



Reprinted
January 28, 2000

HOUSE BILL No. 1013

DIGEST OF HB 1013 (Updated January 27, 2000 3:14 PM - DI 76)

Citations Affected: IC 5-2; IC 11-8.

Synopsis: Cultural diversity training and corrections. Requires the law enforcement training board to implement a cultural diversity awareness course that must be required for each person accepted for training at a law enforcement training school or academy. Requires the department of correction to conduct a training program on cultural diversity awareness for each employee of the department who has contact with incarcerated persons. Provides that, unless the victim of a felony has requested in writing not to be notified, the department of correction must notify the victim or any witness involved in the prosecution of an offender imprisoned for the commission of the felony when the offender is to be released from departmental custody under a community transition program.

Effective: July 1, 2000.

Smith V, Crawford, Alderman

November 23, 1999, read first time and referred to Committee on Courts and Criminal Code.
January 24, 2000, reported — Do Pass.
January 27, 2000, read second time, amended, ordered engrossed.

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Reprinted
January 28, 2000

Second Regular Session 111th General Assembly (2000)

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 1999 General Assembly.

HOUSE BILL No. 1013

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 5-2-1-9 IS AMENDED TO READ AS FOLLOWS
2 [EFFECTIVE JULY 1, 2000]: Sec. 9. (a) The board shall adopt in
3 accordance with IC 4-22-2 all necessary rules to carry out the
4 provisions of this chapter. Such rules, which shall be adopted only after
5 necessary and proper investigation and inquiry by the board, shall
6 include the establishment of the following:
- 7 (1) Minimum standards of physical, educational, mental, and
8 moral fitness which shall govern the acceptance of any person for
9 training by any law enforcement training school or academy
10 meeting or exceeding the minimum standards established
11 pursuant to this chapter.
 - 12 (2) Minimum standards for law enforcement training schools
13 administered by towns, cities, counties, the northwest Indiana law
14 enforcement training center, agencies, or departments of the state.
 - 15 (3) Minimum standards for courses of study, attendance
16 requirements, equipment, and facilities for approved town, city,
17 county, and state law enforcement officer, police reserve officer,

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1 and conservation reserve officer training schools.

2 (4) **Minimum standards for a course of study on cultural**
 3 **diversity awareness that must be required for each person**
 4 **accepted for training at a law enforcement training school or**
 5 **academy.**

6 (5) Minimum qualifications for instructors at approved law
 7 enforcement training schools.

8 ~~(5)~~ (6) Minimum basic training requirements which law
 9 enforcement officers appointed to probationary terms shall
 10 complete before being eligible for continued or permanent
 11 employment.

12 ~~(6)~~ (7) Minimum basic training requirements which law
 13 enforcement officers not appointed for probationary terms but
 14 appointed on other than a permanent basis shall complete in order
 15 to be eligible for continued employment or permanent
 16 appointment.

17 ~~(7)~~ (8) Minimum basic training requirements which law
 18 enforcement officers appointed on a permanent basis shall
 19 complete in order to be eligible for continued employment.

20 (b) Except as provided in subsection (l), a law enforcement officer
 21 appointed after July 5, 1972, and before July 1, 1993, may not enforce
 22 the laws or ordinances of the state or any political subdivision unless
 23 the officer has, within one (1) year from the date of appointment,
 24 successfully completed the minimum basic training requirements
 25 established under this chapter by the board. If a person fails to
 26 successfully complete the basic training requirements within one (1)
 27 year from the date of employment, the officer may not perform any of
 28 the duties of a law enforcement officer involving control or direction
 29 of members of the public or exercising the power of arrest until the
 30 officer has successfully completed the training requirements. This
 31 subsection does not apply to any law enforcement officer appointed
 32 before July 6, 1972, or after June 30, 1993.

33 (c) Military leave or other authorized leave of absence from law
 34 enforcement duty during the first year of employment after July 6,
 35 1972, shall toll the running of the first year, which in such cases shall
 36 be calculated by the aggregate of the time before and after the leave, for
 37 the purposes of this chapter.

38 (d) Except as provided in subsections (e) and (l), a law enforcement
 39 officer appointed to a law enforcement department or agency after June
 40 30, 1993, may not:

41 (1) make an arrest;

42 (2) conduct a search or a seizure of a person or property; or



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1 (3) carry a firearm;
2 unless the law enforcement officer successfully completes, at a board
3 certified law enforcement academy or at the northwest Indiana law
4 enforcement training center under section 15.2 of this chapter, the basic
5 training requirements established by the board under this chapter.

6 (e) Before a law enforcement officer appointed after June 30, 1993,
7 completes the basic training requirements, the law enforcement officer
8 may exercise the police powers described in subsection (d) if the
9 officer successfully completes the pre-basic course established in
10 subsection (f). Successful completion of the pre-basic course authorizes
11 a law enforcement officer to exercise the police powers described in
12 subsection (d) for one (1) year after the date the law enforcement
13 officer is appointed.

14 (f) The board shall adopt rules under IC 4-22-2 to establish a
15 pre-basic course for the purpose of training:

16 (1) law enforcement officers;
17 (2) police reserve officers (as described in IC 36-8-3-20); and
18 (3) conservation reserve officers (as described in IC 14-9-8-27);
19 regarding the subjects of arrest, search and seizure, use of force, and
20 firearm qualification. The pre-basic course must be offered on a
21 periodic basis throughout the year at regional sites statewide. The
22 pre-basic course must consist of forty (40) hours of course work. The
23 board may prepare a pre-basic course on videotape that must be used
24 in conjunction with live instruction. The board shall provide the course
25 material, the instructors, and the facilities at the regional sites
26 throughout the state that are used for the pre-basic course. In addition,
27 the board may certify pre-basic courses that may be conducted by other
28 public or private training entities, including colleges and universities.

29 (g) The board shall adopt rules under IC 4-22-2 to establish a
30 mandatory inservice training program for police officers. After June 30,
31 1993, a law enforcement officer who has satisfactorily completed the
32 basic training and has been appointed to a law enforcement department
33 or agency on either a full-time or part-time basis is not eligible for
34 continued employment unless the officer satisfactorily completes a
35 minimum of sixteen (16) hours each year of inservice training in any
36 subject area included in the law enforcement academy's basic training
37 course or other job related subjects that are approved by the board as
38 determined by the law enforcement department's or agency's needs. In
39 addition, a certified academy staff may develop and make available
40 inservice training programs on a regional or local basis. The board may
41 approve courses offered by other public or private training entities,
42 including colleges and universities, as necessary in order to ensure the

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1 availability of an adequate number of inservice training programs. The
2 board may waive an officer's inservice training requirements if the
3 board determines that the officer's reason for lacking the required
4 amount of inservice training hours is due to any of the following:

- 5 (1) An emergency situation.
- 6 (2) The unavailability of courses.

7 (h) The board shall also adopt rules establishing a town marshal
8 basic training program, subject to the following:

9 (1) The program must require fewer hours of instruction and class
10 attendance and fewer courses of study than are required for the
11 mandated basic training program.

12 (2) Certain parts of the course materials may be studied by a
13 candidate at the candidate's home in order to fulfill requirements
14 of the program.

15 (3) Law enforcement officers successfully completing the
16 requirements of the program are eligible for appointment only in
17 towns employing the town marshal system (IC 36-5-7) and having
18 no more than one (1) marshal and two (2) deputies.

19 (4) The limitation imposed by subdivision (3) does not apply to an
20 officer who has successfully completed the mandated basic
21 training program.

22 (5) The time limitations imposed by subsections (b) and (c) for
23 completing the training are also applicable to the town marshal
24 basic training program.

25 (i) The board shall adopt rules under IC 4-22-2 to establish a police
26 chief executive training program. The program must include training
27 in the following areas:

- 28 (1) Liability.
- 29 (2) Media relations.
- 30 (3) Accounting and administration.
- 31 (4) Discipline.
- 32 (5) Department policy making.
- 33 (6) Firearm policies.
- 34 (7) Department programs.

35 (j) A police chief shall apply for admission to the police chief
36 executive training program within two (2) months of the date the police
37 chief initially takes office. A police chief must successfully complete
38 the police chief executive training program within six (6) months of the
39 date the police chief initially takes office. However, if space in the
40 program is not available at a time that will allow the police chief to
41 complete the program within six (6) months of the date the police chief
42 initially takes office, the police chief must successfully complete the



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1 next available program that is offered to the police chief after the police
2 chief initially takes office.

3 (k) A police chief who fails to comply with subsection (j) may not
4 serve as the police chief until the police chief has completed the police
5 chief executive training program. For the purposes of this subsection
6 and subsection (j), "police chief" refers to:

7 (1) the police chief of any city; and

8 (2) the police chief of any town having a metropolitan police
9 department.

10 A town marshal is not considered to be a police chief for these
11 purposes, but a town marshal may enroll in the police chief executive
12 training program.

13 (l) An investigator in the arson division of the office of the state fire
14 marshal appointed:

15 (1) before January 1, 1994, is not required; or

16 (2) after December 31, 1993, is required;

17 to comply with the basic training standards established under this
18 section.

19 SECTION 2. IC 11-8-2-8 IS AMENDED TO READ AS FOLLOWS
20 [EFFECTIVE JULY 1, 2000]: Sec. 8. (a) All officers and employees of
21 the department, with the exception of the members of the board,
22 members of the parole board, the commissioner, any deputy
23 commissioner, and any superintendent, are within the scope of
24 IC 4-15-2.

25 (b) IC 11-10-5 applies to teachers employed under that chapter,
26 notwithstanding IC 4-15-2.

27 (c) The department shall cooperate with the state personnel
28 department in establishing minimum qualification standards for
29 employees of the department and in establishing a system of personnel
30 recruitment, selection, employment, and distribution.

31 (d) The department shall conduct training programs designed to
32 equip employees for duty in its facilities and programs and raise their
33 level of performance. Training programs conducted by the department
34 need not be limited to inservice training. They may include
35 preemployment training, internship programs, and scholarship
36 programs in cooperation with appropriate agencies. When funds are
37 appropriated, the department may provide educational stipends or
38 tuition reimbursement in such amounts and under such conditions as
39 may be determined by the department and the personnel division.

40 (e) **The department shall conduct a training program on**
41 **cultural diversity awareness that must be a required course for**
42 **each employee of the department who has contact with**

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1 **incarcerated persons.**

2 (f) The department shall establish a correctional officer training
3 program with a curriculum, and administration by agencies, to be
4 determined by the commissioner. A certificate of completion shall be
5 issued to any person satisfactorily completing the training program. A
6 certificate may also be issued to any person who has received training
7 in another jurisdiction if the commissioner determines that ~~that the~~
8 training was at least equivalent to the training program maintained
9 under this subsection.

10 SECTION 3. IC 11-13-3-3 IS AMENDED TO READ AS
11 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 3. (a) A person
12 sentenced under IC 35-50 shall be released on parole or discharged
13 from the person's term of imprisonment under IC 35-50 without a
14 parole release hearing.

15 (b) A person sentenced for an offense under laws other than
16 IC 35-50 who is eligible for release on parole, or a person whose parole
17 is revoked and is eligible for reinstatement on parole under rules
18 adopted by the parole board shall, before the date of the person's parole
19 eligibility, be granted a parole release hearing to determine whether
20 parole will be granted or denied. The hearing shall be conducted by one
21 (1) or more of the parole board members. If one (1) or more of the
22 members conduct the hearing on behalf of the parole board, the final
23 decision shall be rendered by the full parole board based upon the
24 record of the proceeding and the hearing conductor's findings. Before
25 the hearing, the parole board shall order an investigation to include the
26 collection and consideration of:

- 27 (1) reports regarding the person's medical, psychological,
28 educational, vocational, employment, economic, and social
29 condition and history;
30 (2) official reports of the person's history of criminality;
31 (3) reports of earlier parole or probation experiences;
32 (4) reports concerning the person's present commitment that are
33 relevant to the parole release determination;
34 (5) any relevant information submitted by or on behalf of the
35 person being considered; and
36 (6) such other relevant information concerning the person as may
37 be reasonably available.

38 (c) Unless the victim has requested in writing not to be notified, the
39 department shall notify a victim of a felony (or the next of kin of the
40 victim if the felony resulted in the death of the victim) or any witness
41 involved in the prosecution of an offender imprisoned for the
42 commission of a felony when the offender is:



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- 1 (1) to be discharged from imprisonment;
 2 (2) to be released on parole under IC 35-50-6-1;
 3 (3) to have a parole release hearing under this chapter;
 4 (4) to have a parole violation hearing;
 5 (5) an escaped committed offender; ~~or~~
 6 (6) to be released from departmental custody under any temporary
 7 release program administered by the department, including the
 8 following:

9 (A) Placement on minimum security assignment to a program
 10 authorized by IC 11-10-1-3 or IC 35-38-3-6 and requiring
 11 periodic reporting to a designated official, including a
 12 regulated community assignment program.

13 (B) Assignment to a minimum security work release ~~program~~
 14 **program; or**

15 **(7) to be released from departmental custody under a**
 16 **community transition program authorized by IC 11-10-11.5**

17 (d) The department shall make the notification required under
 18 subsection (c):

19 (1) at least forty (40) days before a discharge, release, or hearing
 20 occurs; and

21 (2) not later than twenty-four (24) hours after the escape of a
 22 committed offender.

23 The department shall supply the information to a victim (or a next of
 24 kin of a victim in the appropriate case) and a witness at the address
 25 supplied to the department by the victim (or next of kin) or witness. A
 26 victim (or next of kin) is responsible for supplying the department with
 27 any change of address or telephone number of the victim (or next of
 28 kin).

29 (e) The probation officer conducting the presentence investigation
 30 shall inform the victim and witness described in subsection (c), at the
 31 time of the interview with the victim or witness, of the right of the
 32 victim or witness to receive notification from the department under
 33 subsection (c). The probation department for the sentencing court shall
 34 forward the most recent list of the addresses or telephone numbers, or
 35 both, of victims to the department of correction. The probation
 36 department shall supply the department with the information required
 37 by this section as soon as possible but not later than five (5) days from
 38 the receipt of the information from the victim. A victim (or next of kin)
 39 is responsible for supplying the department with the correct address
 40 and telephone number of the victim (or next of kin).

41 (f) Notwithstanding IC 11-8-5-2 and IC 4-1-6, an inmate may not
 42 have access to the name and address of a victim and a witness. Upon



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1 the filing of a motion by any person requesting or objecting to the
 2 release of victim information, witness information, or both that is
 3 retained by the department, the court shall review the information that
 4 is the subject of the motion in camera before ruling on the motion.

5 (g) The notice required under subsection (c) must specify whether
 6 the prisoner is being discharged, is being released on parole, is having
 7 a parole release hearing, is having a parole violation hearing, or has
 8 escaped. The notice must contain the following information:

- 9 (1) The name of the prisoner.
- 10 (2) The date of the offense.
- 11 (3) The date of the conviction.
- 12 (4) The felony of which the prisoner was convicted.
- 13 (5) The sentence imposed.
- 14 (6) The amount of time served.
- 15 (7) The date and location of the interview (if applicable).

16 (h) The parole board shall adopt rules under IC 4-22-2 and make
 17 available to offenders the criteria considered in making parole release
 18 determinations. The criteria must include the:

- 19 (1) nature and circumstances of the crime for which the offender
 20 is committed;
- 21 (2) offender's prior criminal record;
- 22 (3) offender's conduct and attitude during the commitment; and
- 23 (4) offender's parole plan.

24 (i) The hearing prescribed by this section may be conducted in a
 25 informal manner without regard to rules of evidence. In connection
 26 with the hearing, however:

- 27 (1) reasonable, advance written notice, including the date, time,
 28 and place of the hearing shall be provided to the person being
 29 considered;
- 30 (2) the person being considered shall be given access, in accord
 31 with IC 11-8-5, to records and reports considered by the parole
 32 board in making its parole release decision;
- 33 (3) the person being considered may appear, speak in the person's
 34 own behalf, and present documentary evidence;
- 35 (4) irrelevant, immaterial, or unduly repetitious evidence shall be
 36 excluded; and
- 37 (5) a record of the proceeding, to include the results of the parole
 38 board's investigation, notice of the hearing, and evidence adduced
 39 at the hearing, shall be made and preserved.

40 (j) If parole is denied, the parole board shall give the person written
 41 notice of the denial and the reasons for the denial. The parole board
 42 may not parole a person if it determines that there is substantial reason



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- 1 to believe that the person:
- 2 (1) will engage in further specified criminal activity; or
- 3 (2) will not conform to appropriate specified conditions of parole.
- 4 (k) If parole is denied, the parole board shall conduct another parole
- 5 release hearing not earlier than five (5) years after the date of the
- 6 hearing at which parole was denied. However, the board may conduct
- 7 a hearing earlier than five (5) years after denial of parole if the board:
- 8 (1) finds that special circumstances exist for the holding of a
- 9 hearing; and
- 10 (2) gives reasonable notice to the person being considered for
- 11 parole.
- 12 (l) The parole board may parole a person who is outside Indiana on
- 13 a record made by the appropriate authorities of the jurisdiction in
- 14 which that person is imprisoned.
- 15 (m) If the board is considering the release on parole of an offender
- 16 who is serving a sentence of life in prison, a determinate term of
- 17 imprisonment of at least ten (10) years, or an indeterminate term of
- 18 imprisonment with a minimum term of at least ten (10) years, in
- 19 addition to the investigation required under subsection (b) the board
- 20 shall order and consider a community investigation, which must
- 21 include an investigation and report that substantially reflects the
- 22 attitudes and opinions of:
- 23 (1) the community in which the crime committed by the offender
- 24 occurred;
- 25 (2) law enforcement officers who have jurisdiction in the
- 26 community in which the crime occurred;
- 27 (3) the victim of the crime committed by the offender, or if the
- 28 victim is deceased or incompetent for any reason, the victim's
- 29 relatives or friends; and
- 30 (4) friends or relatives of the offender.
- 31 (n) As used in this section, "victim" means a person who has
- 32 suffered direct harm as a result of a violent crime (as defined in
- 33 IC 5-2-6.1-8).

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Courts and Criminal Code, to which was referred House Bill 1013, 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 12, nays 0.

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HOUSE MOTION

Mr. Speaker: I move that House Bill 1013 be amended to read as follows:

Page 6, after line 9 , begin a new paragraph and insert:

"SECTION 3. IC 11-13-3-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 3. (a) A person sentenced under IC 35-50 shall be released on parole or discharged from the person's term of imprisonment under IC 35-50 without a parole release hearing.

(b) A person sentenced for an offense under laws other than IC 35-50 who is eligible for release on parole, or a person whose parole is revoked and is eligible for reinstatement on parole under rules adopted by the parole board shall, before the date of the person's parole eligibility, be granted a parole release hearing to determine whether parole will be granted or denied. The hearing shall be conducted by one (1) or more of the parole board members. If one (1) or more of the members conduct the hearing on behalf of the parole board, the final decision shall be rendered by the full parole board based upon the record of the proceeding and the hearing conductor's findings. Before the hearing, the parole board shall order an investigation to include the collection and consideration of:

- (1) reports regarding the person's medical, psychological, educational, vocational, employment, economic, and social condition and history;
- (2) official reports of the person's history of criminality;
- (3) reports of earlier parole or probation experiences;
- (4) reports concerning the person's present commitment that are relevant to the parole release determination;
- (5) any relevant information submitted by or on behalf of the person being considered; and
- (6) such other relevant information concerning the person as may be reasonably available.

(c) Unless the victim has requested in writing not to be notified, the department shall notify a victim of a felony (or the next of kin of the victim if the felony resulted in the death of the victim) or any witness involved in the prosecution of an offender imprisoned for the commission of a felony when the offender is:

- (1) to be discharged from imprisonment;
- (2) to be released on parole under IC 35-50-6-1;
- (3) to have a parole release hearing under this chapter;
- (4) to have a parole violation hearing;
- (5) an escaped committed offender; or

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(6) to be released from departmental custody under any temporary release program administered by the department, including the following:

(A) Placement on minimum security assignment to a program authorized by IC 11-10-1-3 or IC 35-38-3-6 and requiring periodic reporting to a designated official, including a regulated community assignment program.

(B) Assignment to a minimum security work release ~~program~~ **program; or**

(7) to be released from departmental custody under a community transition program authorized by IC 11-10-11.5

(d) The department shall make the notification required under subsection (c):

(1) at least forty (40) days before a discharge, release, or hearing occurs; and

(2) not later than twenty-four (24) hours after the escape of a committed offender.

The department shall supply the information to a victim (or a next of kin of a victim in the appropriate case) and a witness at the address supplied to the department by the victim (or next of kin) or witness. A victim (or next of kin) is responsible for supplying the department with any change of address or telephone number of the victim (or next of kin).

(e) The probation officer conducting the presentence investigation shall inform the victim and witness described in subsection (c), at the time of the interview with the victim or witness, of the right of the victim or witness to receive notification from the department under subsection (c). The probation department for the sentencing court shall forward the most recent list of the addresses or telephone numbers, or both, of victims to the department of correction. The probation department shall supply the department with the information required by this section as soon as possible but not later than five (5) days from the receipt of the information from the victim. A victim (or next of kin) is responsible for supplying the department with the correct address and telephone number of the victim (or next of kin).

(f) Notwithstanding IC 11-8-5-2 and IC 4-1-6, an inmate may not have access to the name and address of a victim and a witness. Upon the filing of a motion by any person requesting or objecting to the release of victim information, witness information, or both that is retained by the department, the court shall review the information that is the subject of the motion in camera before ruling on the motion.

(g) The notice required under subsection (c) must specify whether

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the prisoner is being discharged, is being released on parole, is having a parole release hearing, is having a parole violation hearing, or has escaped. The notice must contain the following information:

- (1) The name of the prisoner.
- (2) The date of the offense.
- (3) The date of the conviction.
- (4) The felony of which the prisoner was convicted.
- (5) The sentence imposed.
- (6) The amount of time served.
- (7) The date and location of the interview (if applicable).

(h) The parole board shall adopt rules under IC 4-22-2 and make available to offenders the criteria considered in making parole release determinations. The criteria must include the:

- (1) nature and circumstances of the crime for which the offender is committed;
- (2) offender's prior criminal record;
- (3) offender's conduct and attitude during the commitment; and
- (4) offender's parole plan.

(i) The hearing prescribed by this section may be conducted in an informal manner without regard to rules of evidence. In connection with the hearing, however:

- (1) reasonable, advance written notice, including the date, time, and place of the hearing shall be provided to the person being considered;
- (2) the person being considered shall be given access, in accord with IC 11-8-5, to records and reports considered by the parole board in making its parole release decision;
- (3) the person being considered may appear, speak in the person's own behalf, and present documentary evidence;
- (4) irrelevant, immaterial, or unduly repetitious evidence shall be excluded; and
- (5) a record of the proceeding, to include the results of the parole board's investigation, notice of the hearing, and evidence adduced at the hearing, shall be made and preserved.

(j) If parole is denied, the parole board shall give the person written notice of the denial and the reasons for the denial. The parole board may not parole a person if it determines that there is substantial reason to believe that the person:

- (1) will engage in further specified criminal activity; or
- (2) will not conform to appropriate specified conditions of parole.

(k) If parole is denied, the parole board shall conduct another parole release hearing not earlier than five (5) years after the date of the

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hearing at which parole was denied. However, the board may conduct a hearing earlier than five (5) years after denial of parole if the board:

- (1) finds that special circumstances exist for the holding of a hearing; and
- (2) gives reasonable notice to the person being considered for parole.

(l) The parole board may parole a person who is outside Indiana on a record made by the appropriate authorities of the jurisdiction in which that person is imprisoned.

(m) If the board is considering the release on parole of an offender who is serving a sentence of life in prison, a determinate term of imprisonment of at least ten (10) years, or an indeterminate term of imprisonment with a minimum term of at least ten (10) years, in addition to the investigation required under subsection (b) the board shall order and consider a community investigation, which must include an investigation and report that substantially reflects the attitudes and opinions of:

- (1) the community in which the crime committed by the offender occurred;
- (2) law enforcement officers who have jurisdiction in the community in which the crime occurred;
- (3) the victim of the crime committed by the offender, or if the victim is deceased or incompetent for any reason, the victim's relatives or friends; and
- (4) friends or relatives of the offender.

(n) As used in this section, "victim" means a person who has suffered direct harm as a result of a violent crime (as defined in IC 5-2-6.1-8)."

(Reference is to HB 1013 as printed January 25, 2000.)

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