



Reprinted  
April 6, 1999

---

---

## ENGROSSED SENATE BILL No. 487

DIGEST OF SB 487 (Updated April 5, 1999 5:54 pm - DI 58)

**Citations Affected:** IC 11-10; IC 11-12; noncode.

**Synopsis:** Inmate release procedures and Project IMPACT. Allows the department of correction to procure public transportation for a released offender to the Indiana city or town that is nearest to the released offender's designated place of residence. Provides that a criminal offender is not entitled to receive a payment in lieu of transportation unless the department provides for the payment in its rules. Provides that a jail inmate may be released to work in a work party formed to do work for the benefit of the community. Allows the sheriff to require that a jail inmate may be required to wear a distinctive jail uniform when in a work party. Authorizes Project IMPACT USA, Inc., a national nonprofit organization, to develop and implement affiliate  
(Continued next page)

**Effective:** July 1, 1999.

---

---

### Meeks C

(HOUSE SPONSORS — MELLINGER, AYRES)

---

---

January 19, 1999, read first time and referred to Committee on Corrections, Criminal and Civil Procedures.

January 28, 1999, reported favorably — Do Pass.

February 1, 1999, read second time, amended, ordered engrossed.

February 2, 1999, engrossed. Read third time, passed. Yeas 47, nays 0.

#### HOUSE ACTION

March 3, 1999, read first time and referred to Committee on Courts and Criminal Code.

March 22, 1999, reported — Do Pass.

April 5, 1999, read second time, amended, ordered engrossed.

---

---

ES 487—LS 7524/DI 51+



C  
O  
P  
Y

Digest Continued

Project IMPACT organizations in Evansville, Fort Wayne, Gary, Indianapolis, and South Bend. Requires the five Project IMPACT affiliate organizations established in Indiana to offer a comprehensive family restoration program that provides delinquency prevention services to problematic youth and their families, including individuals referred to the program by juvenile courts, local schools, and community organizations. Provides that the objectives of Project IMPACT are to: (1) reduce the number of arrests; (2) reduce the number of school suspensions; (3) reduce the number of youth referred to the juvenile courts; (4) increase a troubled youth's ability to cope with daily problems; (5) improve parent-child relationships; and (6) change conventional methods of youth incarceration by providing positive alternatives to various difficult situations for youth. Provides that Project IMPACT may provide the following programs: (1) A juvenile diversion program. (2) A school dropout prevention program. (3) A job training and placement program. (4) A parent education program. (5) Spirituality counseling. Provides that Project IMPACT may enter into a contract with the Indiana criminal justice institute.

C  
o  
p  
y



Reprinted  
April 6, 1999

First Regular Session 111th General Assembly (1999)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 1998 General Assembly.

## ENGROSSED SENATE BILL No. 487

A BILL FOR AN ACT to amend the Indiana Code concerning corrections.

*Be it enacted by the General Assembly of the State of Indiana:*

- 1 SECTION 1. IC 11-10-12-2 IS AMENDED TO READ AS  
2 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 2. (a) When a  
3 committed criminal offender is released on parole or probation or is  
4 discharged, the department, **at the discretion of the department**,  
5 shall:  
6 (1) **either:**  
7 (A) procure transportation for him to his designated place of  
8 residence;  
9 (B) **procure public transportation for the released offender**  
10 **to the Indiana city or town that is nearest to the released**  
11 **offender's designated place of residence;** or  
12 (C) upon request of the offender, **provide transportation for**  
13 **the released offender** to any other place in Indiana as the  
14 commissioner may designate; and  
15 (2) provide him with an amount of money to be determined by the  
16 department in accordance with procedures approved by the  
17 budget agency to enable him to meet his immediate needs.

ES 487—LS 7524/DI 51+



C  
O  
P  
Y

1 **Except as provided in subdivision (2), a criminal offender is not**  
 2 **entitled to receive a payment in lieu of transportation under this**  
 3 **subsection.**

4 (b) The department shall establish standards for use in determining  
 5 the amount of money to be paid under subsection (a)(2) to a criminal  
 6 offender upon release on parole or probation or upon discharge. These  
 7 standards:

8 (1) must be consistently applied to each criminal offender upon  
 9 release or discharge;

10 (2) must take into account amounts earned by criminal offenders  
 11 through work release programs before release or discharge; and

12 (3) may allow for no payment to criminal offenders who are  
 13 determined by the department to have accumulated a sufficient  
 14 amount of money to meet the criminal offender's immediate needs  
 15 upon release or discharge.

16 SECTION 2. IC 11-12-5-2 IS AMENDED TO READ AS  
 17 FOLLOWS: Sec. 2. (a) The county sheriff may establish a program  
 18 whereby persons who have been committed to the county jail upon  
 19 conviction of a crime or adjudication of contempt may be temporarily  
 20 released from custody to work, attend an academic or vocational  
 21 training institution or program, or obtain medical, psychiatric, or  
 22 psychological treatment, including treatment for drug addiction or  
 23 alcoholism.

24 (b) A person is eligible for temporary release under this section  
 25 unless:

26 (1) the sentencing or committing court disapproves the person's  
 27 release; or

28 (2) the person has been convicted of a sex offense under  
 29 IC 35-42-4 or IC 35-46-1-3.

30 (c) **"Work" under this section includes assignment to a work**  
 31 **party formed to perform any work the sheriff determines to be of**  
 32 **benefit to the community.**

33 (d) **Persons on work parties formed under this section may be**  
 34 **required to wear distinctive jail uniforms.**

35 SECTION 3. [EFFECTIVE JULY 1, 1999] (a) **As used in this**  
 36 **SECTION, "Project IMPACT" refers to each of the affiliate**  
 37 **organizations authorized under subsection (c)(1) through (c)(5) of**  
 38 **this SECTION.**

39 (b) **As used in this SECTION, "Project IMPACT USA, Inc."**  
 40 **refers to the national, nonprofit organization known by that name**  
 41 **that seeks to assist states in providing comprehensive family**  
 42 **restoration programs in an effort to assist in reducing juvenile**



C  
O  
P  
Y

1 delinquency and violence among families through personal  
2 empowerment and community involvement.

3 (c) Project IMPACT USA, Inc. is authorized to develop and  
4 implement the following five (5) affiliate organizations to be  
5 administered at the following sites:

6 (1) Project IMPACT Allen in Fort Wayne.

7 (2) Project IMPACT Lake in Gary.

8 (3) Project IMPACT Marion in Indianapolis.

9 (4) Project IMPACT St. Joseph in South Bend.

10 (5) Project IMPACT Vanderburgh in Evansville.

11 (d) Project IMPACT is a comprehensive family restoration  
12 program providing delinquency prevention services to problematic  
13 youth and their families.

14 (e) The objectives of Project IMPACT are the following:

15 (1) To reduce the number of arrests.

16 (2) To reduce the number of school suspensions.

17 (3) To reduce the number of youth referred to juvenile courts  
18 for delinquency and unruly behavior.

19 (4) To increase a troubled youth's ability to cope with daily  
20 problems.

21 (5) To improve relationships between problematic youth and  
22 parents.

23 (6) To change conventional methods of youth incarceration by  
24 providing positive alternatives to:

25 (A) drug abuse;

26 (B) gangs;

27 (C) school failure; and

28 (D) other difficult situations for youth.

29 (7) To assist problematic youth and their families to:

30 (A) focus on personal responsibility;

31 (B) experience achievement;

32 (C) learn discipline;

33 (D) develop confidence; and

34 (E) promote family reconciliation.

35 (f) Project IMPACT may provide the following programs:

36 (1) A juvenile diversion program that consists of:

37 (A) individual and family counseling;

38 (B) personal development workshops;

39 (C) referral assistance; and

40 (D) case management.

41 (2) A school dropout prevention program that consists of:

42 (A) counseling and referrals;

C  
O  
P  
Y



- 1                   **(B) tutoring and mentoring;**  
 2                   **(C) family forums; and**  
 3                   **(D) career education.**  
 4           **(3) A job training and placement program that consists of:**  
 5                   **(A) career planning;**  
 6                   **(B) job readiness training;**  
 7                   **(C) internships; and**  
 8                   **(D) job placement services.**  
 9           **(4) A parent education program that consists of:**  
 10                   **(A) teaching parenting skills;**  
 11                   **(B) child and adolescent development;**  
 12                   **(C) behavior modification;**  
 13                   **(D) parental involvement;**  
 14                   **(E) a fatherhood program; and**  
 15                   **(F) a teen parent program.**  
 16           **(5) Family spirituality counseling to include mentoring and**  
 17           **follow-up services sustained through the faith community.**  
 18           **(g) Project IMPACT shall provide services to problematic youth**  
 19           **and their families including persons referred to Project IMPACT**  
 20           **from:**  
 21                   **(1) juvenile courts;**  
 22                   **(2) local schools; and**  
 23                   **(3) community organizations.**  
 24           **(h) Project IMPACT USA, Inc. shall work with Project**  
 25           **IMPACT in Indiana to raise additional funds for programming**  
 26           **and operational support of Project IMPACT. In order to carry out**  
 27           **this SECTION, Project IMPACT may enter into a contract with**  
 28           **the Indiana criminal justice institute established under IC 5-2-6.**

C  
O  
P  
Y

COMMITTEE REPORT

Mr. President: The Senate Committee on Corrections, Criminal and Civil Procedures, to which was referred Senate Bill No. 487, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is made to Senate Bill 487 as introduced.)

MEEKS R, Chairperson

Committee Vote: Yeas 9, Nays 0.

C  
o  
p  
y



SENATE MOTION

Mr. President: I move that Senate Bill 487 be amended to read as follows:

Page 1, line 4, after "department" insert "**, at the discretion of the department,**".

Page 1, between lines 16 and 17, begin a new line blocked left and insert:

**"Except as provided in subdivision (2), a criminal offender is not entitled to receive a payment in lieu of transportation under this subsection."**

(Reference is to SB 487 as printed January 29, 1999.)

MEEKS C

C  
o  
p  
y



COMMITTEE REPORT

Mr. Speaker: Your Committee on Courts and Criminal Code, to which was referred Senate Bill 487, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

DVORAK, Chair

Committee Vote: yeas 10, nays 1.

C  
o  
p  
y



## HOUSE MOTION

Mr. Speaker: I move that Engrossed Senate Bill 487 be amended to read as follows:

Page 2, after line 15, begin a new paragraph and insert:

**"SECTION 2. [EFFECTIVE JULY 1, 1999] (a) As used in this SECTION, "Project IMPACT" refers to each of the affiliate organizations authorized under subsection (c)(1) through (c)(5) of this SECTION.**

**(b) As used in this SECTION, "Project IMPACT USA, Inc." refers to the national, nonprofit organization known by that name that seeks to assist states in providing comprehensive family restoration programs in an effort to assist in reducing juvenile delinquency and violence among families through personal empowerment and community involvement.**

**(c) Project IMPACT USA, Inc. is authorized to develop and implement the following five (5) affiliate organizations to be administered at the following sites:**

- (1) Project IMPACT Allen in Fort Wayne.**
- (2) Project IMPACT Lake in Gary.**
- (3) Project IMPACT Marion in Indianapolis.**
- (4) Project IMPACT St. Joseph in South Bend.**
- (5) Project IMPACT Vanderburgh in Evansville.**

**(d) Project IMPACT is a comprehensive family restoration program providing delinquency prevention services to problematic youth and their families.**

**(e) The objectives of Project IMPACT are the following:**

- (1) To reduce the number of arrests.**
- (2) To reduce the number of school suspensions.**
- (3) To reduce the number of youth referred to juvenile courts for delinquency and unruly behavior.**
- (4) To increase a troubled youth's ability to cope with daily problems.**
- (5) To improve relationships between problematic youth and parents.**
- (6) To change conventional methods of youth incarceration by providing positive alternatives to:
 
  - (A) drug abuse;**
  - (B) gangs;**
  - (C) school failure; and**
  - (D) other difficult situations for youth.****
- (7) To assist problematic youth and their families to:
 
  - (A) focus on personal responsibility;****



C  
O  
P  
Y

- (B) experience achievement;
  - (C) learn discipline;
  - (D) develop confidence; and
  - (E) promote family reconciliation.
- (f) Project IMPACT may provide the following programs:
- (1) A juvenile diversion program that consists of:
    - (A) individual and family counseling;
    - (B) personal development workshops;
    - (C) referral assistance; and
    - (D) case management.
  - (2) A school dropout prevention program that consists of:
    - (A) counseling and referrals;
    - (B) tutoring and mentoring;
    - (C) family forums; and
    - (D) career education.
  - (3) A job training and placement program that consists of:
    - (A) career planning;
    - (B) job readiness training;
    - (C) internships; and
    - (D) job placement services.
  - (4) A parent education program that consists of:
    - (A) teaching parenting skills;
    - (B) child and adolescent development;
    - (C) behavior modification;
    - (D) parental involvement;
    - (E) a fatherhood program; and
    - (F) a teen parent program.
  - (5) Family spirituality counseling to include mentoring and follow-up services sustained through the faith community.
- (g) Project IMPACT shall provide services to problematic youth and their families including persons referred to Project IMPACT from:
- (1) juvenile courts;
  - (2) local schools; and
  - (3) community organizations.
- (h) Project IMPACT USA, Inc. shall work with Project IMPACT in Indiana to raise additional funds for programming and operational support of Project IMPACT. In order to carry out this SECTION, Project IMPACT may enter into a contract with the Indiana criminal justice institute established under IC 5-2-6."



Renumber all SECTIONS consecutively.

(Reference is to ESB 487 as reprinted March 23, 1999.)

SUMMERS

HOUSE MOTION

Mr. Speaker: I move that Engrossed Senate Bill 487 be amended to read as follows:

Page 2, after line 15, begin a new paragraph and insert:

"SECTION 2. IC 11-12-5-2 IS AMENDED TO READ AS FOLLOWS: Sec. 2. (a) The county sheriff may establish a program whereby persons who have been committed to the county jail upon conviction of a crime or adjudication of contempt may be temporarily released from custody to work, attend an academic or vocational training institution or program, or obtain medical, psychiatric, or psychological treatment, including treatment for drug addiction or alcoholism.

(b) A person is eligible for temporary release under this section unless:

- (1) the sentencing or committing court disapproves the person's release; or
- (2) the person has been convicted of a sex offense under IC 35-42-4 or IC 35-46-1-3.

(c) **"Work" under this section includes assignment to a work party formed to perform any work the sheriff determines to be of benefit to the community.**

(d) **Persons on work parties formed under this section may be required to wear distinctive jail uniforms."**

Renumber all SECTIONS consecutively.

(Reference is to ESB487 as printed March 23, 1999.)

FOLEY

COPY

