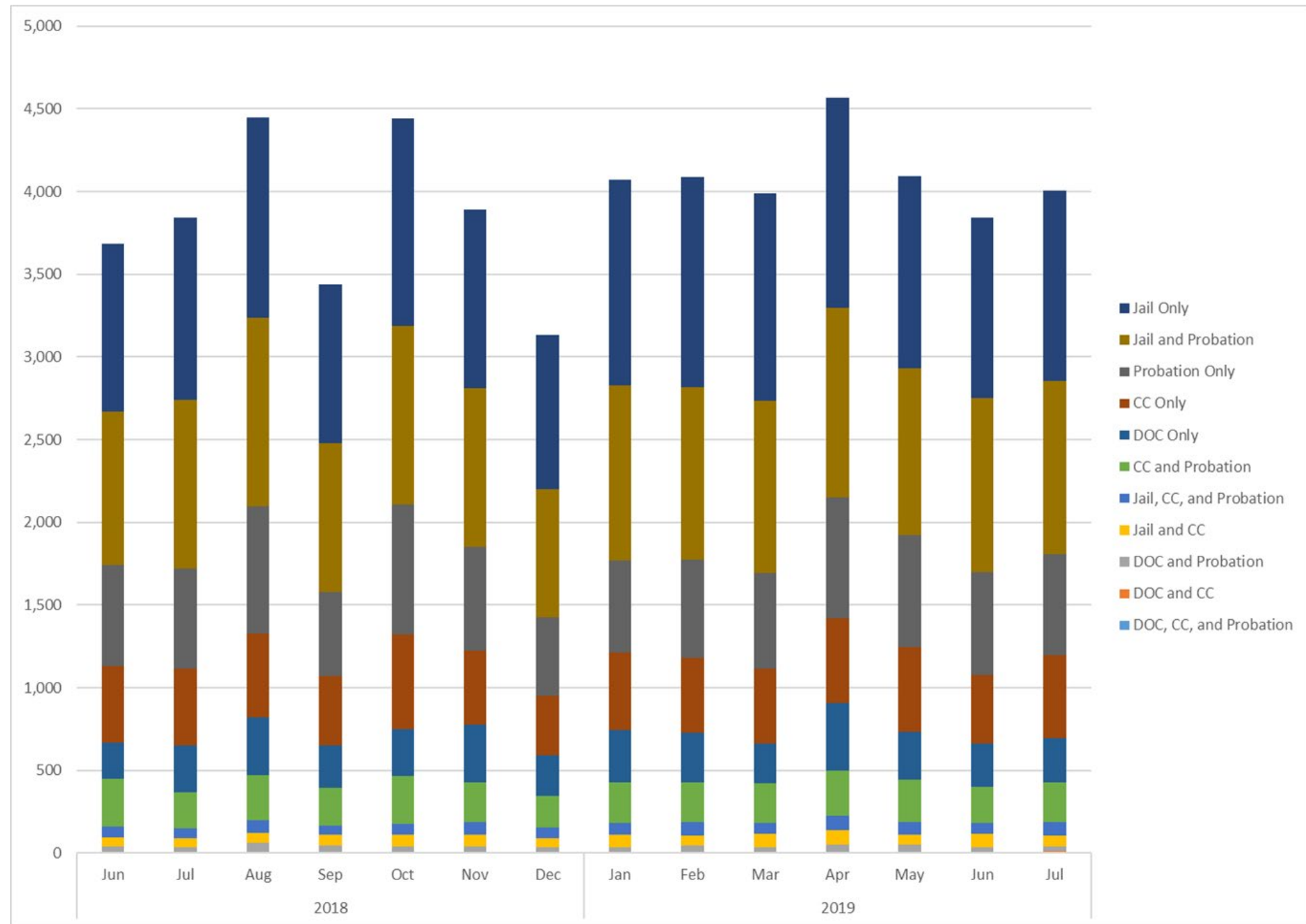
Date range for this presentation:

6/1/2018 - 7/31/2019

Limitation - Pretrial credit or sentencing information for other cases
(misdemeanors, contempt, etc.) are not available in an aggregate report

F6 Abstracts

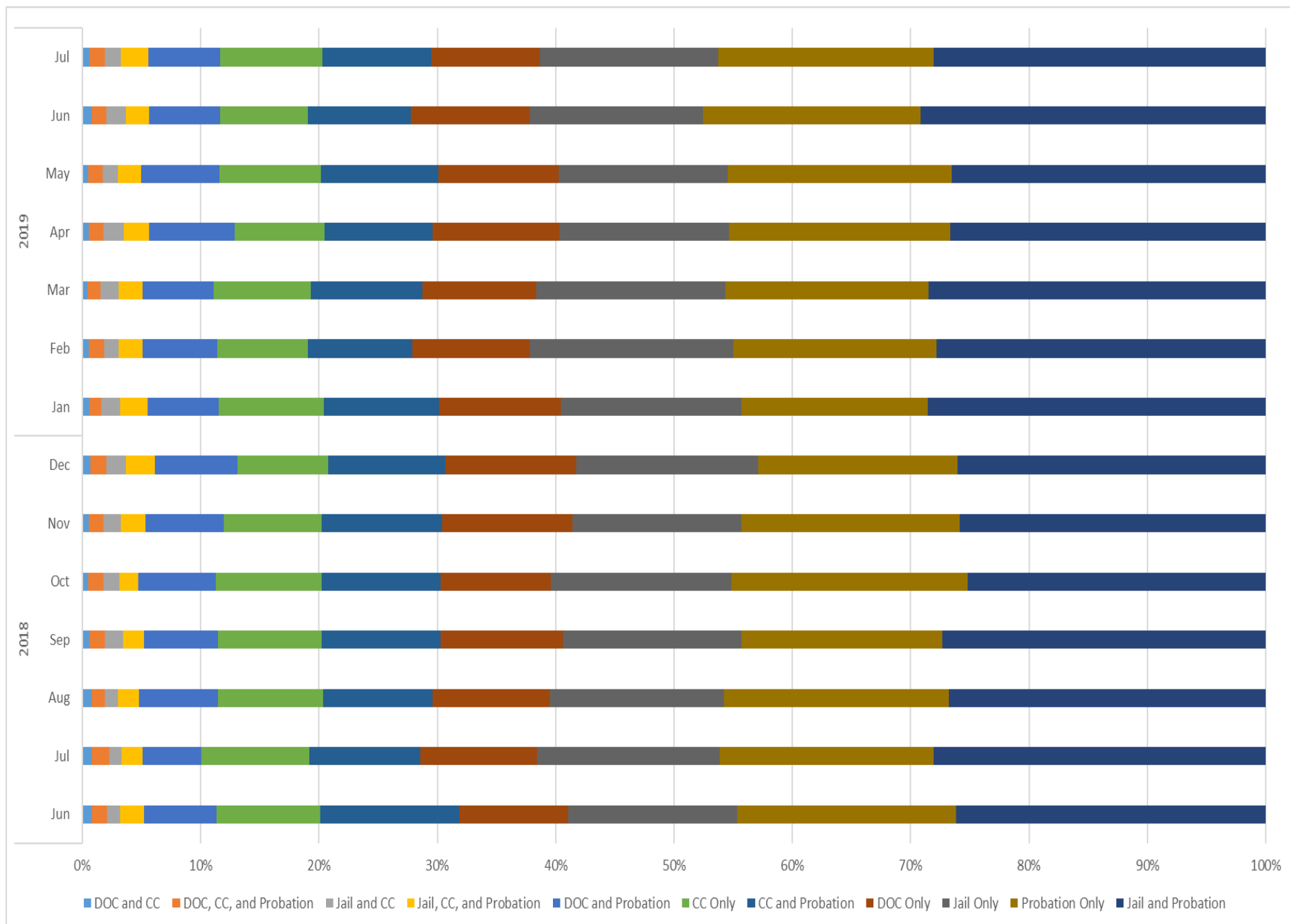
Total Placements



F6 Abstracts Total Placements

Count of Abstracts												
	DOC, CC, and Probation	DOC and CC	DOC and Probation	Jail and CC	Jail, CC, and Probation	CC and Probation	DOC Only	CC Only	Probation Only	Jail and Probation	Jail Only	Grand Total
2018	10	29	261	438	457	1,736	1,979	3,227	4,383	6,802	7,558	26,880
Jun	1	4	33	55	70	284	222	460	613	927	1,016	3,685
Jul		1	34	57	55	222	281	465	606	1,018	1,105	3,844
Aug	2	5	53	65	72	277	344	507	770	1,140	1,210	4,445
Sep	4	3	41	63	55	231	255	421	507	899	958	3,437
Oct	1	4	37	72	61	292	285	569	788	1,077	1,258	4,444
Nov	2	7	34	71	76	239	347	448	625	962	1,079	3,890
Dec		5	29	55	68	191	245	357	474	779	932	3,135
2019	17	22	252	513	533	1,709	2,090	3,311	4,366	7,402	8,439	28,654
Jan	2	4	29	75	71	249	315	468	557	1,058	1,242	4,070
Feb	5	1	40	58	82	241	303	451	596	1,040	1,270	4,087
Mar			34	81	69	238	239	453	578	1,042	1,253	3,987
Apr	2	4	43	91	87	271	410	514	728	1,146	1,272	4,568
May	1	3	49	60	76	253	292	510	678	1,011	1,161	4,094
Jun	2	3	30	82	67	215	262	417	619	1,054	1,093	3,844
Jul	5	7	27	66	81	242	269	498	610	1,051	1,148	4,004
Grand Total	27	51	513	951	990	3,445	4,069	6,538	8,749	14,204	15,997	55,534

Original Abstracts Percentage of Placements



Original Abstracts Percentage of Placements

Count of Abstracts											
	DOC and CC	DOC, CC, and Probation	Jail and CC	Jail, CC, and Probation	DOC and Probation	CC Only	CC and Probation	DOC Only	Jail Only	Probation Only	Jail and Probation
2018	0.67%	1.29%	1.31%	1.88%	6.34%	8.66%	10.06%	10.05%	14.91%	18.37%	26.45%
Jun	0.80%	1.28%	1.09%	2.02%	6.15%	8.78%	11.76%	9.18%	14.31%	18.49%	26.15%
Jul	0.79%	1.50%	1.03%	1.76%	5.00%	9.11%	9.34%	9.87%	15.45%	18.11%	28.03%
Aug	0.82%	1.08%	1.10%	1.77%	6.71%	8.85%	9.27%	9.91%	14.73%	18.97%	26.78%
Sep	0.62%	1.30%	1.50%	1.77%	6.28%	8.78%	10.05%	10.37%	15.06%	16.97%	27.31%
Oct	0.49%	1.27%	1.40%	1.54%	6.59%	8.92%	10.06%	9.30%	15.29%	19.94%	25.19%
Nov	0.53%	1.27%	1.47%	2.06%	6.62%	8.30%	10.15%	11.04%	14.24%	18.48%	25.84%
Dec	0.66%	1.38%	1.67%	2.42%	7.01%	7.64%	9.94%	11.01%	15.38%	16.86%	26.01%
2019	0.58%	1.20%	1.47%	2.11%	6.34%	8.14%	9.28%	10.02%	15.24%	17.78%	27.85%
Jan	0.61%	1.01%	1.55%	2.36%	5.98%	8.89%	9.73%	10.31%	15.25%	15.76%	28.55%
Feb	0.54%	1.31%	1.20%	2.07%	6.29%	7.68%	8.78%	9.93%	17.22%	17.14%	27.84%
Mar	0.44%	1.11%	1.52%	2.01%	5.99%	8.21%	9.45%	9.58%	16.02%	17.18%	28.47%
Apr	0.56%	1.21%	1.70%	2.15%	7.23%	7.61%	9.13%	10.76%	14.34%	18.68%	26.63%
May	0.47%	1.25%	1.30%	1.95%	6.61%	8.58%	9.91%	10.21%	14.28%	18.94%	26.50%
Jun	0.79%	1.25%	1.66%	1.91%	6.03%	7.42%	8.72%	10.06%	14.59%	18.43%	29.14%
Jul	0.64%	1.26%	1.37%	2.29%	6.08%	8.63%	9.22%	9.14%	15.10%	18.19%	28.08%
Grand Total	0.62%	1.24%	1.39%	2.00%	6.34%	8.40%	9.67%	10.04%	15.08%	18.07%	27.15%

Credit time

Overview of Credit Time

Indiana Code § 35-50-6 provides the statutory framework for credit time.

Here is a summary of how this works:

Start with total sentence length

subtract Accrued time (actual days served)

subtract Good time credit for days served (if DOC, Jail, Pretrial HD) – based on credit class

Balance = remainder of executed sentence + suspended sentence

Post sentence credit – start with remainder of total sentence

subtract any Educational Credit time (DOC/jail program credit awarded)

subtract any Home Detention Accrued time (actual days) and Good time credit

Balance = maximum time remaining on sentence

Credit time tools

CREDIT TIME CALCULATOR

publicaccess
.courts.IN.gov

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SWITCH APPLICATION

Current Application: Credit Time Calculator Login

Credit Time Calculator

Offenses committed after June 30, 2014 fall under the new credit time levels as outlined by IC 35-50-6-3.1. The Credit Time Calculator can be used to determine earned credit time based on the highest degree of offense or whether the defendant is a credit restricted felon, in conjunction with either a date range of confinement or a number of actual days served.

According to IC 35-50-6-3.1 and IC 35-50-6-4:

Credit Class A: A person (1) who is not a credit restricted felon; and (2) who is imprisoned for a Level 6 felony or a misdemeanor or imprisoned awaiting trial or sentencing for a Level 6 felony or misdemeanor. **Serve 1 actual day; earn 1 credit day.**

Credit Class B: A person (1) who is not a credit restricted felon; and (2) who is imprisoned for a crime *other than* a Level 6 felony or misdemeanor (i.e. Murder, Levels 1-5) or imprisoned awaiting trial or sentencing for a crime *other than* a Level 6 felony or misdemeanor (i.e. Murder, Levels 1-5). **Serve 3 actual days; earn 1 credit day.**

Credit Class C: A person (1) who is a credit restricted felon (see IC 35-31.5-2-72); and (2) who is imprisoned for a crime or imprisoned awaiting trial or sentencing. **Serve 6 actual days; earn 1 credit day.**

Credit Class D: Disciplinary level that may be imposed for violations of (1) a rule of the Department of Correction; (2) a rule of the penal facility in which the person is imprisoned; (3) a rule or condition of a community transition program. **Serve 1 actual day; earn 0 credit days.**

For offenses committed prior to July 1, 2014, the default calculation is based on Credit Class I where the defendant earns 1 day of credit time for each day the person is imprisoned for a crime or confined awaiting trial or sentencing.

<p>Credit Restricted Felon? <input type="radio"/> Yes <input checked="" type="radio"/> No</p> <p>Highest Degree: <input type="text"/></p> <p><input checked="" type="radio"/> By Served Dates <input type="text"/> From <input type="text"/> To</p> <p><input type="radio"/> By Actual Days Served <input type="text"/></p> <p>Earned Credit Days:</p>	<p>Calculation Tips</p> <p>Tip 1 Earned credit time should be calculated based on the most serious offense of which a person is convicted.</p> <p>Tip 2 Effective July 1, 2015, a person confined on home detention as a condition of probation receives credit as per IC 35-38-2.5-5(e) and (f). Additionally, a person confined on home detention in a community corrections program receives credit as per IC 35-38-2.6-6(b) and (c).</p> <p>Tip 3 You may enter either a date range of incarceration to determine the number of days confined or simply the number of actual days served. The calculator will then display the number of credit days earned based on either the highest degree chosen or the selection indicating that the defendant is a credit restricted felon.</p>
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SENTENCING CALCULATOR

public.courts.IN.gov

Sentencing Tools

Use the [sentence calculator](#) to estimate the time an offender must serve by providing the sentence given and any time already served. Use the [simple date calculator](#) to count days between dates. [Get help](#) using these calculators and understanding credit classes.

Sentence calculator

Simple date calculator

Sentencing Information

Offender Name: Case Number:

Start Date: Days Ordered: Credit Class:

Previous Time Served

Start Date: End Date: Days: Credit Class:

Sentencing Adjustments

Credit Class A : 1 for 1

Serve 50% of the Sentence

Days Ordered to Serve:	0
Previous Time Credited:	0
Days Ordered (Adjusted):	0
Total Days to Serve:	0

Sentence End Date:

Aggregate data:

F1 – F5 abstracts

Jan 1, 2019 –
July 31, 2019

7,976 F1 – F5 abstracts during this period

6,793 of those spent time incarcerated pretrial

- 1,163,576 days served pretrial
- 171 days average

1,726 of those had no executed sentence, but did have pretrial credit

- 163,465 days spent in jail pretrial by defendants who were not sentenced to a single day in DOC or jail

1,773 individuals had more pretrial credit than sentenced time

- 1,726 of these had no executed time, but averaged 94 days in pretrial custody
- 1,032 individuals with no executed time spent more than 30 days in pretrial custody

Aggregate data:

L6 abstracts

Jan 1, 2019 –
July 31, 2019

Total abstracts
in this period:
28,777

26,346 L6 abstracts without a DOC sentence

16,887 of those had a jail sentence

- 1,990,335 days served in jail, both pretrial and post-sentence
- 1,167,512 days served pretrial
- 822,823 days served post-sentence

5,973 of those had no jail sentence, but did have pretrial credit

- 222,827 days spent in jail pretrial by defendant who were not sentenced to a single day in jail

7,688 individuals had more pretrial credit than sentenced time

- 6,069 of these had no executed time, but averaged 37 days in pretrial custody
- 2,068 individuals with no executed time spent more than 30 days in pretrial custody

Improved data
collection and
technology features

Abstracts and Odyssey

Abstract data

Recent updates based on statutory changes

New Odyssey features:

More efficient tracking of Failure to Appear Warrants

Better track the appearance rates of defendants with TCT's Text Reminder program

FTA Warrant fields

Warrant # 02D05-1908-F6-000245 - 1

☆ DETAIL STATUS SERVICE NARRATIVE NOTES WITNESS DOCUMENTS

★ Defendant, Jane **Issued**

White Female DOB: 07/31/1975 DL: IN-1300139777 SSN: 126-68-8878 Clerk's Office

1260 S. Marilyn Street, Martinsville, IN 46151

Warrant # 02D05-1908-F6-000245 - 1 Issued 09/10/2019

Type Failure to Appear Warrant Served **Unserved**

Administrative Owner 03/08/2020

Issuing Judge Failure to Appear Warrant 02D05-1908-F6-000245

Affiant: Bench Warrant
 Felony Arrest Warrant
 Misdemeanor Arrest Warrant
 Rearrest Warrant (Misdemeanor Only)
 Writ of Attachment for the Body of a Person

Vol

Cross Reference Numbers + Conditions +

Charges on this Warrant

Code	Off Date	Offense	Deg	Fine	Bond
02D05-1908-F6-000245					
123217Ft	07/13/2019	1. 12-32-1-7/F6: Falsifying App. for Public Benefits by Ille F6			

Current Balance on Case(s) \$0.00

Setting

Setting Type	Type	Exclusions	Amount	%	Total
Bond Set	Allen Cash Bond		500.00		500.00

Any Specified

Save Exit Warrant Printed

Text Reminder program

Odyssey courts can send text messages to remind defendants in criminal cases of upcoming hearings.

Text messages are sent automatically in any criminal case if there is a cell phone number for the defendant stored electronically by the court and if the county has opted into the text system.

If the county is also using the Supervised Release System (SRS), the process can pull a cell phone number for the defendant from SRS.

Reminders are sent 5 days and 1 day in advance of a hearing. If a text message has been sent but the hearing is cancelled or rescheduled, an updated message is sent. Recipients can opt out by texting STOP in reply.

Fifty-four counties and six city and town courts are currently using this feature.

There is no cost to the county to participate in the text notification system.

Text reminder reports

Load Data from
Odyssey Report

Clear Data
Start Over

Appearance Rate

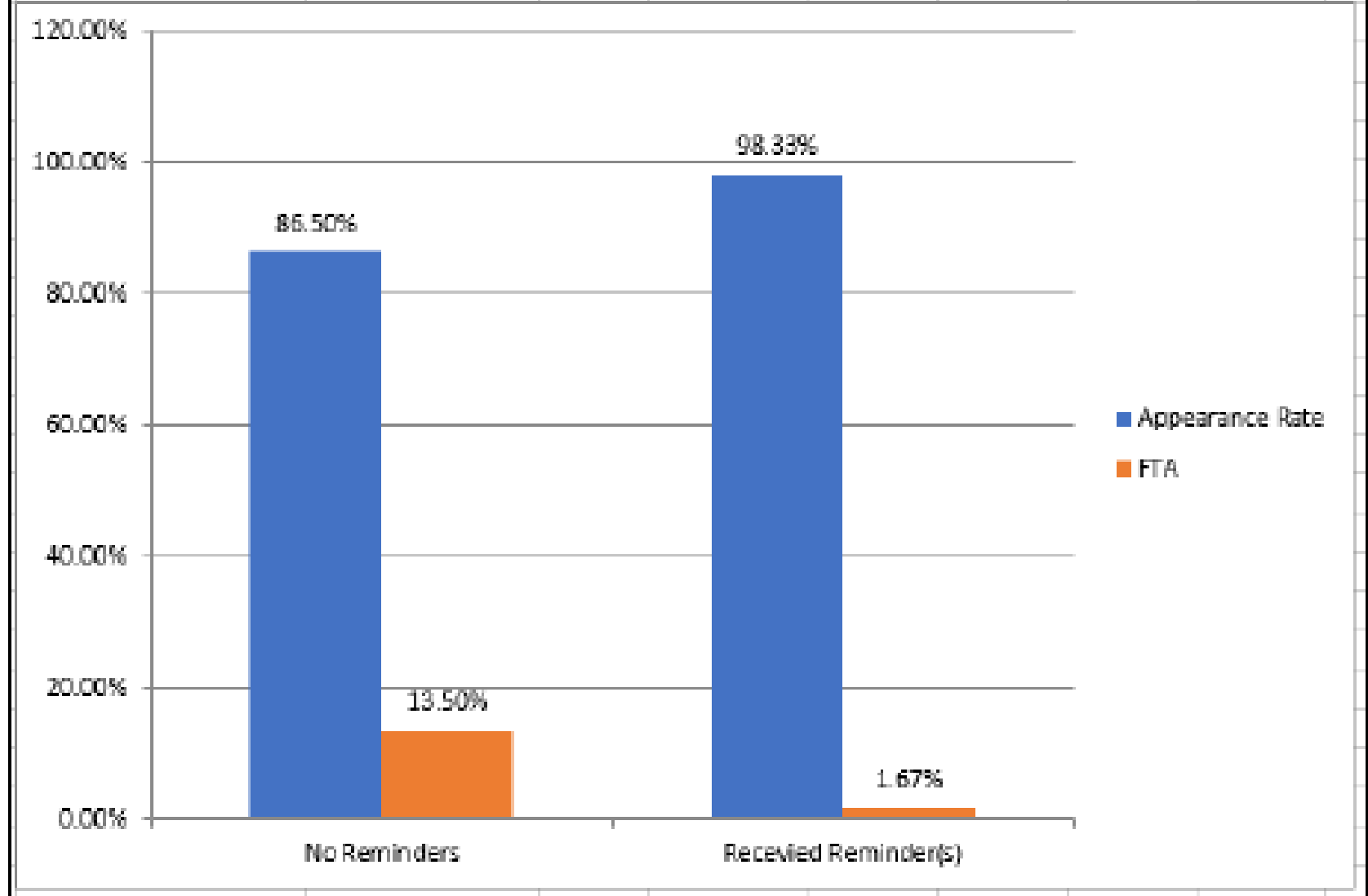
Text Reminder
Appearance Rate

Text Reminder
Delivery Rate

Appearance Rate
by Court

Text reminder reports

Appearance Rate	Appearance Rate	FTA
No Reminders	86.50%	13.50%
Received Reminder(s)	98.33%	1.67%



Supervised Release System (SRS)

SRS was designed for community corrections agencies, probation, court alcohol & drug programs, problem-solving courts, and pretrial service entities.

Developed by Trial Court Technology

Web-based that connects to other key features (i.e. Risk Assessment, PSI, etc.) and interfaces with Odyssey court case manager

Collects the necessary data points for required state-level reports

Tracks supervision case activities and financial component

By end of 2020, all community corrections agencies will be using SRS

Probation and other community supervision agencies are also being added and those on Odyssey Supervision will be converted to SRS

Case study - Examples:

Individual 1

In County A's jail on theft; Released on bond
New arrest for drug possession— in County B's jail
County A places hold on individual after revoking bond due to new arrest
County C also places hold on individual for failure to appear in court on traffic offense

Individual 2

In County A's jail on forgery, bond amount hasn't been paid, remains in jail

Individual 3

In County A's jail on battery; \$500 bond amount hasn't been paid
Also has hold from County B for community supervision violation
Person is transported from County A to County B due to capacity issue at jail

Individual 4

In County A's jail on felony failure to pay child support, bond not posted
Warrant from another state served on individual while in jail

Case study - Considerations:

Since data is captured differently for different reports, it is hard to compare reports

We always have a hierarchy of hold types that impact whether someone is eligible for release

Assessment of local jail population is critical to knowing who is in jail and what type of hold or holds are associated with the population numbers

Length of stay is important to determine population trends and characteristics

Viable solutions will involve multi-faceted approaches and are dependent heavily on having specific data elements and information available



Jail Overcrowding Task Force

September 30, 2019

Web site:

<https://www.in.gov/judiciary/iocs/3874.htm>