
Executive Orders

STATE OF INDIANA
EXECUTIVE DEPARTMENT
INDIANAPOLIS

EXECUTIVE ORDER: 06-01

FOR: INDIANA STATE HISTORICAL RECORDS ADVISORY BOARD

TO ALL TO WHOM THESE PRESENTS MAY COME, GREETINGS.

WHEREAS, the National Historical Publications and Records Commission ("NHPRC") was established by Congress in 1934 to preserve, publish and encourage the use of documentary sources relating to the history of the United States;

WHEREAS, NHPRC works collectively with State Historical Records Advisory Boards and provides grants nationwide to help identify, preserve and provide public access to records, photographs and other materials that document American history; and

WHEREAS, Indiana's State Archives and historic records repositories hold the State's most treasured documents and history. The establishment of a State Historical Records Advisory Board will allow Indiana to improve the effectiveness, coordination and cooperation of its archival community and preserve these significant resources.

NOW, THEREFORE, I, Mitchell E. Daniels, Jr., by virtue of the authority vested in me as Governor of the State of Indiana, do hereby order that:

1. The Indiana State Historical Records Advisory Board is established.
2. The Board shall consist of at least seven (7) members who shall be appointed by the Governor including the State Historical Records Coordinator to chair the Board.
 - a. The State Archivist shall be designated as the State Coordinator and chair of the Board.
 - b. A majority of the members shall have recognized experience in the administration of government records, historical records, or archives.
 - c. Two members shall be appointed for a term of one (1) year, two members for a term of two (2) years, and at least two members for a term of three (3) years. Each successor shall serve a term of three years with the possibility of reappointment. Any vacancy occurring in the membership of the board for any cause shall be filled by appointment by the Governor for the unexpired term.
3. The Board shall meet at least quarterly or at the call of the Chairman. A quorum shall consist of a simple majority of voting members.
4. The Board will serve as the central advisory body for historical records planning and for NHPRC- funded projects developed and carried out within Indiana. The Board may perform such duties as:
 - a. Develop and submit to NHPRC state priorities for historical records programs as part of a state plan.
 - b. Solicit or develop proposals for NHPRC grant projects.
 - c. Review proposals by institutions in the State and make recommendations about these to NHPRC.
 - d. Work to preserve Indiana's documentary heritage.
 - e. Promote practices that ensure preservation of and access to the State's public and private records.
 - f. Encourage adherence to archival and records management principles through meetings and workshops.
 - g. Survey repositories, support the State's records management program, and promote the sharing of collection information.
 - h. Encourage the professional development of archivists, curators, volunteers, and others dedicated to the task of caring for Indiana's documentary heritage.
5. All members of the Board shall serve without salary or per diem, except that members of the Board shall be reimbursed in accordance with state law and the policies of the Department of Administration and the State Budget Agency for actual expenses incurred in carrying out their responsibilities as members of the Board.
6. The Board shall issue a report on its initial work to the Governor no later than December 31, 2006 and thereafter on an annual basis. The reports of the Board shall be a public record.

IN TESTIMONY WHEREOF, I, Mitchell E. Daniels, Jr., have hereunto set my hand and caused to be affixed the Great Seal of the State of Indiana on this 20th day of February, 2006.

Mitchell E. Daniels, Jr.
Governor of Indiana

SEAL

ATTEST: Todd Rokita
Secretary of State

**STATE OF INDIANA
EXECUTIVE DEPARTMENT
INDIANAPOLIS**

EXECUTIVE ORDER: 06-02

FOR: CONDITIONAL COMMUTATION OF SENTENCE – KIM L. LUCAS

TO ALL TO WHOM THESE PRESENTS MAY COME, GREETINGS:

WHEREAS, KIM L. LUCAS, who has petitioned for a commutation of sentence, was convicted in Tippecanoe Superior Court in June 1992 for the offense of Dealing in Cocaine, for which she received an 18-year sentence accompanied by a consecutive 20-year enhanced sentence for being a habitual offender (having been convicted of two prior unrelated felonies), for a total term of 38 years in the Department of Correction;

WHEREAS, petitioner, who is now 43 years of age, has served more than 13 years of her sentence, and will not be eligible for parole until February 25, 2010;

WHEREAS, at the time of her conviction, petitioner was an admitted cocaine addict who had suffered a lengthy history of criminal problems related to supporting her drug habit;

WHEREAS, while incarcerated, the petitioner has obtained therapy to help her recover from her cocaine addiction, and has also completed numerous education and training programs, including computer training and several religious studies courses;

WHEREAS, the petitioner, who has been a Deans' List student while working toward an Associates Degree in Business Administration and who has plans to pursue a Bachelors Degree in Theology, looks forward to the prospect of regaining custody of her own children and working with addicts and their families to help them cope with the problems of drug addiction;

WHEREAS, the petitioner's request for clemency is supported by family, friends, community members, and public officials, as well as the original sentencing judge, who has stated his belief that the petitioner has been rehabilitated and that commutation is appropriate;

WHEREAS, the Indiana Parole Board, after careful investigation and examination of all the facts in this case, has unanimously recommended to the Governor that the petitioner's sentence be commuted; and

WHEREAS, the Governor, under Article 5 Section 17 of the Indiana Constitution, is empowered to grant commutation to individuals after conviction subject to such regulations as may be provided by law.

NOW THEREFORE, I, Mitchell E. Daniels, Jr., Governor of the State of Indiana, having thought proper the extension of clemency under the authority vested in me by the Constitution and the laws of the State of Indiana, do hereby order that the original sentence of Kim L. Lucas to the Department of Correction be, and hereby is, conditionally commuted by suspending the remainder of her sentence subject to the following:

1. Petitioner shall complete a pre-release program and agree to a subsequent work release program developed by the Department of Correction to meet the specific needs of her individual case;
2. Following completion of a pre-release program but prior to parole eligibility, the petitioner shall, within twelve (12) months following the date of this order, and while continuing to observe good behavior, successfully complete the work release program specified by the Department of Correction in paragraph 1, the terms of which (including without limitation all required counseling services) were expressly agreed upon by the petitioner on February 22, 2006;
3. If the Indiana Parole Board determines that the petitioner merits parole release after the condition set forth in paragraph 2 is satisfied, then the petitioner shall be released on parole in accordance with the provisions of I.C. 11-13-3 and related rules and procedures of the Indiana Parole Board.
4. In the event the petitioner fails to successfully complete the work release program specified above, or any of the conditions thereof, or in the event the petitioner violates the conditions of her parole, the original sentencing and commitment order of the trial court shall be reinstated, and the petitioner shall be returned to the custody of the Department of Correction to complete the balance of such term.

IN TESTIMONY WHEREOF, I, Mitchell E. Daniels, Jr., have hereunto set my hand and caused to be

Executive Orders

affixed the Great Seal of the State of Indiana on this 22nd day of February, 2006.

Mitchell E. Daniels, Jr.
Governor of Indiana

SEAL

ATTEST: Todd Rokita
Secretary of State

STATE OF INDIANA
EXECUTIVE DEPARTMENT
INDIANAPOLIS

EXECUTIVE ORDER: 06-03

FOR: COMMUTATION OF SENTENCE

TO ALL TO WHOM THESE PRESENTS MAY COME, GREETINGS;

WHEREAS, JAMES H. WATTS, who has petitioned for medical clemency, was convicted on November 5, 2003, in Hendricks Circuit Court, of theft and receiving stolen property; on November 24, 2003, in Putnam Superior Court, of operating a vehicle while intoxicated, and on January 23, 2004, in Marion Superior Court, of operating a vehicle while intoxicated; collectively he was sentenced to a term of four years to the Department of Corrections;

WHEREAS, the petitioner is 59 years old and has a lengthy criminal background, most of which is and was related to ongoing alcohol and substance abuse problems;

WHEREAS, petitioner is a diabetic with Hepatitis C and has recently been diagnosed with liver cancer that has metastasized and spread to his colon; official medical diagnosis deems his condition terminal and as of February 13, 2006, doctors estimated he would only live another sixty (60) to ninety (90) days;

WHEREAS, the petitioner's original parole release date for the abovementioned crimes is April 18, 2006;

WHEREAS, the petitioner has requested clemency from the Governor so that he may spend his remaining time with his wife, children, grandchildren, and siblings;

WHEREAS, the facts of petitioner's case represent extraordinary circumstances not contemplated by Indiana statute or the original sentencing order by which he was convicted; and

WHEREAS, the Parole Board, after careful investigation and examination of all the facts in this case have concluded petitioner poses no danger to society in his current medical condition and has unanimously recommended that the petitioner's request for clemency be granted.

NOW THEREFORE, I, Mitchell E. Daniels, Jr., Governor of the State of Indiana, by virtue of the authority vested in me by the Constitution under Article 5 Section 17 and the laws of said State, do hereby commute the sentence of James H. Watts to time served and make him eligible for parole upon the effective date of this order.

IN TESTIMONY WHEREOF, I, Mitchell E. Daniels, Jr., have hereunto set my hand and caused to be affixed the Great Seal of the State of Indiana on this 22nd day of February, 2006.

Mitchell E. Daniels, Jr.
Governor of Indiana

SEAL

ATTEST: Todd Rokita
Secretary of State
