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## **Governor announces partnership to improve public safety**

### **News Release**

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INDIANAPOLIS (June 28, 2010) - Governor Mitch Daniels today announced a new partnership with the Pew Center on the States and the Council of State Governments (CSG) Justice Center aimed at improving public safety by reducing recidivism and managing the growth of Indiana's prison population. This will be the first comprehensive review of Indiana's criminal code and sentencing policies since 1976.

Indiana's prison population has risen from 7,500 adult offenders in 1976 to nearly 29,000 today. Since 2005, the adult offender population has increased 19 percent but the Department of Correction (DOC) has accommodated the increased population without new construction through greater efficiency and capacity management.

"In Indiana, we will not compromise public safety. Having more dangerous and repeat offending criminals in prison is the best way to protect Hoosiers, but if our current laws and practices result in non-dangerous offenders taking up space at high cost to taxpayers, there may be better ways to manage that," said Daniels, who was joined by Indiana Supreme Court Chief Justice Randall Shepard and a bipartisan group of legislators from the Criminal Code Evaluation Commission for the announcement. "I want to thank and commend those who have come to help us with this important project."

The partnership among the three branches of state government was developed following a letter Daniels sent to the Public Safety Performance Project of the Pew Center on the States with the support of Shepard, legislative leadership and Attorney General Greg Zoeller seeking technical assistance on sentencing and corrections issues. The study will collect and analyze criminal sentencing data and compare the state's current sentencing and corrections policies and practices with nationally recognized evidence-based and fiscally responsible best practices. Some examples include:

- Evaluating policies and requirements for offenders to receive post-incarceration supervision. Some of Indiana's most non-compliant and dangerous offenders do not receive post-incarceration supervision once they are released from prison because they have served their full term and follow up is not legally required.
- Expanding the use of community corrections, parole and community transition programs. Some non-violent offenders are sent to prison for such a short time

that there is no opportunity for rehabilitation. The state still pays millions for transportation and intake costs. More than 1,300 offenders were sent to the DOC last year with less than 30 days to serve. The cost of intake procedures is approximately \$1,000 per offender, costing taxpayers \$1.3 million, in addition to hundreds of thousands of dollars in transportation expenses.

- Implementing new policies that will prohibit offenders from manipulating the current cafeteria-style education and earned credit time statutory scheme that significantly reduces their period of imprisonment.

"Indiana's judges have been working on multiple internal reforms to make criminal sentences match the nature of the offense and the nature of the offender. The judicial branch is glad to be a contributor to this new initiative, and we are confident that this collaboration can both improve public safety and bolster the chances of offender rehabilitation," said Shepard.

Since 1976, hundreds of gradual changes have been made to Indiana's criminal code and sentencing and corrections policies, directly contributing to the increase in the state's prison population. Forecasts project the prison population will be more than 30,000 by 2011 and 32,300 offenders by mid-2014.

"There is a growing recognition across the country that prisons, just like any government spending program, need to be put to the cost-benefit test to make sure taxpayer dollars are being spent wisely," said Adam Gelb, director of the Public Safety Performance Project of the Pew Center on the States. "There is a strong commitment in Indiana to rein in prison spending, and we are confident this bipartisan collaborative effort will lead to policies that improve public safety at a lower cost."

To guide the work of this project, the state has established a bipartisan steering committee that includes criminal justice leaders from all three branches of government. The committee's proposals will be shared with the Criminal Code Evaluation Commission, which will provide recommendations to the General Assembly before November 1, 2011.

"It is always helpful to have a fresh perspective from someone outside the state that can more objectively assess our system, but we will be the ones who must ultimately decide what will work best in Indiana," said State Representative Matt Pierce (D-Bloomington), chairman of the Criminal Code Evaluation Commission.

The members of the steering committee are:

Commissioner Edwin G. Buss, Indiana Department of Correction

Stephen J. Johnson, Executive Director, Indiana Prosecuting Attorneys Council

Larry Landis, Executive Director, Indiana Public Defenders Council

Representative Matt Pierce, Chair of the Courts and Criminal Code Committee, and Chair of the Criminal Code Evaluation Commission

Representative Ralph M. Foley, Member of the Courts and Criminal Code and Judiciary Committees

Senator Richard D. Bray, Chair of the Senate Judiciary Committee and Inaugural Chair of the Criminal Code Evaluation Commission

Senator John E. Broden, Member of the Senate Judiciary and Appropriations Committees

Attorney General Gregory F. Zoeller

Jane A. Siegel, Executive Director of the Indiana Judicial Center

The Honorable John F. Surbeck, Jr., Judge, Allen Superior Court, and Chair of the Indiana Judicial Conference's Problem-Solving Courts Committee

The Honorable Wayne S. Trockman, Judge, Vanderburgh Superior Court and Member, Board of Directors, Indiana Judicial Conference

Adam Horst, Deputy Director, State Budget Agency

J. Sebastian Smelko, Public Safety Policy Advisor to the Governor

A copy of the letter from Governor Daniels to the Pew Center on the States is available here: [http://in.gov/gov/files/Press/010410\\_PEW\\_request\\_letter.pdf](http://in.gov/gov/files/Press/010410_PEW_request_letter.pdf)

Audio from the event is available here: [http://in.gov/gov/files/Audio/062810\\_availability.mp3](http://in.gov/gov/files/Audio/062810_availability.mp3)

Video from the event will be available later today here: <http://www.youtube.com/user/INGovernor>

Background information on Indiana's correctional system:

- The average sentence time for an offender serving prison time in Indiana is approximately 18 years and 10 months; however, there is an increasing number of low-risk offenders being sentenced to prison for very short periods of time. Last year 4,583 offenders were sent to the DOC with a fixed term of incarceration of less than 90 days, and of these, 1,361 served actual periods of imprisonment of 30 days or less. This practice generates significant cost to Indiana taxpayers without providing substantiated increased protection.
- Over the past three decades, appropriations for corrections have climbed from \$142.4 million during the 1979/1980 biennium, to \$1.36 billion for the current two-year budget. Utilizing community corrections, parole and community transition-type programming will reduce the number of offenders in Indiana facilities and enhance re-integration preparation for those serving.

Across America, states have been working to reduce their rates of incarceration, yet Indiana's rate of incarceration continues to climb at a rate much higher than the national average. Using

2000-2007 figures, Indiana ranked seventh in the nation for the rate of incarceration. Last year Indiana was in fourth place behind Alabama, Florida and Pennsylvania and will potentially be second in the nation when Florida and Pennsylvania's sentencing reform measures take effect. (See U.S. Department of Justice, Bureau of Justice Statistics Bulletin, December 2009).

The rate of increase of offenders supervised on parole in Indiana is higher than the national average. From December 31, 2001 to December 31, 2008, the average nationwide increase in parole population was 12 percent, but in Indiana, parole population increased 116 percent - nearly 10 times the national average. (Compare Bureau of Justice Statistics, "Probation and Parole in the United States" Reports from 2001 to 2008).

Assistance for the initial phase of this project is made possible through funding support provided by the Pew Center on the States and the state of Indiana. The state's contribution to the project will be \$100,000, paid for with federal grant money through the Indiana Criminal Justice Institute. For the past three years, in addition to its funding from and partnership with Pew, the CSG Justice Center also has received significant funding from the US Department of Justice, Bureau of Justice Assistance (BJA), to advance the Justice Reinvestment Initiative (JRI). The selection of Indiana to participate in the JRI will position the state to be eligible for future funding support from BJA.

The Council of State Governments Justice Center is a national nonprofit organization that serves policymakers at the local, state, and federal levels from all branches of government. It provides practical, nonpartisan advice and consensus-driven strategies-informed by available evidence-to increase public safety and strengthen communities.

Launched in 2006, the Public Safety Performance Project seeks to help states advance fiscally sound, data-driven policies and practices in sentencing and corrections that protect public safety, hold offenders accountable and control corrections costs. For more information, please visit [www.pewcenteronthestates.org](http://www.pewcenteronthestates.org).

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Link to this event: [http://www.in.gov/portal/news\\_events/55200.htm](http://www.in.gov/portal/news_events/55200.htm)