Issues Relating to the Indiana Department of Correction

May 2000

Corrections Matters Evaluation Committee

Indiana Legislative Services Agency

Legislative Evaluation and Oversight

The Office of Fiscal and Management Analysis is a Division within the Legislative Services Agency that performs fiscal, budgetary, and management analysis. Within this office teams of program analysts evaluate state agency programs and activities as set forth in IC 2-5-21.

The goal of Legislative Evaluation and Oversight is to improve the legislative decision-making process and, ultimately, state government operations by providing information about the performance of state agencies and programs through evaluation.

The evaluation teams prepare reports for the Legislative Council in accordance with IC 2-5-21-9. The published reports describe state programs, analyze management problems, evaluate outcomes, and include other items as directed by the Legislative Evaluation and Oversight Policy Subcommittee of the Legislative Council. The report is used by an evaluation committee to determine the need for legislative action.

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Preface

Each year, the Legislative Services Agency prepares reports for the Legislative Council in accordance with IC 2-5-21. In accordance with Legislative Council Resolution 99-8, this report concerns an evaluation of the Department of Correction, with specific analysis of (1) Community Corrections Programs and the Community Transition Program; and (2) Compensation and Safety Issues for Correctional Officers. It has been prepared for use by the Corrections Matters Evaluation Committee.

We gratefully acknowledge the staff of the Indiana Department of Correction for their assistance in providing the necessary information for the content of this report.

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Summary

Indiana Legislative Council Resolution 99-8 directed the Legislative Services Agency (LSA) to evaluate the Indiana Department of Correction (DOC). The Council specifically directed LSA to study community corrections programs, community transition programs, and compensation and safety issues for correctional officers. Council members also requested information on two specific populations: (1) offenders with a mental illness and (2) offenders younger than 18 years of age who were sentenced as adults.

Demographic Trends in DOC's Population

Between 1977 and 1999, the population in DOC's facilities increased by an average of almost 7% per year. Between 1994 and 1999, admissions to DOC facilities were 5% to 20% greater than the number of offenders released. As of January 2000, about 39% of offenders in DOC facilities had sentence lengths of ten years or more.

The percentage of nonwhite adult offenders increased while the percentage of white offenders declined. As of March 2000, DOC identified 2,265 offenders as having a mental illness. The number of offenders with an identifiable mental illness constituted almost 12% of the population.

The juvenile population in DOC facilities also increased. Between 1978 and 1993, the juvenile population was generally stable. Since 1993, the population grew each year. Between 1995 and 1999, the number of juveniles admitted each year was greater than the number of juveniles released. The number of offenders under the age of 18 who were in adult facilities ranged from 69 in 1992 to 78 in 1999.

Appropriations for correctional programs increased from $219 million in FY 1990 to $533 million in FY 2000. Since 1992 appropriations for correctional facilities made up over 5% of the state budget. The average annual increase in DOC appropriations between 1990 and 2000 was 9.3% for total funds.

Salary and Safety Issues of Correctional Officers

Correctional officers maintain order, supervise inmates, and counsel offenders on their adjustment to institutional living. While the number of offenders increased by 36% between 1993 and 1999, the number of filled correctional officer positions increased by 11%. Seventy-seven percent of correctional officers were white, while 23% were nonwhite.

Salaries of correctional officers were relatively low. Compared to neighboring states, Indiana had the second lowest starting and maximum salaries. The average salary of a correctional officer in 1999 would have had to have been increased by almost $6,000 to have the same earning power as the average salary in 1990.

Officer fatalities and worker's compensation claims by all DOC employees was compared with the three other agencies that have enforcement officers who deal with persons who commit crimes. The average number of worker's compensation claims per authorized position was the highest for DOC employees in all three years. The average payment per incident was also the highest for DOC for two of the three years.

With respect to the number of assaults by offenders on correctional staff, security level of the facility and the length of service of the correctional officer showed strength in explaining the variation in the number of reported assaults on officers. Of special note was the importance of the variable representing the percent of a facility's correctional officer staff with less than 2 years of experience. This result reinforces the idea that training can be an important factor in the deterrence and management of inmate assaults.

Community Corrections Programs

Community correction programs were created in part to address the needs of nonviolent offenders who would be more appropriately placed in the community and to divert offenders from DOC facilities. State support increased from $125,000 per year to $16.6 million for both FY 2000 and FY 2001.

Counties with community corrections programs sent proportionately fewer offenders to DOC facilities than counties without programs. However, data was limited concerning the types of offenders that community corrections agencies report to DOC, so significant conclusions could not be drawn. How well community corrections agencies accommodated felons as compared to nonfelons varied widely. State support per offender also varied significantly.

*Community Transition Program*s

The General Assembly created a community transition program that, with some exceptions, would be available for most offenders in DOC facilities. A series of community transition programs were developed to place offenders in local programs operated by either the community corrections agency or the probation department within 60 to 120 days of the offenders' release from DOC facilities.

Between September and December 1999, 187 offenders were placed into community transition programs in 33 counties with 75% of these offenders placed in six counties. Of the offenders in the 33 counties, 14% were returned to DOC for violating program rules or committing new crimes.

DOC spent $65,912 on the community transition program as of March 2000. At $7 per day, the total expenditure represented 9,416 offender service days in DOC facilities. Annually 25.8 beds were freed for DOC to accommodate other offenders.

SEA 433-2000 addressed several issues that will make it easier and potentially less costly for community transition programs to operate. However, some issues remain. First, counties have little incentive to expand the transition programs or offer any additional programs to offenders if the counties do not recover costs. Secondly, there is an issue of liability for offenders who are placed in the community transition program. While current law specifies that offenders who are in the community transition program are by law under the custody of DOC, DOC indicates that offenders are under the custody and control of the local community transition program staff. The issue remains whether DOC or the community transition program would be liable for torts resulting from crimes committed by the offender. Finally, the issue of whether community transition programs are treated in the same manner as community corrections and probation for purposes of governmental immunity should be clarified.

I. Demographics of the Offender Population

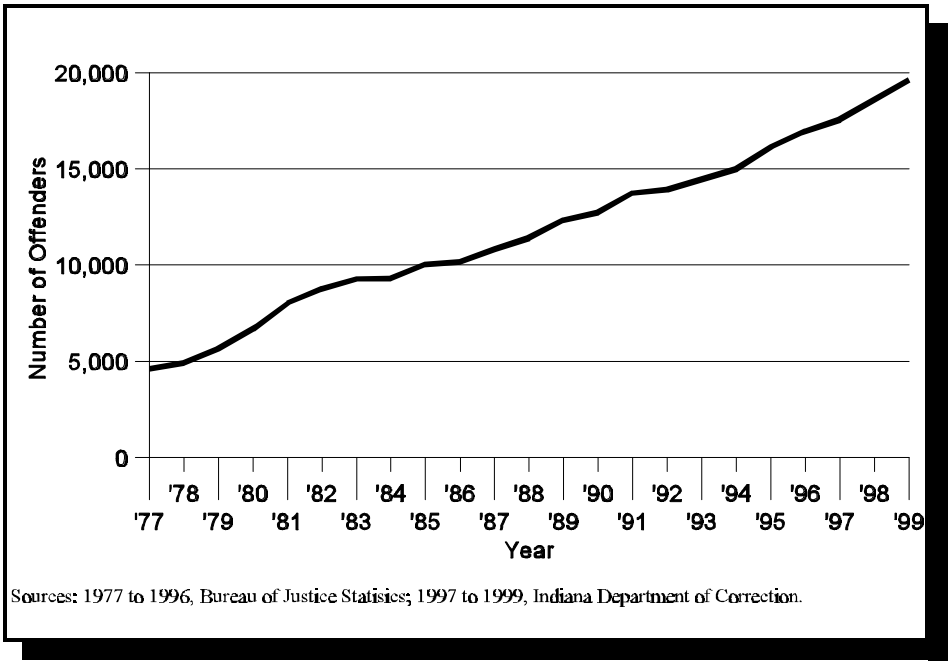
This chapter describes selected demographics for three populations incarcerated within DOC system: (1) adult offenders; (2) juvenile offenders; and (3) offenders with a mental illness. The demographics include admissions, releases, and types of offenses. In addition, the race, gender, sentence length, and length of stay of offenders are described. Demographics are important as they relate to the cost of operations and the potential for overcrowding of facilities.

Adult Offenders

Adult Population Growth, Admissions, and Releases

The adult offender population in DOC facilities was 19,631 in December 1999, more than four times the population of 4,633 in December 1977. Over this 23-year period, the number of offenders increased at an average of 681 offenders per year[1] for an average annual growth rate of 6.8% (see Exhibit 1). Since 1994, the annual increase in the number of offenders exceeded 1,000 for three of the last five years.

Exhibit 1. Number of Adult Offenders in DOC Facilities: 1977 to 1999.

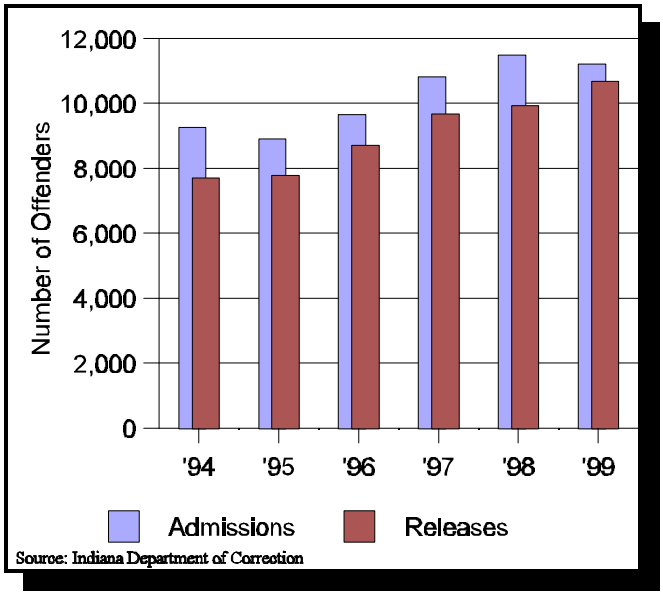


The increase in DOC's population can be attributed to the growth in the rate of admissions and length of incarceration of offenders. For the past six years, admissions were 5% to 20% greater

[1]The years in the chart represent points in time measures of the number of offenders and not the average annual offender population.

than the number of offenders released (Exhibit 2).

Exhibit 2. Admissions and Releases: 1994 to 1999.



Types of Offenses of the Adult Population

In FY 1999, over 64% of adult offenders in DOC facilities were imprisoned for either violent offenses (crimes against a person) or for property crimes. However, the proportion of these offenders declined relative to the number of offenders with sentences for controlled substances, substantive criminal provisions, noncriminal code offenses, and weapons violations. The fastest growing population between FY 1997 and FY 1999 consisted of offenders committed for weapons offenses and miscellaneous criminal offenses (Exhibit 3).

Exhibit 3. Distribution of Offenses of Adult Offenders: 1997 to 1999.

Type of Offense	Code Site	FY 1997	FY 1998	FY 1999	% Change ('97 to '99)
Person	IC 35-42	42.6%	40.8%	40.4%	-5.2%
Property	IC 35-43	24.9%	24.3%	23.8%	-4.4%
Controlled Substance	IC 35-48	16.0%	16.9%	17.7%	10.6%
Substantive Criminal Provision [1]	IC 35-41	6.1%	7.1%	7.1%	16.4%
Non-Criminal Code Offenses [2]	IC 9, IC 16	5.7%	5.7%	6.2%	8.8%
Weapons	IC 35-47	1.4%	1.5%	1.8%	28.6%
Public Administration [3]	IC 35-44	1.4%	1.2%	1.3%	-7.1%
Miscellaneous Criminal	IC 35-46	0.7%	0.8%	0.9%	28.6%
Public Order [4]	IC 35-45	0.7%	0.7%	0.8%	14.3%
Unidentified		0.4%	0.9%	0.0%	-100.0%
Habitual Offender	IC 35-50	0.1%	0.1%	0.1%	0.0%
Obscenity/Pornography	IC 35-49	0.0%	0.0%	0.0%	0.0%
Total		100.0%	100.0%	100.1%	

[1] Substantive criminal provisions include attempting, aiding, and conspiring to commit a felony.
[2] Non-criminal code offenses include vehicle and alcohol-related offenses.
[3] Public administration offenses include offenses such as bribery; conflict of interest; official misconduct; perjury; false reporting; impersonation; ghost employment; and interference with, fleeing, or resisting governmental operations.
[4] Offenses against the public order include tumultuous conduct, unlawful assembly, intimidation, indecent acts, prostitution, gambling, loan sharking, stalking, or money laundering.

Source: Indiana Department of Correction.

Race and Ethnicity of the Adult Population

The percentage of white adult offenders declined from 54.4% in 1997 to 52.9% in 1999, while the percentage of nonwhite offenders increased (Exhibit 4). Offenders of Hispanic descent showed the fastest increase.

Exhibit 4. Race and Ethnicity of Adult Offenders: July 1997 to July 1999.

Race	1997	1998	1999	% Change ('97 to '99)
White	54.4%	53.5%	52.9%	-2.8%
Black	40.2%	40.8%	40.8%	1.5%
Unknown	2.6%	2.9%	2.4%	-7.7%
Hispanic	2.4%	2.4%	3.5%	45.8%
American Indian	0.3%	0.3%	0.3%	0.0%
Asian/Pacific Islander	0.1%	0.1%	0.1%	0.0%
Total	100.0%	100.0%	100.0%	

Source: Indiana Department of Correction.

Gender of the Adult Population

The proportion of adult women offenders as a percentage of the entire adult prison population increased marginally from 1997 to 1999 (Exhibit 5).

Exhibit 5. Gender of Adult Offenders: July 1997 to July 1999.

Gender	1997	1998	1999	% Change ('97 to '99)
Male	93.9%	93.8%	93.5%	-0.4%
Female	6.1%	6.2%	6.5%	6.6%
Total	100.0%	100.0%	100.0%	

Source: Indiana Department of Correction.

Average Age of Adult Offenders at Intake

As of January 2000, the average age at intake was 30.6 years for adult offenders.

Sentence Length, Credit Time, and Length of Stay for Adult Offenders

As of January 2000, about 39% of offenders in DOC facilities had sentence lengths of ten years or more. However, the length of sentence did not necessarily represent the amount of time served. Credit time could have been earned for good behavior as well as for completion of educational or treatment programs. Exhibit 6 provides the distribution of sentence length prior to the consideration of credit time.

Exhibit 6. Distribution of Sentence Length for Adult Offenders: January 2000.

Longest Sentence Length *	% of Population
Less than One Year	1.5%
1 and 2 Years	10.9%
2 and 5 Years	19.1%
5 and 10 Years	29.4%
10 and 15 Years	7.0%
15 and 20 Years	9.4%
More than 20 Years	21.2%
Active Indiana Death Sentence	0.2%
Indeterminate Life w/o Parole	1.3%
Total	100.0%

*Sentence length after adjustment for portion of sentence that is suspended.

Source: Indiana Department of Correction.

IC 35-50-6-3 provides that offenders are assigned to Class 1 at intake. After the initial classification, a reclassification to one of three categories based on the offender's behavior is conducted at least annually, but the offender or DOC staff may initiate a reclassification at any time. Offenders in Class 1 earns one day of "class" credit time for each day spent in Class 1; offenders in Class 2 earn one day of credit time for every two days, while offenders in the Class 3 earn no credit time.

In addition to the "class" credit time, offenders could acquire "earned" credit time for successfully completing educational or substance abuse treatment programs according to the schedule described in Exhibit 7.

Exhibit 7. Earned Credit Time Available for Program Completion.

Program Completion	Earned Credit Time Available
GED diploma	Six months
High School Graduation	One Year
Associate Degree	One Year
Bachelor's Degree.	Two Years
One or More Vocational Education Programs	Maximum Six Months
One or More Substance Abuse Programs	Maximum Six Months
Source: IC 35-50-6-3.3(c)	

Earned credit time is limited, however. The maximum amount of earned credit time a person may acquire is the lesser of four years or one-third of the person's total applicable credit time." Total applicable credit time" has been interpreted by the courts to mean, effectively, "total sentence."[2] Consequently, an offender who has a six-year sentence and earns a high school diploma may be released in two years as outlined in Exhibit 8.

Exhibit 8. Example of Credit Time Determination.

Example of an Offender with a Six-Year Sentence Who Earns a High School Diploma			
Type of Credit	**Amount of Credit Time**	**Credit Time**	**Time to Be Served**
Initial Sentence			**6 years**
"Class" Credit Time	50% of the six-year sentence assuming the offender remains in the Class 1category for the duration.	**3 years**	**3 years**
"Earned" Credit Time	One year earned for attaining a high school diploma is subtracted from the offender's minimum release date of 3 years. [1]	**1 year**	**2 years**

[1] Earned credit time is subtracted from the offender's minimum release date (rather than from the total sentence) due to the provisions of P.L. 183-1999.

As of November 1999, about 92.9% of adult offenders in prison were assigned to Class 1, 4.5% were in Class 2, and 2.6% were in Class 3. As a result of Credit Class, education credits, and other time cuts, the average length of stay for an offender tended to be less than half of the average length of sentence (Exhibit 9).

[2] State of Indiana v. Eckhardt, 687 N.E. 2d 374 (Ind. App. 1997).

Exhibit 9. Average Sentence Length and Length of Stay: FY 1996 to December 1999.

Offense Level	Average Length of Sentence [1]	
	FY 1996	July-Dec 1999
Murder	32.7 Years	37.2 Years
Felony A with Conspiracy	16.7 Years	17.5 Years
Felony A w/o Conspiracy	22.9 Years	21.5 Years
Felony B	8.2 Years	7.1 Years
Felony C	4.5 Years	3.6 Years
Felony D	2.2 Years	1.7 Years
Misdemeanor A	374.9 Days	340.8 Days
Misdemeanor B	202.7 Days	228.3 Days
Misdemeanor C	NA	NA

Offense Level	Average Length of Stay [1]	
	FY 1996	July-Dec 1999
Murder	14.3 Years	17.4 Years
Felony A with Conspiracy	6.4 Years	7.8 Years
Felony A w/o Conspiracy	8.8 Years	9.5 Years
Felony B	3.3 Years	3.4 Years
Felony C	1.6 Years	1.9 Years
Felony D	0.7 Years	0.8 Years
Misdemeanor A	165 Days	180.9 Days
Misdemeanor B	87.6 Days	139.9 Days
Misdemeanor C	NA	NA

1 Sentence length is sentence minus suspended portion. Sentences for life, death, and life without parole are excluded.
NA - Not applicable due to small number of offenders.

Source: Indiana Department of Correction.

Facilities for Adult Offenders

In FY 2000, DOC had 27 adult facilities.[3] DOC also contracted for prison space for adults with the Corrections Corporation of America.

[3]The count of 27 adult facilities included Westville Psychiatric Unit, Wabash Valley Long Term Segregation Unit, and Indiana Women's Intake Unit. These were often included as part of Westville Correctional Facility, Wabash Valley Correctional Facility, and the Indian Women's Prison, respectively.

Facility Capacity and Census for Adult Offenders

Exhibit 10 lists adult DOC facilities, the year the facility was established, the rated bed capacity (RBC), total number of beds, inmate census by facility, and security level. (The various security levels are defined in the footnote of the Exhibit.)

The capacity utilization ranged from 70% to 190% for adult male facilities. Eleven of the 22 listed facilities for adult males were operated above the rated bed capacity. Capacity utilization ranged from 42% to 159% for adult female facilities. Three of the five facilities for adult females were over the rated bed capacity.

Sections of Pendleton Correctional Facility and Plainfield Correctional Facility were renovated in December 1999 and unavailable for housing. The lower percentages (82% and 85%, respectively) were the result of building renovations, rather than typical inmate housing. Other facilities, such as Westville, Wabash Valley, and Miami Correctional Facilities, may have received offenders typically housed in the Pendleton and Plainfield Correctional Facilities.

When the Correctional Industrial Complex (CIC) was constructed, it was intended to house only one offender per cell. Thus, the RBC is 716. Early on, however, the facility was double-bunked, but the RBC was never changed to reflect this. CIC has always been double-bunked, and the offender population has always been this high.

Exhibit 10. Adult DOC Facility Inventory of Rated Bed Capacity[1] and Year Established: December 1999.

Facility	Year	Rated Bed Capacity by Security Level						Total Beds	End Count	% of RBC
		WR	1	2	3	4	5			
Adult Male:										
Indiana State Prison	1859					1,650		1,650	1,878	**114%**
Putnamville Cor. Fac.	1915			1,650				1,650	1,998	**121%**
Pendleton Cor. Fac.	1923		100			1,515		1,615	1,323	82%
Chain O'Lakes Cor. Fac.	1967		91					91	102	**112%**
Henryville Cor. Fac.	1967		98					98	78	80%
Medaryville Cor. Fac.	1967		100					100	114	**114%**
Indianapolis Men's WR Ctr	1969	113						113	107	95%
Plainfield Cor. Fac.	1970			1,130				1,130	963	85%
Reception-Diagnostic Ctr	1971					348		348	662	**190%**
Westville Cor. Fac.	1977			1,657				1,657	2,591	**156%**
South Bend Work Release Ctr	1977	91						91	64	70%
Branchville Cor. Fac.	1982			756				756	888	**117%**
Madison Cor. Fac.	1988		136					136	156	**115%**
Correctional Indust'l Complex	1989				716			716	1,255	**175%**
Westville Transitional Fac. [2]	1990									
Lakeside Cor. Fac.	1990			270				270	302	**112%**
Edinburgh Cor. Fac.	1990		100					100	100	100%
Maximum Security Complex	1991						224	224	171	76%
Wabash Valley Cor. Fac.	1992		120		1,000	352		1,472	1,885	**128%**
Miami Cor. Fac.	1999		200		1,200			1,400	819	59%
Westville Psychiatric Unit	1977			155				155	104	67%
Wabash Valley LTSegregation	1992					288		288	213	74%
Contract - Diamondback [3]										
Contract - Marion Co. Jail[3]										
Total Rated Beds (Male)		204	945	5,618	2,916	4,153	224			
Ending Count		171	920	6,846	2,974	4,691	171			
Percentage of Capacity		84%	97%	**122%**	**102%**	**113%**	76%			
Adult Female:										
Indiana Women's Prison	1869				322			322	305	95%
Atterbury Cor. Fac.	1967		90					90	94	**104%**
Rockville Cor. Fac.	1967			624				624	714	**114%**
Indianapolis Women's WR Ctr	1978	60						60	25	42%
Indiana Women's Intake Unit	1992				27			27	43	**159%**
Total Rated Beds (Female)		60	90	624	349					
Ending Count		25	94	714	348					
% of RBC		42%	**104%**	**114%**	100%					

WR - Work Release
Level 1 - Minimum security level with least restrictive security measures in place.
Level 2 - Low medium security level with moderate degree of security measures in place.
Level 3 - High medium security level with a moderately high degree of security measures in place.
Level 4 - Maximum security level with very restrictive security measures in place.
Level 5 - Maximum control with the most restrictive security measures in place.

[1] Rated Bed Capacity is based on acceptable standards of measurement of the American Correctional Association, or established by a federal court.
[2] The Westville Transitional Facility has 200 beds. As of December 1999, 195 beds were filled resulting in a 98% occupancy rate.
[3] DOC no longer contracts with Diamondback Correctional Facility (Oklahoma). As of the date of this report, contracts were with Otter Creek Correctional Facility (Kentucky) and the Marion County Jail. Both are private facilities operated by Corrections Corporation of America and receive a per diem of $45 per day per prisoner. 600 beds were contracted with Otter Creek and 400 beds were contracted with Marion County Jail for a total of 1,000 beds. As of December 1999, 936 contract beds were filled, resulting in a 94% occupancy rate.

Source: Indiana Department of Correction.

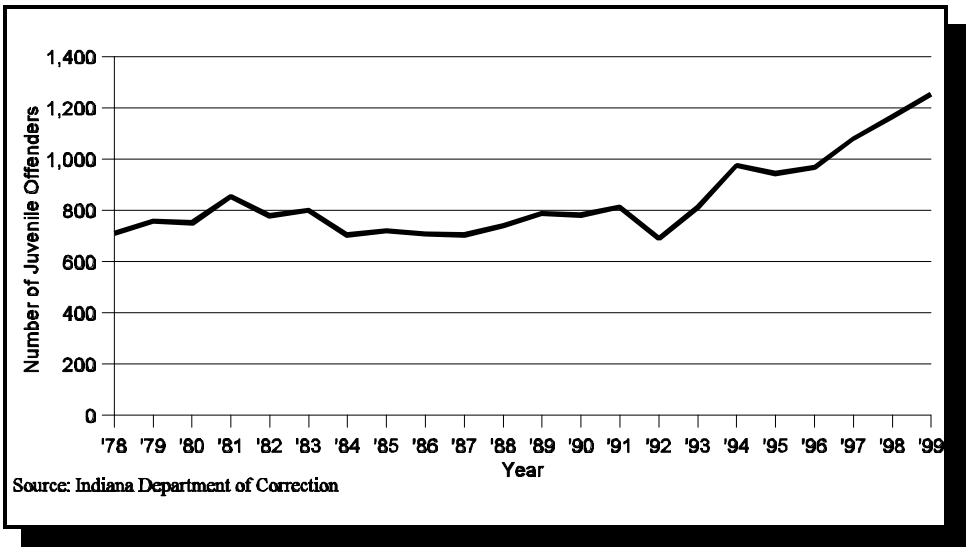
Juvenile Offender Population

Juvenile Population Growth, Admissions, and Releases

The juvenile population consists of offenders under the age of 18 who have been formally adjudicated for an offense that would be a crime if the offender were 18 years of age or older (IC 31-37-1-2). Offenders who are sentenced as juveniles may be confined to DOC until the offender reaches 21 years of age (IC 11-13-6-4(b)).

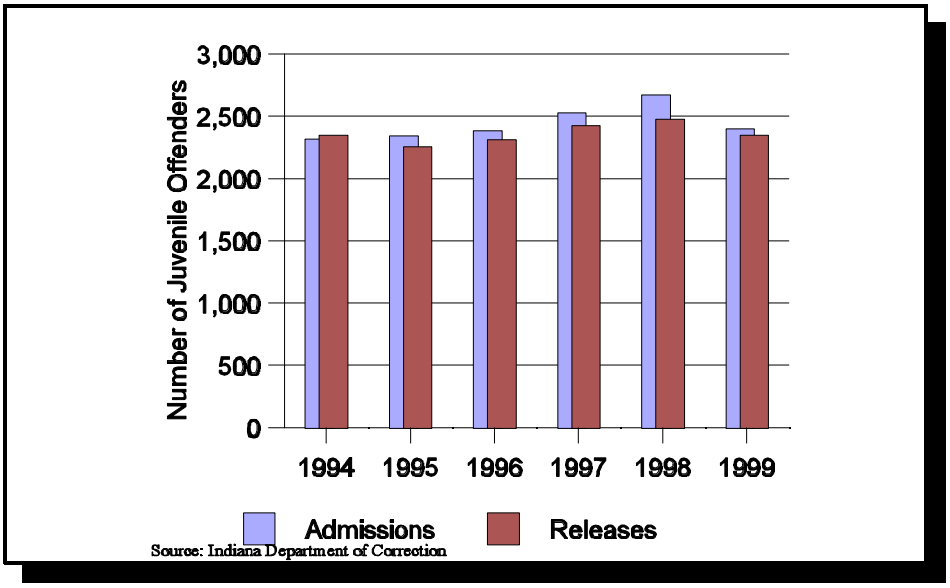
Exhibit 11 shows the growth in the juvenile population between 1978 and 1998. The population fluctuated around 700 between 1978 and 1993. Since 1993, however, the number of juveniles increased each year. In 1999, the juvenile population of 1,256 was about 77% greater than the 1978 population.

Exhibit 11. Number of Juveniles in DOC Juvenile Facilities: 1978 to 1999.



The increase in the juvenile population occurred because more juveniles were admitted into DOC facilities than released. When comparing admissions and releases for the period between 1995 and 1999, the number of juveniles admitted was greater than the number of juveniles released for each of the past five years (Exhibit 12).

Exhibit 12. Admissions and Releases for Juvenile Offenders: FY 1994 to FY 1999.



Types of Offenses of Juveniles

The juvenile offender group that increased at the fastest rate was the group incarcerated for

Exhibit 13. Distribution of Offenses of Juvenile Offenders: July 1997 to July 1999.

Type of Offense	1997	1998	1999	% Change ('97 to '99)
Property	36.8%	37.7%	37.6%	2.2%
Person	27.9%	29.2%	29.8%	6.8%
Public Administration	8.5%	8.6%	7.6%	-10.6%
Controlled Substance	7.1%	6.2%	7.8%	9.9%
Public Order	5.9%	4.3%	4.4%	-25.4%
Weapons	5.8%	6.0%	4.6%	-20.7%
Status	5.6%	5.5%	5.4%	-3.6%
Other (Vehicle offenses, alcohol offenses, probation violations)	2.3%	2.4%	2.5%	8.7%
Misc. Criminal (included under IC 35-46)	0.1%	0.1%	0.3%	200.0%
Total	100.0%	100.0%	100.0%	

Source: Indiana Department of Correction.

controlled substance violations (Exhibit 13). This group was followed by offenders incarcerated for "other" offenses. The number of offenders incarcerated for crimes against persons increased at the third fastest rate.

Race and Ethnicity of the Juvenile Population

The percentage of white juvenile offenders increased slightly from 1997 to 1999 (Exhibit 14). The number of black juvenile offenders decreased, while offenders of other races increased substantially.

Exhibit 14. Race and Ethnicity of Juvenile Offenders: July 1997 to July 1999.

Race	1997	1998	1999	% Change ('97 to '99)
White	57.4%	56.5%	57.8%	0.7%
Black	38.4%	38.4%	36.7%	-4.4%
Other	4.2%	5.0%	5.5%	31.0%
Total	100.0%	99.9%	100.0%	

Source: Indiana Department of Correction.

Gender of the Juvenile Population

Female juvenile offenders represented a slightly greater proportion of the prison population as compared to male juvenile offenders in 1999 than in 1997 (Exhibit 15).

Exhibit 15. Gender of Juvenile Offenders: July 1997 to July 1999.

Gender	1997	1998	1999	% Change ('97 to '99)
Male	80.0%	80.3%	79.1%	-1.1%
Female	20.0%	19.7%	20.9%	4.5%
Total	100.0%	100.0%	100.0%	

Source: Indiana Department of Correction.

Average Age of Juvenile Offenders at Intake

As of January 2000, the average age for juveniles at intake was 16 years.

Sentence Length and Average Length of Stay of Juvenile Offenders

Exhibit 16 shows the minimum required length of stay and the average length of stay for juveniles

by severity of offense for FY 1999. The overall average length of stay was 7.3 months for juvenile males and 6.7 months for all juveniles.

Exhibit 16. Length of Stay of Juveniles: FY 1999.

Severity of Offense [1]	Minimum Length of Stay Required	Average Length of Stay
I (Violent)	12 Months	13.5 Months
II (Serious)	6-9 Months	7.8 Months
III (Less Serious)	2-6 Months	5.6 Months
IV (Minor)	2-6 Months	4.5 Months

[1] Violent offenses (Class I) included such offenses as weapons offenses, arson, murder, voluntary manslaughter, robbery with a deadly weapon, criminal confinement, rape, sexual misconduct. Serious offenses (Class II) included dealing in and possession of certain controlled substances, neglect of a dependent, stalking, and criminal gang activity. Less serious offenses (Class III) included such offenses as dealing in marijuana, possession of certain controlled substances, driving while intoxicated, receiving stolen property, criminal mischief, burglary, and public indecency. Minor offenses (Class IV) included glue sniffing, illegal possession or consumption of alcohol, public intoxication, reckless driving, disorderly conduct, truancy, and curfew violations.

Source: Indiana Department of Correction.

Facilities for Juvenile Offenders

In FY 2000, DOC had nine juvenile facilities and contracted with ten private providers for additional juvenile beds.

Facility Capacities and Census for Juvenile Offenders

Exhibit 17 provides a list of DOC facilities for juveniles, the year each facility was established, the rated bed capacity, and the offender census for each facility. A certain amount of overcrowding existed in the juvenile facilities. DOC-owned facilities ranged from 55% to 161% of capacity for male juveniles and up to 142% of capacity for female juveniles.

Exhibit 17. Juvenile DOC Facility Inventory and Year Established: December 1999.

Facility	Year Established	DOC-owned Beds	Contract Beds	Ending Count	% of Rated Bed Capacity
Juvenile Male:					
Plainfield Juv. Cor. Fac.	1867	336		336	100%
South Bend Juv. Cor. Fac.	1975	34		21	62%
Camp Summit	1977	45		45	100%
Northeast Juv. Cor. Fac.	1977	58		32	55%
Bloomington Juv. Cor. Fac.	1988	36		35	97%
Logansport Juv.Intake/Diag	1993	36		58	**161%**
North Central Juv. Cor. Fac.	1994	150		175	**117%**
Children's Bureau of Indianapolis			12	11	92%
Hoosier Boys' Town, Inc.			23	23	100%
Interventions			30	30	100%
Kokomo Academy			34	33	97%
RTC Resources			20	19	95%
SW Ind. Regional Youth Village			82	82	100%
Wernle Home, Inc.			32	32	100%
Total Rated Beds (Juvenile Male)		695	233		
Ending Count		702	230		
% of Rated Bed Capacity		**101%**	99%		
Juvenile Female:					
Indianapolis Juv. Cor. Fac.	1907	153		218	**142%**
South Bend Juv. Cor. Fac.	1975	2		0	0%
Ft. Wayne Juv. Cor. Fac.	1979	32		26	81%
Interventions			10	9	90%
Lutherwood			24	11	46%
Methodist Children's Home			10	9	90%
Total Rated Beds (Juvenile Female)		187	44		
Ending Count		244	29		
% of Rated Bed Capacity		**130%**	66%		
Source: Indiana Department of Correction.					

Offenders Under 18 Years of Age Sentenced As Adults

The number of offenders under the age of 18 is increasing. These offenders were sentenced in adult court to serve sentences in adult facilities. IC 31-30-1-4 provides that a juvenile court does not have jurisdiction over an individual for alleged offenses ranging from certain violent crimes to certain drug and weapons violations. Once these individuals have been charged, the court having adult criminal jurisdiction retains jurisdiction over the case even if the individual pleads guilty to or is convicted of a lesser included offense.[4] A plea of guilty to or a conviction of a lesser included offense does not vest jurisdiction in the juvenile court. IC 31-30-3-2 also permits some juvenile defendants to be waived to adult court. As of February 2000, 78 offenders under the age of 18 resided in adult facilities as compared to 69 in 1992.

[4]Listed offenses included murder, kidnaping, rape, criminal deviate conduct, robbery with a deadly weapon, car jacking, criminal gang activity, and certain weapons and controlled substance violations (IC 31-30-1-4).

Offender Population with a Mental Illness

As of March 2000, 2,265 offenders were identified as having a mental illness. Male offenders with a mental illness were housed in either county jails or in one of twelve DOC facilities, while female offenders were housed in either of two DOC facilities.

Offenders were identified as mentally ill by two methods: (1) the offender was found guilty, but mentally ill; or (2) the evaluation at intake indicated a mental illness. A mental health screening, along with a general battery of tests, was administered at intake, generally by a psychologist or behavioral clinician. If there appeared to be evidence of a mental problem, further testing was administered and the offender was referred to a psychiatrist for additional evaluation. Safety was a primary concern during intake with a suicide watch instituted, if necessary. Three full-time psychologists and one psychiatrist were on contract with the Reception-Diagnostic Center. Offenders determined to have serious mental health problems were referred to Westville Psychiatric Unit, while offenders with long-term mental health problems were referred to the treatment unit at Wabash Valley Correctional Facility. Exhibit 18 provides the distribution of offenders with a mental illness.

Exhibit 18. Indiana Prison Population with Mental Illness by Facility: March 1, 2000.

Facility	Unable to Function in a Standard Prison Environ. *	Required Psychotropic Drugs or Frequent Monitoring by Psychiatrist **	Required Limited Psych. Services and Monitoring ***	Total with Mental Illness	Total Popu-lation	% of Prison Popu-lation
Male Offenders:						
Branchville Corr. Facility	0	0	1	1	887	0.1%
Correctional Industrial Complex	0	52	58	110	1,250	8.8%
County Jails	0	10	15	25	1,205	2.1%
Indiana State Prison	0	114	184	298	1,862	16.0%
Miami Correctional Facility	0	45	51	96	1,010	9.5%
Pendleton Correctional Facility	0	71	80	151	1,321	11.4%
Plainfield Correctional Facility	0	30	72	102	957	10.7%
Putnamville Correctional Fac.	0	98	210	308	1,968	15.7%
Reception-Diagnostic Center	2	13	19	34	646	5.3%
Wabash Valley Correctional Facility	0	145	202	347	2,049	16.9%
Westville Correctional Facility	1	118	191	310	2,586	12.0%
Westville Psychiatric Facility	95	4	5	104	104	100.0%
Westville Transitional Facility	0	0	12	12	176	6.8%
Female Offenders						
County Jails	0	0	0	0	71	0.0%
Indiana Women's Prison	0	63	52	115	327	35.2%
Rockville	0	127	125	252	715	35.2%
Total (Male and Female)	98	890	1,277	2,265	19,354	11.7%

* Mental illness or emotional condition whereby an individual was unable to function in a standard prison environment.
** Mental illness or emotional condition requiring psychotropic medications or frequent monitoring by a psychiatrist.
*** Any acute or stable emotional condition requiring limited psychiatric services and monitoring.

NOTE: The total of 19,354 represented all adult offenders who were under DOC custody and were in either DOC facilities or in county jails in March 2000.

Source: Indiana Department of Correction.

Appropriations for DOC

Appropriations for DOC have increased from about $220 million in FY 1990 to $533 million in FY 2000 (Exhibit 19). The average annual increase over the 10-year period equaled 9.3% for total funds. Federal funds represented a small percentage of total DOC appropriations. General Fund appropriations represented about 92.9% of total FY 2000 appropriations, while dedicated funds represented about 6.0%.

Exhibit 19. Appropriations for the Department of Correction: FY 1990 to FY 2001.

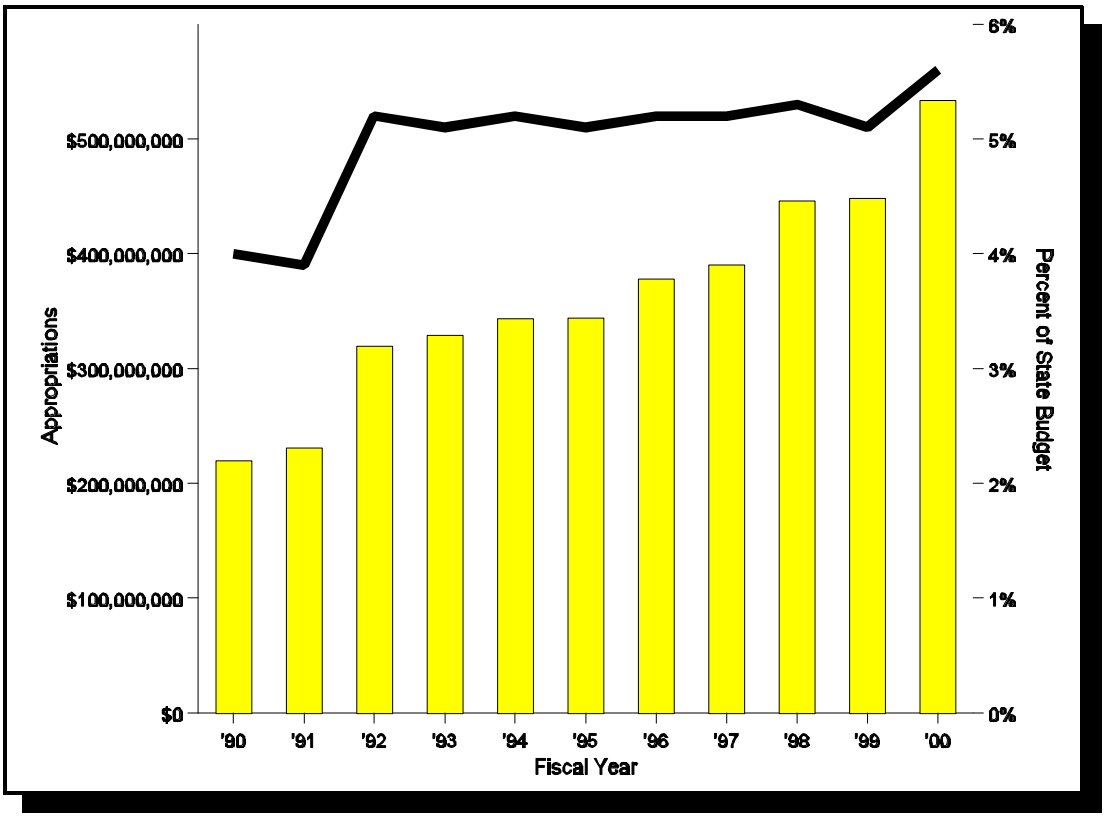
FY	General Fund	Dedicated Funds	Federal Funds	Total Funds	Increase	Percent Increase
1990	$208,704,31	$9,990,431	$1,065,873	$219,760,617		
1991	218,983,923	9,993,093	$1,794,304	$230,771,320	$11,010,703	5.0%
1992	302,316,060	13,537,775	$3,428,948	$319,282,783	$88,511,463	38.4%
1993	312,106,424	13,537,776	$3,033,629	$328,677,829	$9,395,046	2.9%
1994	323,040,383	16,908,002	$3,450,350	$343,398,735	$14,720,906	4.5%
1995	323,586,596	17,101,272	$3,207,043	$343,894,911	$496,176	0.1%
1996	347,917,568	27,783,709	$2,279,443	$377,980,720	$34,085,809	9.9%
1997	355,464,011	31,212,260	$3,258,834	$389,935,105	$11,954,385	3.2%
1998	409,642,284	32,780,979	$3,396,675	$445,819,938	$55,884,833	14.3%
1999	409,765,560	34,116,566	$4,338,219	$448,220,345	$2,400,407	0.5%
2000	495,401,294	32,020,976	$5,861,376	$533,283,646	$85,063,301	19.0%
2001	510,135,335	34,043,301	N/A	N/A	N/A	N/A
					Average	9.3%

Source: General and Dedicated Funds - List of Appropriations Made by the Indiana General Assembly; Federal Funds - Indiana Department of Correction.
N/A - Not Available.

The most significant appropriation increases occurred for FY 1992, FY 1998, and FY 2000.

Exhibit 20 shows that, since 1992, DOC appropriations as a percentage of State General Fund and Property Tax Relief Fund appropriations were between 5.1% and 5.6% of the total state budget.

Exhibit 20. Total Appropriations for the Department of Corrections: FY 1990 to FY 2000.



Source: General and Dedicated Funds - List of Appropriations Made by the Indiana General Assembly; Federal Funds - Indiana Department of Correction.

II. Correctional Officer Salary and Safety Issues

This chapter addresses the salary and safety of correctional officers. First, an overview of the roles and responsibilities of correctional officers will be followed by selected demographics in order to provide a general picture of the correctional officer staff.

Second, the salary of correctional officers will be discussed, especially as it relates to potential staffing problems, such as excessive staff turnover, position vacancy rates, training costs, and inmate-staff ratios within correctional facilities. Salaries will be described relative to other states and jurisdictions, as well as relative to the rate of inflation over the past several years.

Third, the safety of correctional officers will be discussed in the context of assaults by inmates against staff and in selected worker's compensation statistics.

Description of the Correctional Officer Staff

Job Descriptions

The primary responsibility of a correctional officer is to maintain order and security in the correctional facility and to prevent escapes. Correctional officers in Indiana perform a variety of tasks, including:

- patrolling assigned areas and maintaining counts of inmates,
- supervising inmates in work detail, and
- keeping records and reporting rule violations and the movement and progress of inmates.

Additional assignments may include tower duty (requiring the possession and possible use of firearms); supervising inmates on minimum security work assignments outside the facility; and searching for contraband of vehicles, visitors, and packages entering and leaving the facility.

Correctional officers are required to know the appropriate DOC rules and regulations and to supervise effectively offenders who are not motivated to work. Correctional officers need a basic knowledge of psychology, sociology, alcoholism, drug addiction, and criminology. They also need to be able to defend themselves physically; operate cell-house or dormitory controls; and prepare reports of unusual events, accidents, or violations of rules.

Exhibit 21 describes the correctional officer position within the context of DOC personnel who have either direct or indirect control of and contact with the inmate population. For the remainder of the report, all of the positions described in Exhibit 21 will be referred to collectively as the "custody staff," while the term "correctional officer" or "officer" will refer to the position of correctional officer, only.

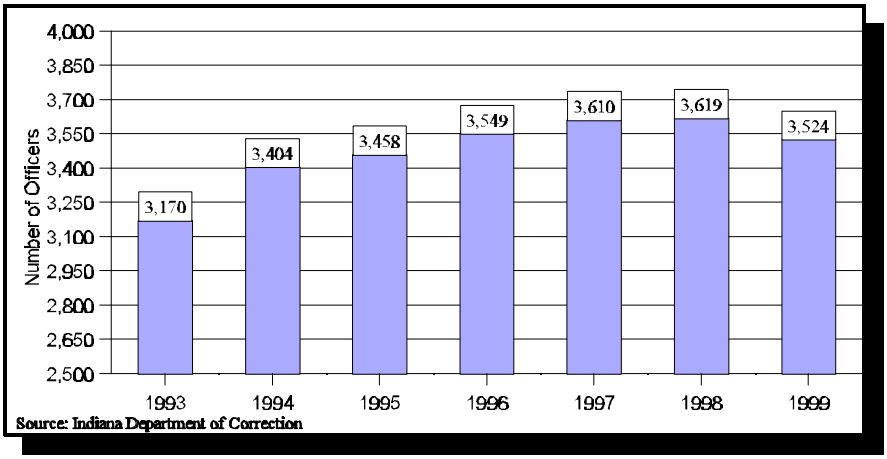
Exhibit 21. Positions and Job Descriptions of Correctional Staff.

Position	Job Description
Correctional Officer	Ensures maintenance of order and supervises inmates. Counsels inmates on their adjustment to institutional living.
Correctional Sergeant	Responsible for the maintenance of order and supervision of offenders. Supervises correctional officers on an assigned shift in an assigned area. Reports directly to a correctional lieutenant.
Correctional Lieutenant	Serves as assistant to the shift leader for a specific shift at a major DOC facility. Responsible for the safety and security of staff and offenders at the facility during the shift. Supervises correctional sergeants and correctional officers. Reports directly to a correctional captain.
Correctional Captain	Serves as the shift leader for a specific shift at a major DOC facility. Responsible for the security and safety of staff and offenders at the facility during the shift. Supervises correctional lieutenants, correctional sergeants, and correctional officers. Reports directly to the correctional major.
Correctional Major	Serves as the lead custody administrator for a major DOC facility reporting to the assistant superintendent of operations and directing the overall operations of the custody department. Responsible for the overall security and safety of staff and offenders at the facility.
Source: Indiana Department of Correction, Human Resources.	

The Number and Composition of Correctional Officer Staff

The number of filled correctional officer positions increased from 3,170 in 1993 to 3,524 in 1999, an increase of 11% (Exhibit 22).

Exhibit 22. Number of Correctional Officers: January 1993 to January 1999.



Changes in Staffing of Correctional Officers in State Correctional Facilities

Since 1993, 20 of the 32 state correctional facilities experienced either no increase in correctional officer staff or a decrease in staff. The facility that lost the most correctional officers was the

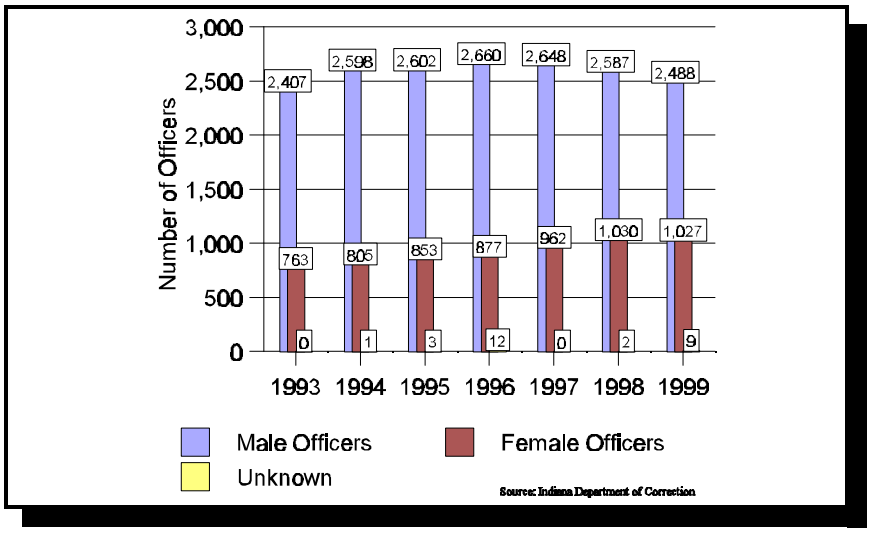
Maximum Control Facility, which experienced a 30% decrease since 1993. The Maximum Control Facility opened in December 1992. Several years into the operation of the facility, DOC was the target of a lawsuit, and, consequently, many of the offenders were moved out of the facility which caused the population to drop below 100 for a few years. Upon resolution of the lawsuit, the population increased as DOC began to move offenders back into the facility. Of the 12 facilities that have more correctional officers since 1993, three have experienced the greatest growth: Rockville (70%), Lakeside (100%) and Wabash Valley (300%) (See Appendix 1). In December 1996, a 1,000-bed unit at Wabash Valley opened, increasing the number of offenders from 1,071 on January 1, 1996, to 1,957 on January 1, 1997.

The number of inmates compared to the number of correctional officers determines the inmate-to-staff ratio in each facility. (See Appendix 2 for the ratio for each facility.)

Male and Female Correctional Officers

The total number of male correctional officers increased slightly from 2,407 in 1993 to 2,488 in 1999 (Exhibit 23). During this same time period, the number of female correctional officers increased from 763 to 1,027, an increase of 35%. Since the number of male officers increased at a smaller rate than the number of female officers, the proportion of female officers to total officers increased from 24% to 29%.

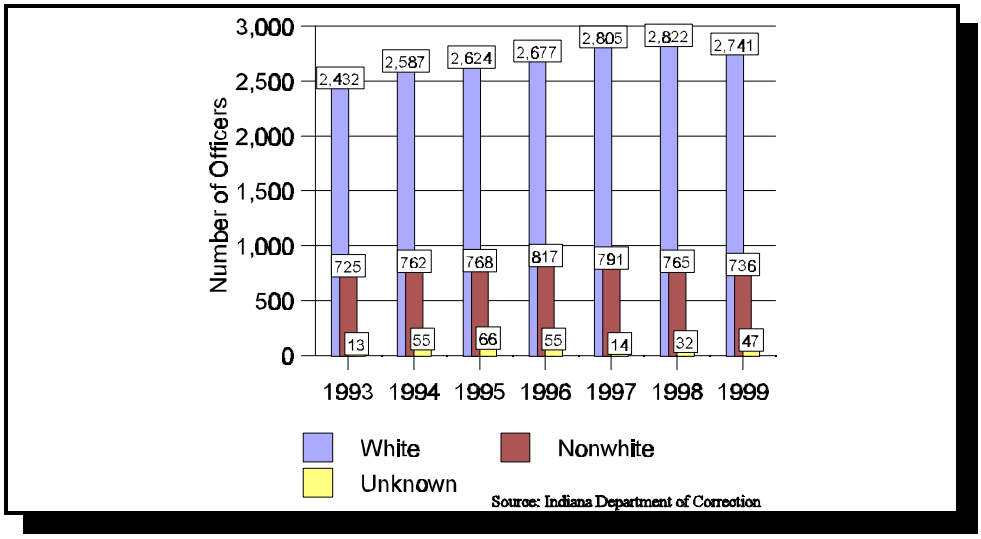
Exhibit 23. Male and Female Correctional Officers: January 1993 to January 1999.



Race and Ethnicity of the Correctional Officer Staff

The number of white correctional officers increased from 2,432 in 1993 to 2,741 in 1999, an increase of 12.7% (Exhibit 24). The number of minority correctional officers increased by less than 2%, from 725 to 736 over the same time period. However, the proportion of officers represented by minorities in comparison to the total number of officers decreased since 1993.

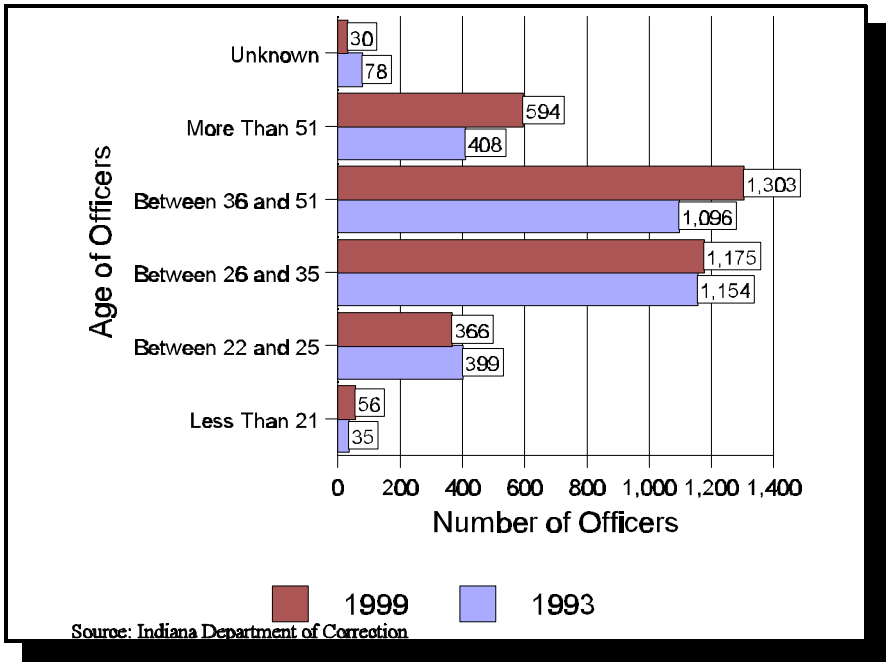
Exhibit 24. Race and Ethnicity of Correctional Officers: January 1993 to January 1999.



Age of Correctional Officers

Since 1993 the average age of correctional officers increased. The number of officers under the age of 26 decreased by about 3% (Exhibit 25). During this same time period, the number of officers from 36-51 years of age increased by 18%, and the number of officers over the age of 51 increased by more than 45%. Consequently, since 1993, the percentage of the staff represented by officers under the age of 26 declined from 14% to 12%.

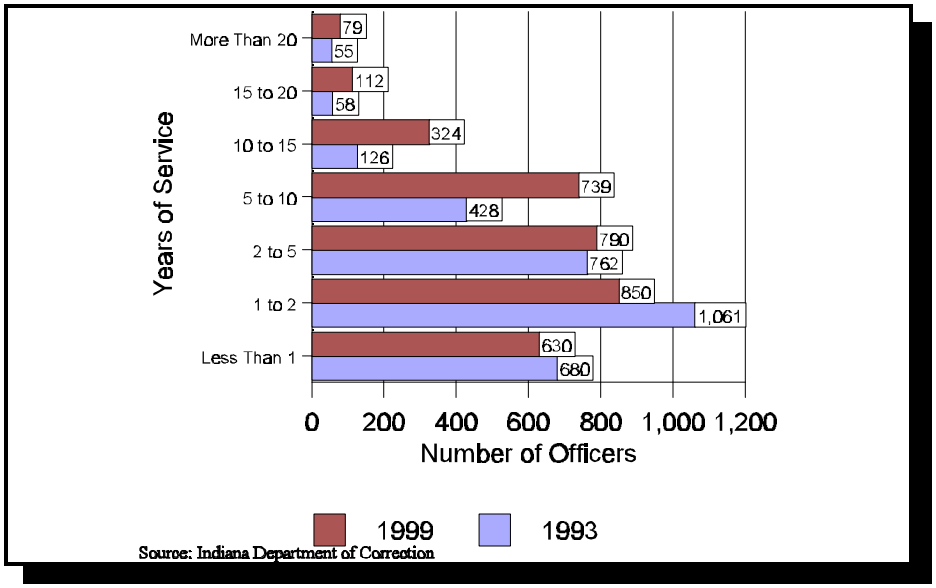
Exhibit 25. Age Groups of Correctional Officers: January 1993 and January 1999.



Length of Service

Overall correctional officers appeared to have more experience in 1999 than they did in 1993 in terms of length of service. The number of officers employed for less than one year declined by approximately 7% (Exhibit 26). The number of officers having between one and two years of service decreased by 20%. At the same time, the number of officers employed for over two years increased by approximately 43%. Consequently, the proportion of officers with under two years of service declined from 55% to 42%. However, each correctional facility had different experiences in terms of the length of service. While the overall number of officers with less than one year of service declined, the number of correctional officers with less than one year experience increased in 13 facilities and declined in 14 facilities. Four facilities experienced no change.

Exhibit 26. Length of Service of Correctional Officers: January 1993 and January 1999.



Source: Indiana Department of Correction

Salary Levels and Staffing Issues

This section addresses salary levels of Indiana's correctional officers, both as they relate to salaries provided in other states and jurisdictions, and as they relate to purchasing power over time. Inadequate compensation could increase turnover and vacancy rates, which could, in turn, affect employer costs and employee safety. However, no conclusions were drawn about the relationship between compensation and staff turnover, vacancy rates, employer costs, and employee safety.

Salary Levels

For FY2000, the minimum annual salary for an entry-level correctional officer was $20,956. (Salary ranges for all custody staff are listed in Exhibit 27.) Minimum qualifications included three years of full-time work experience; a high school diploma or GED; age 18 or older; and possession of a current driver's license.

While higher paying ranked officer positions exist, several factors discourage officers from seeking promotions. First, correctional officers promoted to sergeant were no longer a part of the Unity Team. Second, correctional officers, and to some extent sergeants, could earn overtime pay. However, ranks above sergeant were not eligible for overtime. Most officers made more

money due to overtime than they would have in a ranked position. Obtaining a promotion may have resulted in less money and more responsibility.

Exhibit 27. Salaries of Custody Staff: FY 2000.

Position	Minimum Annual Salary	Maximum Annual Salary	Recruitment Differential
Officer	$20,956	$32,890	6.9%
Sergeant	$21,632	$33,462	6.8%
Lieutenant	$24,648	$36,582	6.9%
Captain	$26,208	$38,532	6.9%
Major	$29,198	$42,432	6.9%

Comparison of Salaries with Other States and Other Jurisdictions

Both entry-level salaries for 1998 (Exhibit 28) and maximum annual salaries for 1998 (Exhibit 29) for correctional officers in Indiana, in surrounding states, and in federal and local governments are presented in the following charts.

Exhibit 28. Starting Salaries of Correctional Officers in Indiana, Neighboring States, and Selected Jurisdictions in 1998.

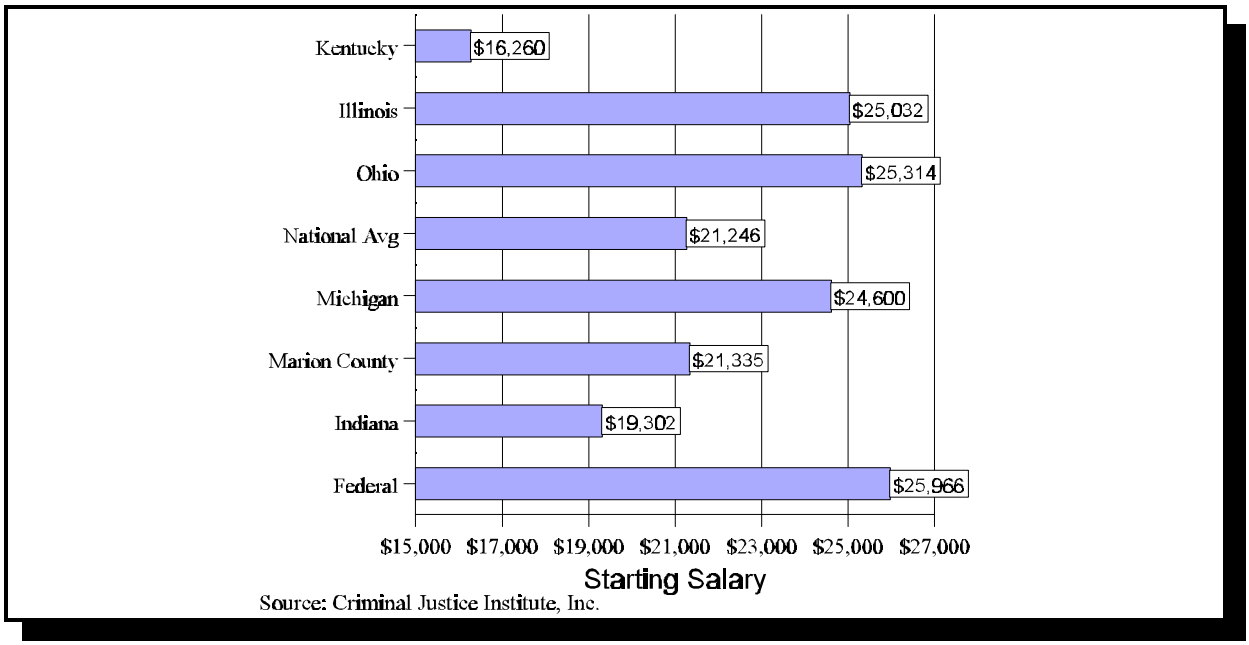
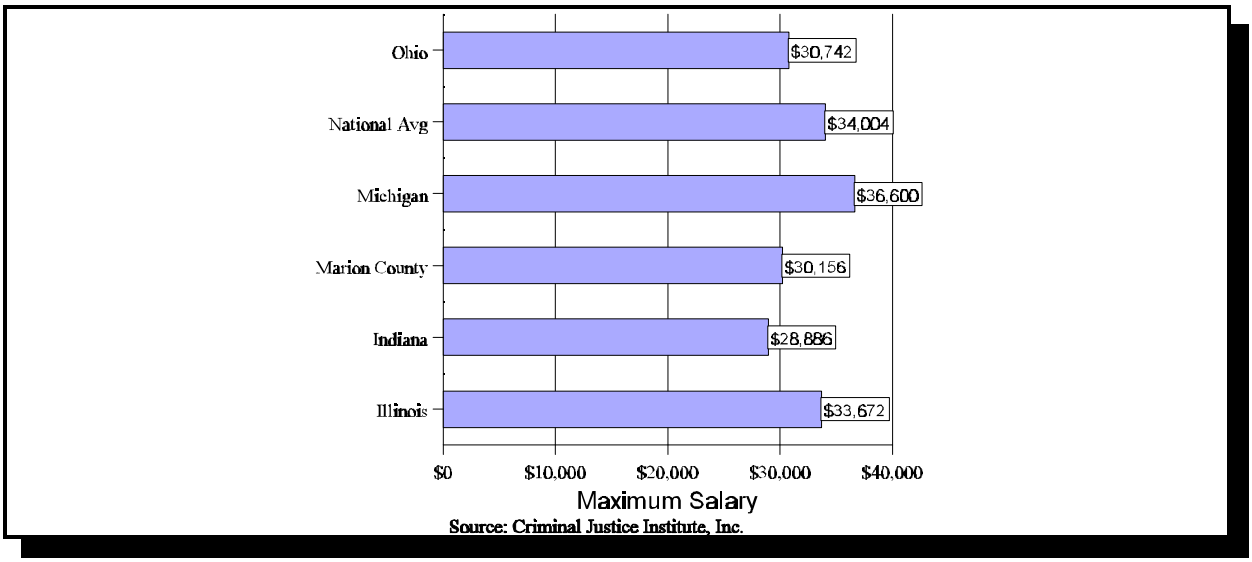


Exhibit 29. Maximum Salaries of Correctional Officers in Indiana, Neighboring States, and Selected Jurisdictions in 1998.



The American Correctional Association's (ACA) compensation standard suggested that salaries and benefits be comparable to those for similar occupational groups in the state or region. The ACA also stated that competitive salaries and benefits were necessary to recruit and retain staff of high caliber. As Exhibits 28 and 29 indicate, Indiana's salary schedule for correctional officers was lower than comparable positions in Marion County, all surrounding states, and the U.S. average for both entry-level and maximum salaries. The lone exception was Kentucky which had a lower entry-level salary, but no maximum.

Earning Power of Correctional Officers' Salaries

Using the Consumer Price Index deflator for each year, the earning power of the correctional officers' salaries in 1990 was compared to the earning power of their salaries between 1991 and 2000. Exhibit 30, below, illustrates what the salary levels would have to have been for each year subsequent to 1990 in order for the salaries to possess the same earning power as they had in 1990. The increase in average salary that would be required in 1999 to provide the same earning power as the average salary in 1990 was nearly $6,000 per officer.

Exhibit 30. Salaries of Correctional Officers Adjusted for Inflation: 1990 to 1999.

Year	Minimum Salary		Maximum Salary		Average Salary	
	Actual Minimum	Adjusted for Inflation	Actual Maximum	Adjusted for Inflation	Actual Average [1]	Adjusted for Inflation[2]
1990	$16,484	$16,484	$24,804	$24,804	$17,230	$17,230
1991	16,484	17,178	24,804	25,848	17,230	17,955
1992	16,484	17,695	24,804	26,626	17,230	18,496
1993	16,484	18,224	24,804	27,423	17,230	19,049
1994	16,484	18,691	25,580	29,005	17,686	20,054
1995	17,056	19,888	26,580	30,993	18,344	21,390
1996	18,086	21,712	27,696	33,248	19,719	23,672
1997	18,086	22,210	27,696	34,011	20,158	24,754
1998	18,086	22,556	28,860	35,992	20,895	26,059
1999	18,850	24,028	30,041	38,293	21,560	27,482
2000	20,956	27,381	32,890	42,973	24,008	31,368

[1] Source: Indiana Department of Correction, Employee Data Files EMPJAN1.93-EMPJAN1.98, and EMP101.99; Indiana State Personnel Department.
[2] Consumer Price Index, Urban Consumers - U.S. Bureau of Labor Statistics.

Among other factors, employee compensation levels can affect turnover and vacancy rates. High turnover rates can lead to higher training costs and a more inexperienced workforce. High vacancy rates can lead to excessive overtime and higher inmate-to-staff ratios. Excessive overtime and higher ratios can, in turn, lead to higher labor costs, overuse of employees, and management and safety ramifications. Although establishing the relationships among these factors goes beyond the scope of this audit, a discussion of these factors is provided below.

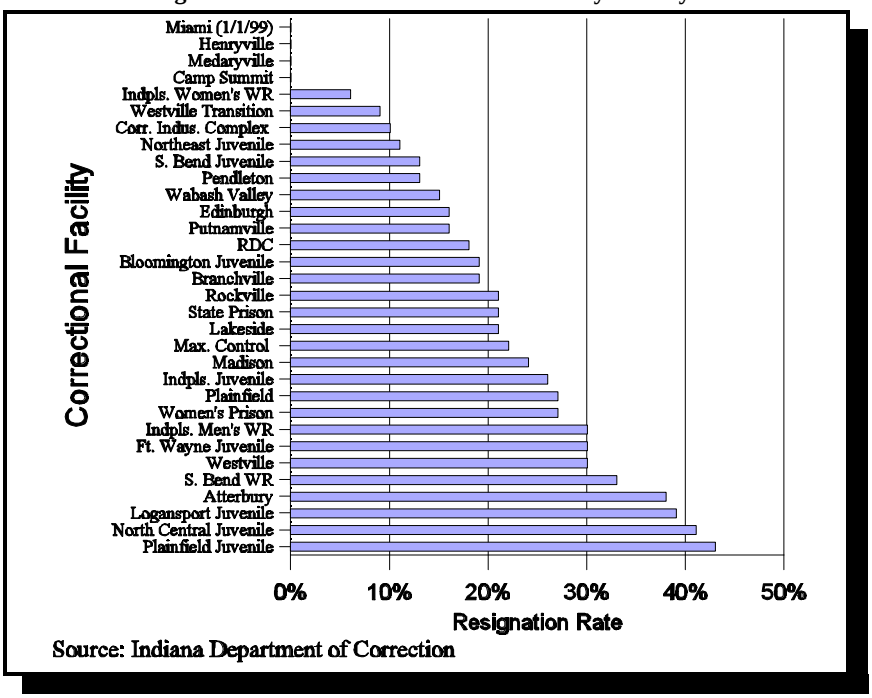
Resignation Rates and Training Costs

Resignation rates by facility (based on the number of resignations compared to the number of authorized positions) are provided in Exhibit 31. Facilities with high resignation rates and high turnover rates, needed to train new officers continuously, which increased training costs.

Correctional officers in Indiana attended pre-service training at the Correctional Training Institute (CTI) in New Castle. Officers in juvenile facilities received three weeks of training whereas officers in adult facilities received four. Before attending CTI, new employees had to also be trained and certified in CPR and First Aid. In addition, participants had to spend at least three weeks of facility orientation and on-the-job training before attending either adult or juvenile pre-service training.

The State Personnel Department estimated that the 1998 DOC turnover rate was 25%. DOC believed that the 2000 rate was higher. CTI estimated that DOC sent 1,000 employees per year to CTI for pre-service training at a cost of $4,000 each, or $4 million annually.

Exhibit 31. Resignation Rates of Correctional Officers by Facility: CY 1998.



Excessive resignation rates also affect the experience level of the workforce. As mentioned in an earlier section, although the average length of service for the correctional officers increased in recent years, the experience differed significantly by facility, with the number of officers with less than one year of experience increasing in 13 of the facilities.

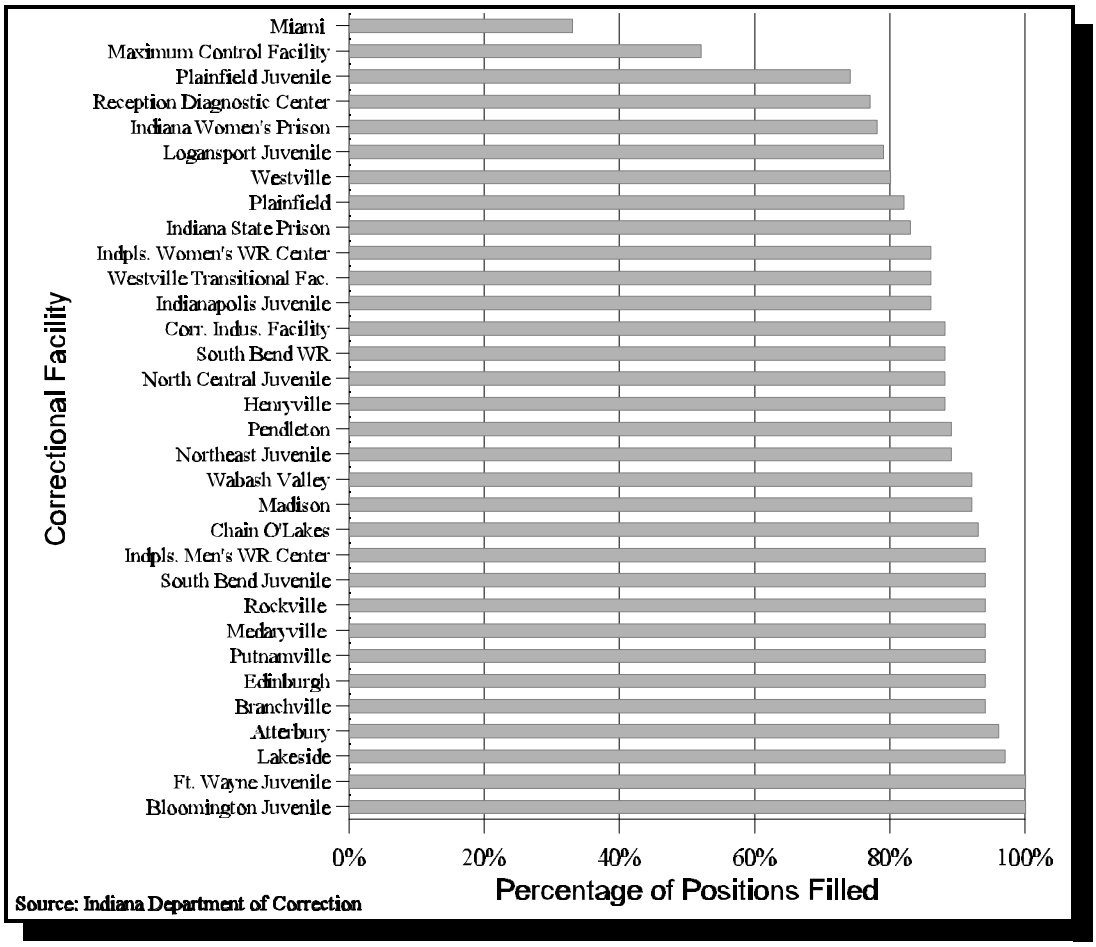
Facility Vacancies

In certain regions of the state, correctional facilities experienced difficulty replacing officers who resigned because of the tight labor market. Officers may have had an opportunity to find alternative employment with equal or better salaries without the stress and safety risk of working in a correctional facility.

Exhibit 32 illustrates the percentage of filled correctional officer positions by facility in January 1999. Twelve facilities had less than 88% of authorized positions filled:[5] Indiana State Prison, Indiana Women's Prison, Indianapolis Juvenile, Indianapolis Women's Work Release, Logansport Juvenile, Maximum Control Facility, Miami (new facility), Plainfield, Plainfield Juvenile, Reception Diagnostic Center, Westville, and Westville Transitional.

[5]Based on information provided by the State Personnel Department, as of March 2000, the average percentage of full-time staff to authorized positions for the 23 state agencies with at least 100 full-time staff was 87%.

Exhibit 32. Percentage of Authorized Correctional Officer Positions Filled by Facility: January 1999.



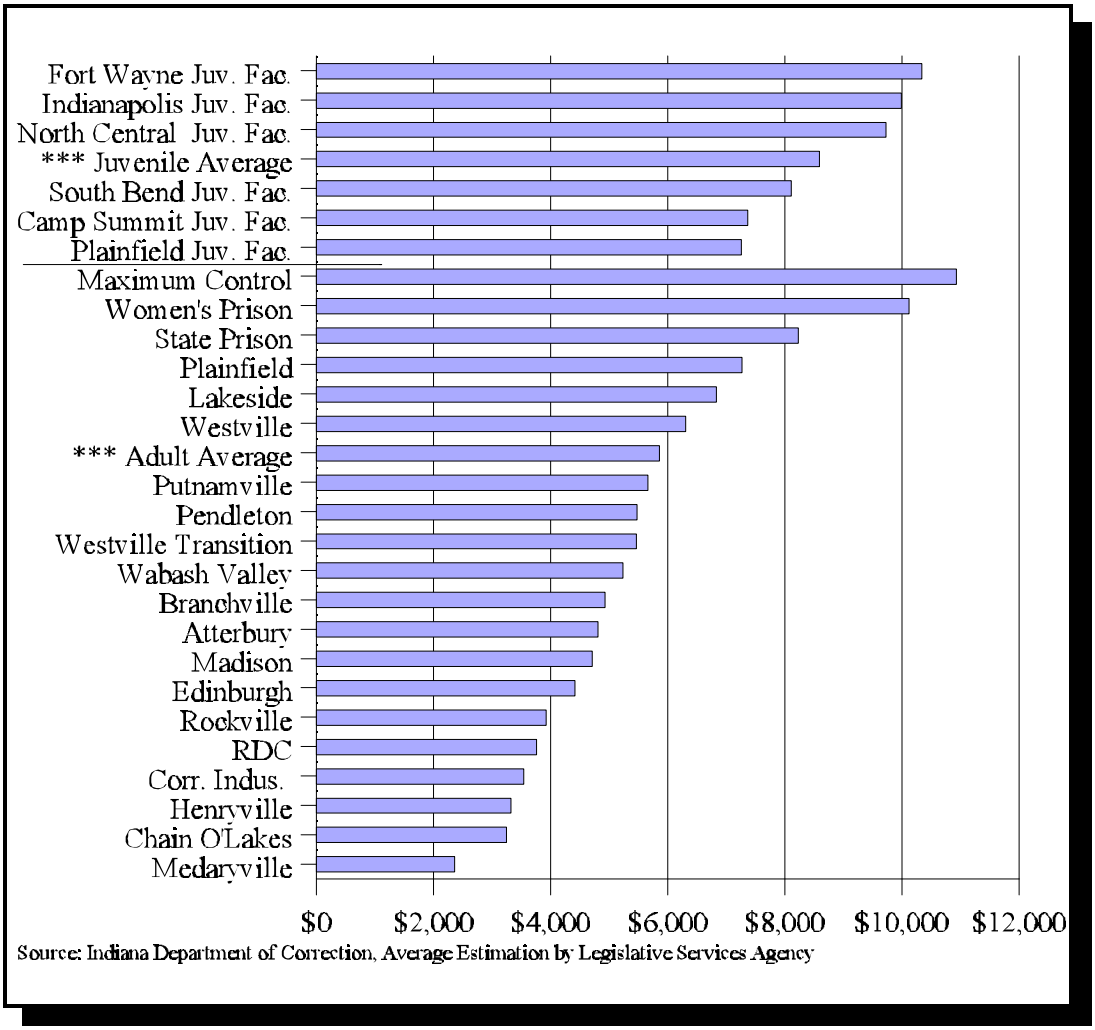
Note: Staff members on leave or otherwise not on active duty are not reflected in the chart. Miami Correctional Facility did not begin housing offenders until July of 1999.

Overtime Requirements and Expenditures

For a given facility or inmate population, a certain number of personnel hours or correctional officers are required for the safe and efficient operation of a correctional facility. Excessive vacancy rates in a facility may necessitate overtime hours to achieve that level of safe and efficient operation.

Below is a comparison of overtime expenditure per correctional officer by facility (Exhibit 33). The amount of overtime expenditure per officer varied significantly by facility, ranging from a low of $2,347 per officer (Medaryville Correctional Facility) to a high of $10,913 (Maximum Control Correctional Facility). Overtime expenditure per officer was estimated due to the unavailability of data showing overtime hours earned. Although correctional sergeants could earn overtime, the overwhelming majority of overtime was earned by correctional officers. Overtime expenditure information is based on FY 1998 data while the number of officers is based on January 1, 1998, data.

Exhibit 33. Overtime Expenditures per Correctional Officer by Facility: FY 1998.



Overtime expenditures for all facilities were estimated at $21.5 million for FY 1998. Total expenditure by facility ranged from $37,546 (Medaryville Correctional Facility) to $3,084,152 (Westville Correctional Facility).

DOC has voluntary and mandatory overtime policies. Staff were assigned overtime during emergencies; position vacancies; operational shortages; absence of staff due to leaves; or as required by the appointing authority/designee. When overtime assignments become necessary, volunteers were first assigned to provide the needed coverage. Employees could not work more than 24 hours of overtime per week without the approval of the appointing authority. Employees also could not be required to work more than a 16-hour day. A probationary employee could volunteer to work overtime following successful completion of initial training if the shift supervisor determined that the vacant assignment could be adequately covered by the probationary employee.

When overtime needs were not met by volunteers, mandatory overtime was assigned to employees having the least amount of overtime who were on duty. Employees could refuse two mandatory overtime assignments in a fiscal year without disciplinary action. Employees working a double shift overtime assignment received one free meal during the overtime shift.

The Reception Diagnostic Center and the Miami, Westville, and State Prison facilities had the highest number of mandatory overtime assignments. In an attempt to address the problem, these facilities implemented a policy that required correctional officers to work a twelve-hour shift on their first day back from two days off. According to DOC officials, this twelve-hour policy reduced the need for mandatory eight-hour shift overtime assignments in the four facilities.

Excessive overtime does result in additional costs to the state from the payment of the employee's hourly wage at the time-and-a-half rate. However, these additional costs are offset to some extent by reduced health care and other fringe benefit expenditures that would have to be provided if additional full-time employees were hired instead. The net cost to the state of the overtime policy was not determined.

Additional problems associated with excessive overtime requirements are potentially more serious. First, mandatory overtime can lead to problems with employee retention, replacement, morale, and overall job satisfaction. Second, fatigue that can result from overtime can increase accidents, both on and off the job, and add to inmate/staff conflicts and confrontations. The extent of the ramifications of mandatory overtime is not known, but the potential for problems do exist in a correctional facility environment.

Inmate-to-Staff Ratios

National standards do not exist for the optimum inmate-to-staff ratio in correctional facilities. Both the American Correctional Association and the International Association of Correctional Officers no longer provide inmate-to-staff ratio standards due to the difficulty of incorporating factors unique to each correctional facility, such as line of sight, how sound carries in different facilities, the extent to which a facility is automated, and the physical layout of a facility.

Inmate-to-staff ratios are listed below for juvenile facilities (Exhibit 34) and for adult facilities (Exhibit 35).

Exhibit 34. Inmate to Youth Service Officer Ratio in Juvenile Facilities: February 2000.

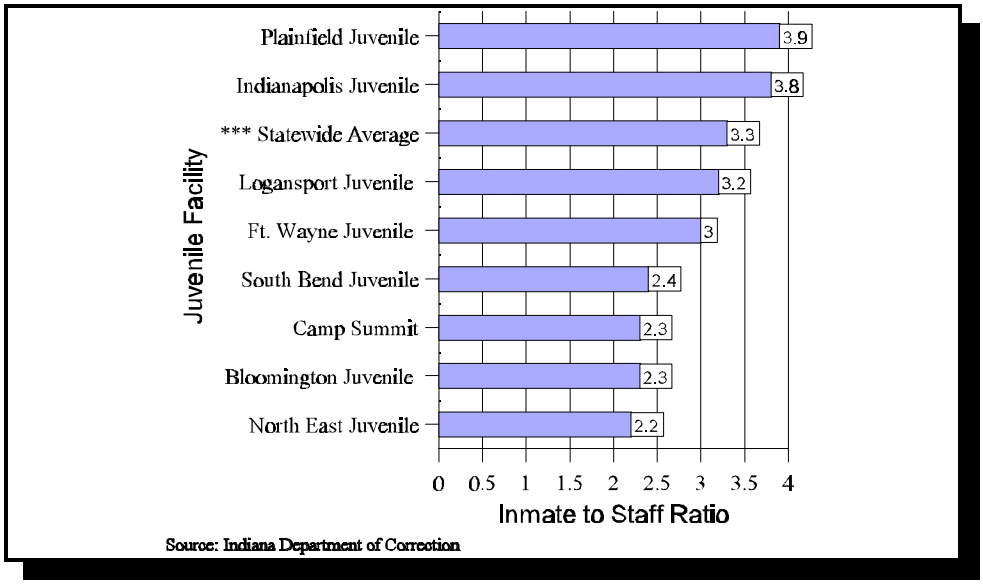
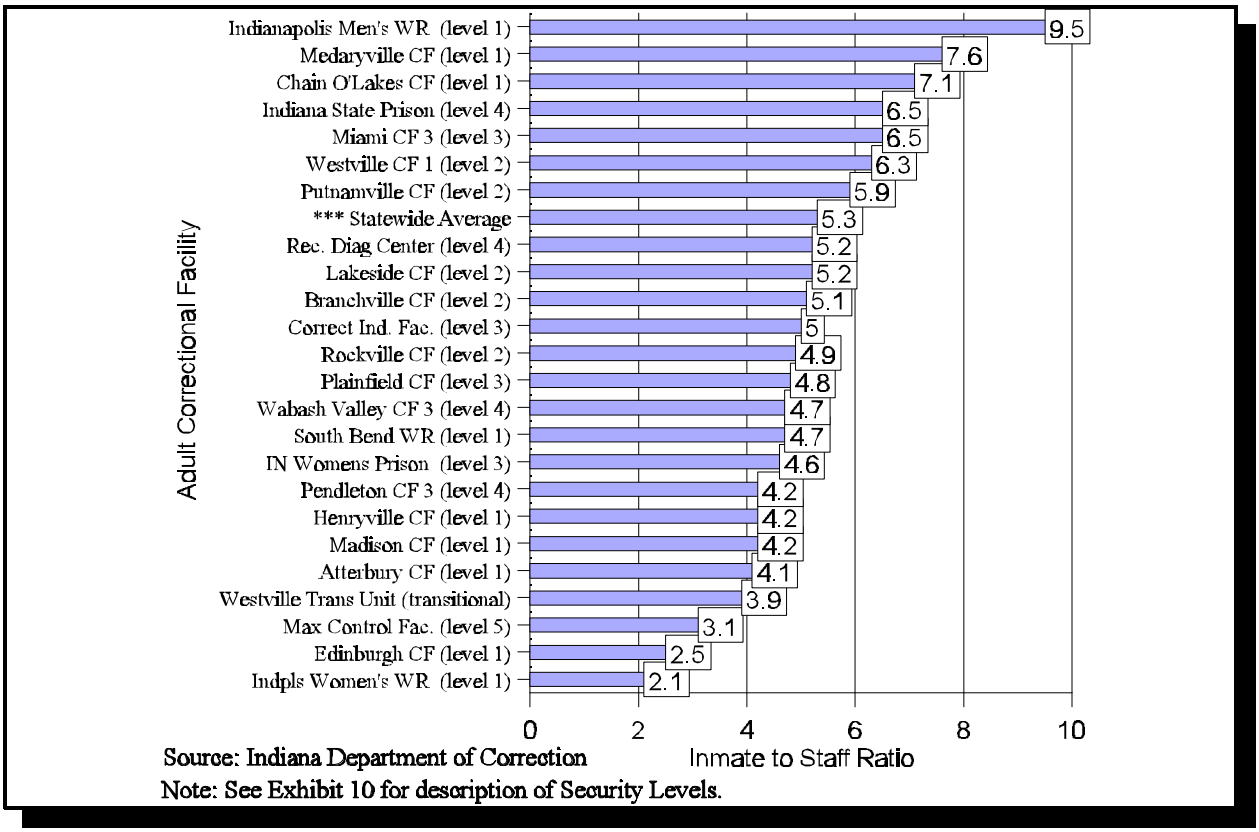


Exhibit 35. Inmate to Correctional Officer Ratio in Adult Facilities: February 2000.



Recent Salary Increases

Effective January 2, 2000, DOC custody staff received a $0.75 per hour wage increase and an additional 6.8% increase. New officers earn $20,956. This increase reflected a 4% increase in the minimum entry level salary, which was received by all state employees, in addition to the 6.8% recruitment differential. In January 2001, custody staff will receive another wage increase of $0.60 per hour. It is too early to determine the impact of the increases, but wage increases could help to reduce high vacancy and turnover rates.

Safety Issues

This section considers officer safety within the correctional facility. Two measures were examined: (1) the number of worker's compensation claims filed and paid by DOC relative to certain other state agencies; and (2) the number of assaults on correctional officers reported to the Criminal Justice Institute, Inc.

Worker's Compensation Claims and Deaths

Exhibit 36 compares the incidence of worker's compensation claims and deaths for 1997 through 1999 of authorized positions employed by the Alcoholic Beverage Commission, the Department of Natural Resources (DNR), and the Indiana State Police with DOC positions. Worker's compensation rates per position and the average payments per position are listed. The number of

paid incidents, the average number of incidents per authorized position, the aggregate compensation and medical payments made, and the average payment were highest for DOC in each of three years with one exception. In 1998 the average DNR payment per incident of $4,603 was higher than the average DOC payment of $2,734.

Exhibit 36. Worker's Compensation Incidents and Payments by Agency: 1997 to 1999.

Agency	Authorized Positions	Paid Incidents	Incident Rate per Position	Compensation & Medical Paid	Average Payment
Department of Correction					
1997	8,704	654	.08	$2,552,355	$3,903
1998	8,863	750	.08	2,800,692	2,734
1999	9,189	421	.05	1,115,610	2,650
Alcoholic Beverage Commission					
1997	81	1	.01	$1,555	$1,555
1998	82	1	.01	664	664
1999	82	1	.01	1,028	1,028
Department of Natural Resources					
1997	1,519	84	.06	$261,244	$3,110
1998	1,520	103	.07	474,061	4,603
1999	1,522	54	.04	134,000	2,481
Indiana State Police					
1997	2,078	28	.01	$108,840	$3,887
1998	2,113	10	.01	25,164	2,516
1999	2,167	10	.01	12,424	1,242

Source: Indiana State Personnel Department

According to death claim records provided by the agencies, since 1996, two DOC staff have been killed on the job. Both deaths occurred in 1999--one at the Indiana State Prison resulted from a knife assault and one at the Maximum Control Facility resulted from a gunshot wound. Six Indiana State Police officers were killed: five in automobile accidents and one by gun shot. One occurred in 1997, two in 1998, two in 1999, and one in 2000. One worker from the Department of Natural Resources was caught in water and drowned in 1998.

Worker's compensation data is also presented by DOC facility in Exhibit 37. Facilities having the highest number of paid incidents per authorized position were Westville Correctional Facility and the Indiana State Prison (0.15 incidents per position). The facility with the highest average payment per incident was the Indiana Women's Prison ($4,399 per paid incident).

Exhibit 37. Worker's Compensation Incidents and Payments by Correctional Facility: 1999.

Facility	Authorized Custody Positions	Paid Incidents	Incident Rate per Position	Compensation and Medical Paid	Average Payment
Atterbury	30	3	.10	9,165	3,055
Bloomington Juvenile	23	0	0	0	0
Branchville	225	21	.09	77,603	3,695
Camp Summit	34	no entries			
Chain O'Lakes	22	0	0	0	0
Corr. Indus. Complex	340	40	.12	81,748	2,044
Edinburgh	43	no entries			
Ft. Wayne Juvenile	17	2	.12	4,658	2,329
Henryville	30	2	.07	3,735	1,868
Indiana State Prison	438	66	.15	165,110	2,502
Indiana Women's Prison	135	15	.11	65,991	4,399
Indpls. Juvenile	81	11	.14	20,829	1,894
Indpls. Men's WR	23	no entries			
Indpls. Women's WR	21	no entries			
Lakeside	72	8	.11	23,537	2,942
Logansport Juvenile	35	5	.14	11,965	2,393
Madison	45	4	.09	6,263	1,566
Maximum Control Fac.	114	no entries			
Medaryville	23	2	.09	3,072	1,536
Miami	294	3	.01	1,589	530
North Central Juvenile	96	11	.11	34,245	3,113
Northeast Juvenile	26	1	.04	1,977	1,977
Pendleton	406	50	.12	144,313	2,886
Plainfield	330	no entries			
Plainfield Juvenile	156	11	.07	26,311	2,392
Putnamville	419	no entries			
RDC	187	no entries			
Rockville	177	no entries			
S. Bend Juvenile	23	1	.04	2,089	2,089
S. Bend WR	23	no entries			
Wabash Valley	575	72	.13	150,701	2,093
Westville	606	91	.15	265,208	2,914
Westville Transition	65	0	0	0	0

Source: Indiana State Personnel Department.

Assaults on Officers

Assaults against staff can result in serious injury or death. Additionally, assaults can result in overtime expenditures and negatively affect inmate-staff relations. The number of assaults ranged from 282 in 1998 to 333 assaults in 1997 (see Exhibit 38). Thirty to 50% of the assaults required medical attention.

Exhibit 38. Assaults on Staff by Offenders by Correctional Facility: 1997 to 1998.

Facility	1997			1998		
	Assaults	Required Medical Attention	Referred for Prosecution	Assaults	Required Medical Attention	Referred for Prosecution
Level 1 Facilities						
Atterbury						
Chain O'Lakes						
Edinburgh						
Henryville						
Indpls Men's WR						
Indpls Women's WR	N/R	N/R	N/R			
Madison						
Medaryville						
South Bend WR						
Level 2 Facilities						
Branchville	3					
Lakeside	6			1		
Plainfield	15	7	3	18	18	4
Putnamville	1	1	1	9	4	3
Rockville	1	1		2	2	
Westville	46	46	6	28	7	5
Level 3 Facilities						
Correctional Industrial Complex	11			8		
Indiana Women's Prison				4	2	
Level 4 Facilities						
Indiana State Prison	96	14	5	4	4	3
Pendleton	21	9	13	28	14	14
Reception Diagnostic Center				2		
Wabash Valley	72	72	20	164	25	13
Level 5 Facilities						
Maximum Control Facility	61	28	1	14	15	3
Correctional Programs						
Westville Transitional Facility						
Totals	333	178	49	282	91	45

N/R = No information reported
No entries in the table represent zero assaults reported by the facility.
See Exhibit 10 for description of security levels.
Source: Indiana Department of Correction

A statistical procedure was performed on available data to learn more about the relationship of certain factors on the number of assaults by offenders on correctional staff. The number of

reported assaults by adult facility over a three-year period was regressed[6] on data representing (1) inmate-to-correctional officer ratio for a facility; (2) correctional officer length of service; (3) age characteristics of the correctional officer staff; (4) facility level of security; (5) inmate population; and (6) the inmate population in relation to facility capacity. Although the number of observations was limited, variables representing security level of the facility and the length of service of the correctional officers showed strength in explaining the variation in the number of reported assaults on officers by facility. Of special note was the importance of the variable representing the percent of a facility's correctional officer staff with less than 24 months of experience. This result highlights the significance of training in the deterrence and management of inmate assaults.[7]

[6] The estimated equation produced an adjusted R^2 of 42% with an F-statistic of 6.999 significant at 99%. Variables in the equation with their estimated coefficients and probability included (a) inmate-to-officer ratio at the facility (1.80; p=0.42); (b) percentage of officer staff with less than 24 months of experience (49.64; p=0.05); (c) percentage of officer staff younger than 25 years of age (-56.63; p=0.38); (d) inmate population of the facility (0.018; p=0.001); (e) dummy variable for Level 1 security (-23.6; p=0.146); (f) dummy variable for Level 2 security (-34.62; p=0.04); (g) dummy variable for Level 3 security (-36.5; p=0.039); (h) dummy variable for Level 4 security (-12.83; p=0.488); and (I) dummy variable for Level 5 security (-1.25; p=0.949).

[7] In Michigan, correctional officers are required to attend a 16-week training academy and must have 15 specific criminal justice-related credit hours from a certified postsecondary institution, or 30 general credit hours. Michigan has also established a Correctional Officers Training Council to which the Governor makes appointments. In addition, as a result of several correctional officer and correctional facility staff deaths due to attacks by offenders in Michigan, single-officer assignments where the correctional officer is isolated are now prohibited, and guard towers have been reinstalled in higher security facilities.

III. Community Corrections Programs

Community corrections programs are a series of sanctions that provide treatment and supervision for nonviolent offenders who need more than traditional probation but do not require incarceration. These programs are used to reduce the number of offenders who are admitted into DOC facilities.

In this section, the following topics concerning community corrections are presented:

- an outline of statutes, rules, and other regulations governing community corrections programs;
- an explanation of funding sources;
- programs provided and types of offenders served; and
- an evaluation of how community corrections agencies divert offenders from DOC.

Governance

Statutes, rules, and regulations govern community corrections programs. First, the General Assembly enacted a series of statutes to guide these programs. Secondly, DOC promulgated rules to implement what is in statute. Finally, DOC staff provided technical assistance and monitored the performance of these agencies.

Statute

Definition

IC 11-12-1-1 defines community corrections programs as those that provide:

- preventive services,
- services to offenders,
- services to persons charged with a crime or an act of delinquency,
- services to persons diverted from the criminal or delinquency process,
- services to persons sentenced to imprisonment, or
- services to victims of crime or delinquency.

These programs are operated under a community corrections plan of a county and funded at least in part by state community corrections grants (IC 11-12-2).

Purpose

IC 11-12-1-2 specifies the purpose of community corrections programs is to:

- prevent crime or delinquency;

- serve persons sentenced to imprisonment in a county or local penal facility other than a state owned or operated facility;
- serve committed offenders; and
- serve persons ordered to participate in community corrections programs as a condition of probation.

Requirements for the Department of Correction

Under 11-12-2-5, DOC provides oversight to counties with community corrections programs. DOC is required to adopt rules concerning the content of community corrections plans, the distribution of funds, and minimum standards for program operation. Finally, DOC staff must inform the State Budget Agency of appropriations needed to adequately fund the program.

DOC is also responsible for providing consultation and technical assistance, training for corrections personnel and board members, informing counties of money appropriated, and providing an approved training curriculum for community corrections field officers.

IC 11-8-2-9 requires DOC to establish a program of research and statistics and to compile information on facilities and programs, including residential and nonresidential community programs; offender participation; and recidivism.

DOC staff in the Division of Programs and Community Services include four professionals and two administrative assistants.

Requirements for Community Corrections Programs at the Local Level

Counties, or a combination of counties, are the only local entities eligible to receive state funding for community corrections programs. Counties must establish a community corrections advisory board. IC 11-12-2-2 provides that an advisory board consists of the county sheriff or a designee, prosecuting attorney, the director of the county Office of Family and Children, judges of both criminal and juvenile jurisdiction[8], criminal defense attorneys, crime victims or victim advocates, and ex-offenders. Other members who are appointed include members of the county fiscal body, probation officers, educational administrators, representatives of private correctional agencies (if they exist), mental health administrators, and four lay persons.

The judge or the judge's designee represents both the court that has criminal jurisdiction and the court that has juvenile jurisdiction in counties with only one court. In counties with more than one court, two different judges or their designees sit on the advisory board.

The board's main duty is to formulate the community corrections' plan, the basis for receiving funding from the state, and to apply for financial aid from DOC. The board also reports annually to the county fiscal body with an evaluation of the effectiveness of the program and recommends improvement, modification, or discontinuance.

According to IC 11-12-2-4, the community corrections plan must include:

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[8] The judge or the judge's designee represents both the court that has criminal jurisdiction and the court that has juvenile jurisdiction in counties with only one court. In counties with more than one court, two different judges or their designees sit on the advisory board.

- a description of each program for which funding is being sought,
- program purpose,
- operating budget,
- location and description of facilities in the program,
- the amount of community involvement and client participation in the program,
- the location and description of facilities that will be used in the program, and
- the manner in which counties that jointly apply for financial aid will operate a coordinated community corrections program.

Restrictions on How Funds May Be Used

IC 11-12-2-8 specifies that counties may not use funds received under this chapter to replace spending for correctional purposes or to construct or renovate county jails. If one or more counties act jointly, they may use community corrections funds to construct a work release facility if it is neither physically connected to a jail nor used to house offenders who are required to serve their sentence in a county jail. If state funding is used to construct a community corrections facility, the participating counties must match at least 50% of the project cost. Between April 1 and September 30, 1999, four multicounty agencies operated work release facilities.

Types of Programs and Services That May Be Provided

IC 11-12-1-2.5 specifies that community corrections programs may include:

- residential or work release programs,
- house arrest, home detention, and electronic monitoring programs,
- community service restitution programs,
- victim-offender reconciliation programs,
- jail services programs,
- jail work crews,
- community work crews,
- juvenile detention alternative programs,
- day reporting programs, and
- other community corrections programs approved by the Department.

Under IC 11-12-1-2, the advisory board may provide supervision services for committed offenders, persons sentenced to imprisonment in a county or local penal facility other than a state owned or operated facility, or persons on probation who have been ordered to participate in a community corrections program. The board may also establish programs to prevent crime or delinquency. In addition, IC 11-12-1-2.5 permits the local board to coordinate housing and coordinate or operate educational, mental health, drug or alcohol abuse counseling.

Rules

DOC originally promulgated rules for administering the community corrections statute in 1981 and later amended them in 1987. In 1997, DOC proposed amendments to the existing rules and anticipates that they will be come effective in 2000.

Two of the more significant rules specify the priority of funding for community corrections programs and the method to disburse funds to participating agencies.

- 210 IAC 2-1-1 (1) states that priority for funding community corrections programs will be given to those programs that assist in diverting adult offenders from DOC. In the proposed rules, priority will be given for diverting both juvenile and adult offenders.[9]

- Under the current rule, 210 IAC 2-1-3, community corrections grants are distributed to agencies based on total county population, total county population between 10 and 34 years of age, and net assessed value of the county's taxable property. The proposed rule allows this formula to be used as a guide rather than as a basis for making funding determinations.

In practice, DOC staff indicated that the budgets for existing community corrections agencies were based on the state support that the agencies received in the previous year and not on the formula established in rule. For FY 2000 and 2001, these agencies will receive a 4% increase for personnel and 2% for office overhead. DOC indicated that the formula specified in the rules was used for counties that were starting new community corrections agencies. Funding for expanded programs was based on the extent to which the agencies diverted nonviolent felons and misdemeanants from DOC facilities.

Roles of Department of Correction Staff

IC 11-12-2-5 requires DOC to provide technical assistance and monitor existing programs. IC 11-8-2-9 requires DOC to establish a program of research and statistics and to compile information on facilities and programs, including residential and nonresidential community programs, offender participation, and recidivism.

Projects that DOC funded for community corrections included:

- Two studies of recidivism of offenders who were in community corrections programs in Tippecanoe County ($38,159).

- An evaluation of Vigo County's community corrections program ($4,000). This evaluation examined the profiles of the offenders, the population served, and the estimated cost savings associated with the program.

DOC staff is working on the following projects related to community corrections:

- A proposal to develop a statewide facility to house offenders who commit technical violations of community corrections.

- A project to create a public education video and pamphlet concerning community corrections through collaboration with Ball State University.

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[9] DOC identifies nonviolent felons with less than four years on their sentence and Class A misdemeanants as the population that it wishes to divert from DOC facilities. However, PL 242 - 1999 no longer allows misdemeanants to be admitted into DOC facilities except under certain circumstances.

- A proposal to evaluate community corrections programs on a statewide basis.

IC 11-8-2-9, which was originally passed in 1979, requires DOC to compile information on recidivism of offenders, among other topics. If DOC provides funding for a statewide evaluation, it should include an analysis of recidivism rates to comply with state law.

Financing

Funding for community corrections programs came from four sources: state support in the form of community corrections grants, local government support, project income, and federal monies. Local government support was in the form of direct expenditures, in kind contributions, or appropriations. Project income included user fees from program participants and donations. All programs received state assistance through community corrections grants. Almost all of the programs charged a user fee.

Exhibit 39 shows the statewide totals for expenditures by income source for FY 1999. Appendix 3 reports the same expenditures by income source for each agency for FY 1999.

Exhibit 39. Financial Report for Adult Community Corrections Programs: FY 1999.

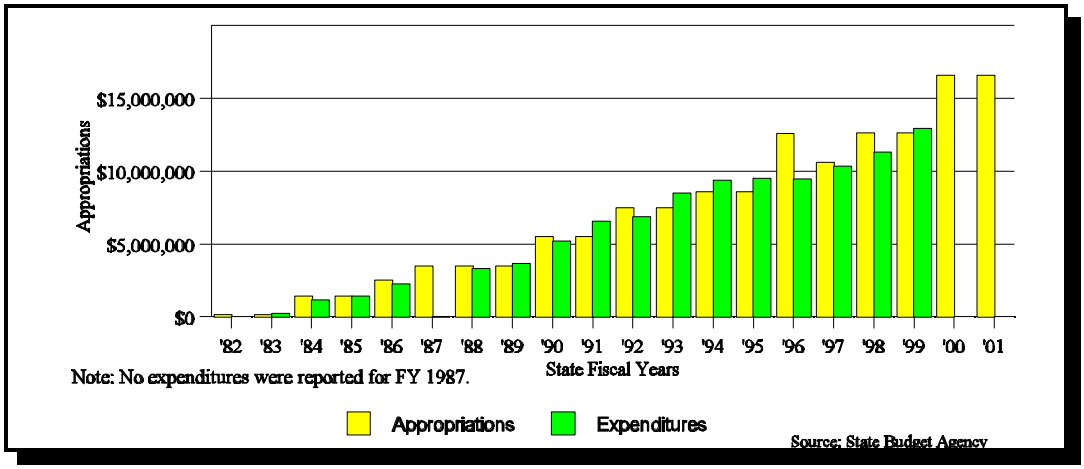
Source of Funding	Reported Expenditures	Percentage	Number of Agencies
Federal	$95,905	0.4%	2
State	$10,179,771	45.3%	46
Local	$2,547,689	11.3%	19
Project Income	$9,646,097	42.9%	42
Total	$22,469,462	100%	46

Source: Indiana Department of Correction

State Support for Community Corrections

State support for community corrections began in 1982 when $250,000 was appropriated for the biennium (Exhibit 40). During the first year, three counties participated in the program.

Exhibit 40. State Appropriations and Expenditures for Community Corrections, FY 1982 to FY 1999, and Allocations, FY 2000 and FY 2001.



State support for community corrections increased between FY 1982 and FY 2001 as the number of counties participating increased.

For the FY 2000-2001 biennium, the General Assembly appropriated $41.4 million to provide support for three programs:

- existing community corrections programs and new programs,
- new community transition programs (described in Chapter 4), and
- additional costs of adult contract beds, with the approval of the Governor and the State Budget Agency after review by the Budget Committee.

DOC plans to allocate $33.2 million of the $41.4 million in FY 2000 and 2001 for community corrections programs. This amount will fund existing programs, new county participation, program expansion, and base increases for existing programs.[10] The balance of the appropriation will be used to fund community transition programs and additional contract beds.

Unspent monies do not revert to the State General Fund. An accumulated free balance of $4.7 million was reported at the end of FY 1999. The primary reason for the unspent balance was reversions from community corrections agencies because of unfilled staff positions.

Charges on Counties Receiving Financial Assistance

IC 11-12-2-9 specifies that, with some exceptions, portions of state support for community corrections may be taken away from counties receiving community corrections money if the courts in these counties sentence persons to DOC facilities. Exceptions include persons convicted of murder, any Class A or B felonies, and certain violent and drug-related crimes.

When offenders other than the exceptions are sentenced to DOC, an amount--called a chargeback--is deducted from the county's state subsidy based on 75% of the average daily cost

[10] Indiana Department of Correction. Community Transition Program (HEA 1001, 1999, Questions and Answers). (Indianapolis: Department of Correction, 1999) 3.

of confining a person in certain state correctional facilities as calculated by the State Board of Accounts.

Other conditions also exempt counties from this chargeback. IC 11-12-2-9 specifies that no charge may be made for:

- the initial twelve months of the county's participation in the subsidy program;
- each month during which residential facilities are fully utilized, or, if vacancies occur, the vacancies are filled within two days of the vacancy occurring; or
- if the county has no residential facilities (but has programs that, for example, use electronic monitoring) no chargeback will be made if offender-supervisor ratios are maintained at the rates specified in the community corrections plan and vacancies are filled within two working days.

DOC reported that chargebacks rarely occurred and that little money had been recovered through this provision in the statute.

Project Income

Project income came from both user fees that community corrections agencies charged offenders who participated in the programs and donations. During 1999, 42 agencies collected user fees of $9.6 million, almost the same amount that was paid by the state.

Local Income

Local income took the form of either direct expenditures (such as paying the salaries of certain employees), in kind contributions (such as furnishing office furniture), or appropriations from the county council. For FY 1999, 19 agencies received contributions from local governments of $2.5 million.

Federal Income

Two community corrections agencies received federal monies in FY 1999. Federal funding comprised less than 1% of all funding for community corrections programs.

Operations

Number of Participating Counties

In 1999, 59 counties provided community corrections services either through single county operations or through multicounty agencies. Of the latter, six multicounty agencies provided community correction services for 18 counties. By the end of CY 2000, five additional counties will likely begin community corrections programs. Appendix 4 provides a map showing the counties that participate in the community corrections program.

How Offenders Are Referred to Community Corrections Agencies

DOC indicates that the quarterly statistical reports from community correction programs have been inconsistent and unreliable. Beginning in 1999, efforts have been made by the staff to improve the quality and reliability of the information. Consequently, data concerning offender admissions and program participation were limited to the six months between April 1 and September 30, 1999. As a result, analysis of the number of offenders who were admitted and who were in programs was limited to this time period and may not represent a typical six months in community corrections programs. Exhibit 41 shows the number of offenders admitted into community corrections programs between April 1 and September 30, 1999.[11] As Exhibit 41 indicates, offenders were either assigned to community corrections programs directly through the courts, after serving time in DOC facilities or in other facilities, or were transferred from other counties that had community corrections programs.

Exhibit 41. Number of Offenders Received into Community Corrections Programs: April 1 to September 30, 1999.

	Felons	Percent of Total	Non Felons	Percent of Total
Probation	2,505	42%	5,739	55%
Split Sentences and Other Commitments	1,283	22%	2,137	20%
Direct Commitment	1,021	17%	847	8%
Probation Violation	486	8%	396	4%
Pretrial, Other, and Civil	344	6%	1,018	10%
Transfer	167	3%	232	2%
Sentence Modification	124	2%	111	1%
Total Cases Received	5,930	100%	10,480	100%

Source: Indiana Department of Correction

The following describes methods of referral in detail.

Probation: The most common way that felons were sentenced to community corrections programs was as a condition of probation. Under this arrangement, offenders began their sentences under community corrections and, if successful, returned to regular probation after the time in community corrections. IC 35-50-2-2 gives the courts, under certain circumstance, the sentencing discretion to suspend a portion of a felon's sentence.

The relationship between the community corrections programs and probation departments varied by agency, program, and county. In some counties, the community corrections staff operated within the probation program and were probation officers. Probation officers in these cases supervised the offenders. In other counties, community corrections was a sort of "outsourcing" for the court to use for providing specialized treatment, programs, and electronic monitoring. Once the offender completed a set amount of time in community corrections, the offender returned to supervision by the probation officer in the probation department.

Split Sentences and Other Commitments: The next most common method was through split

[11]The totals for Exhibit 41 will not equal Exhibit 42 or the totals in the appendices. Exhibit 41 represents the number of offenders who have entered community corrections programs during this six month period. Exhibit 42 includes the average number of both new offenders and offenders who are already in the programs.

sentences and "other" commitments, both of which were included in the same reporting category to DOC. Under a split sentence, the court divided the time that an offender served between incarceration in a state prison and participation in a community corrections program at the time of the sentencing. (IC 35-50-2-2). "Other commitments" in Exhibit 41 included but were not limited to cases where the judge assigned the offender to a period of incarceration in a community corrections facility. These offenders were under the jurisdiction of the community corrections agency and not on probation. Johnson and Monroe Counties reported offenders who were sentenced under these circumstances.

Direct Commitment: Offenders could have been assigned to community corrections through a direct commitment (IC 35-38-2.6). Under a direct commitment, offenders were eligible if they were sentenced for a felony and any part of the sentence could not be suspended. Offenders were not eligible if they had been convicted of either a sex crime, certain offenses related to a controlled substance for which a Class A or B felony was imposed, or other violent crimes.

Probation Violators: Offenders who violated probation were placed in community correction. This category included both offenders who may have been on traditional probation and violated terms of probation or may have been on probation, sentenced to community corrections, and violated the terms of the community corrections program.

Pretrial: Offenders included in the "pretrial, other and civil category" cited in Exhibit 41 were primarily awaiting trial and could have been awaiting trial in jail if a community corrections program had not existed.

Transfers: Offenders were sometimes transferred from one jurisdiction to another.

Sentence Modifications: Sentence modifications occurred after the original sentencing, as opposed to split sentences which occurred at the time of sentencing. Offenders were released from incarceration earlier than scheduled based upon additional actions taken by the judge of the sentencing court.

Programs Provided for Adult Offenders

Community corrections programs included a continuum of sanctions ranging from restrictive settings where offenders lived overnight and either worked during the day or attended programs, to certain types of work crews and restitution services to which offenders reported on their own. Exhibit 42 shows the types of programs and the average number of offenders served by offender class between April 1 and September 30, 1999.

Exhibit 42. Felons and Nonfelons by Assigned Programs: April 1 to September 30, 1999.

Program	Felons	% of Total	Non Felons	% of Total	Total Offenders
Residential and Work Release	1,992	24%	397	4%	2,389
Day Reporting	503	6%	139	1%	642
House Arrest	1,693	20%	654	7%	2,346
Victim Offenders Reconciliation Program	169	2%	40	0%	208
Restitution and Work Service	3,127	38%	6,287	66%	9,414
Other Programs	801	10%	2,028	21%	2,829
Total	8,284	100%	9,543	100%	17,826
Source: Indiana Department of Correction					

Programs provided by the community corrections agencies are described below.

Residential and Work Release: Residential and work release programs were the most restrictive programs provided by community corrections agencies. Under these programs, offenders stayed in the program facilities overnight, and, during the day, either worked or attended treatment programs offered by the community corrections agency. Depending on the facility, programming and treatment included some combination of drug and alcohol counseling, job readiness, and anger management. Residential programs were operated by the community corrections agencies out of free-standing structures. Work release centers were operated out of the county jail. For work release centers, the county sheriff allowed a portion of the jail to be used for these offenders.

Because these programs needed facilities and staff to accommodate offenders on a frequent basis, residential facilities were the most expensive types of programs that community corrections agencies operate.

Day reporting: Day reporting was a highly structured program that combined supervision, sanctions, and services coordinated at a central location. Supervision activities were intended to address public safety concerns and provided structure for the offender's activities. These activities included preparing a daily itinerary; daily reporting in-person to the center; and frequent and random drug testing. Staff at the centers conducted random visits to the offender's home and maintained contact with the offender by either telephone or electronic monitoring.

House Arrest: House arrest generally involved electronic monitoring. House arrest programs were relatively low cost for program providers because the costs typically involved staff monitoring and monitoring equipment. The program participants were also paid a user fee, so the programs were able to recover much, if not all, of the program costs.

Victim-offender Reconciliation: Victim-offender reconciliation brought offenders and victims together voluntarily with the help of a trained mediator to express their feelings about the crime and sometimes to work out a restitution agreement. Three agencies made this option available. In Elkhart County, offenders who were in this program were also on probation.

Restitution and Work Service: Restitution and work service programs were the most common

program components for felons. These programs include:

- Community service restitution generally required offenders to provide free labor to either local governments or not-for-profit organizations in the area. Staff of the local governments or not-for-profit organizations supervised the offenders.

- Community work crews involved offenders assigned restitution hours who were not jail inmates but who completed community service restitution under direct supervision of community corrections staff.

- Jail services and jail work crews involved inmates who participated in supervised work groups.

Overall, these community corrections programs provide the following functions.

Transitional Services for Incarcerated Offenders: To the extent that offenders were released into community corrections programs, as either part of a split or modified sentence, community corrections programs provided a form of community transition. Between April 1 and September 30, 1999, community corrections agencies received 1,407 felons on either split or modified sentences (Exhibit 41).

Diversions from DOC Facilities: Many felons sentenced to community corrections programs as a condition of probation, on direct commitment, or in lieu of incarceration as in Johnson and Monroe Counties, were diverted from DOC facilities. Offenders who violated probation may also be diverted from DOC facilities. Exhibit 41 shows that 3,526 felons were received into community corrections programs between April 1 and September 30, 1999, as either a condition of probation or on direct commitment.

Diversions from County Jails: Any person committing a misdemeanor was subject to imprisonment in jail. Terms ranged from up to 60 days for Class C misdemeanants to up to one year for Class A misdemeanants. By providing community corrections alternatives, these offenders avoided jail time and saved jail space. In addition, offenders who were awaiting trial could be on home detention and avoid being placed in jail. Between April 1 and September 30, 1999, community corrections agencies received 9,952 misdemeanants.

Programs for Other Offenders: Some offenders convicted of infractions and “other” offenders who did not fit into other categories were sentenced to community corrections programs. Between April and September 1999, 11 programs received 249 offenders who had committed an infraction and 22 counties received 279 offenders in this "other" category.

Waiting Lists

Some programs appeared to be operating at capacity. Fifteen counties reported waiting lists for one or more of programs during the six months between April 1 and September 30, 1999. Exhibit 43 shows this waiting list.

Exhibit 43. Waiting Lists by Program Component: April 1 to September 30, 1999.

County	Program Component	April 1 - June 30 1999	July 1 - Sept. 30 1999
Brown	Work Release	4	2
Brown	Community Work Crew	3	1
Cass/Pulaski	Day Reporting (Home Detention)	11	10
Grant	Day Reporting (Home Detention)	9	8
Grant	Community Work Crew	3	0
Hamilton	Residential	37	0
Hamilton	Day Reporting (Home Detention)	66	0
Hancock	Day Reporting (Home Detention)	10	4
Laporte	Work Release	0	18
Laporte	Day Reporting (Home Detention)	0	9
Lake	Residential	10	0
Lake	Day Reporting (Residential)	0	2
Laporte	Residential	10	57
Porter	Day Reporting (Home Detention)	5	1
Marion	Work Release	80	3
Monroe	Work Release	7	0
Monroe	Day Reporting (Home Detention)	9	6
Morgan	Comm. Ser. Rest.	10	0
Morgan	Community Work Crew	6	0
St. Joseph	Work Release	0	2
Tippecanoe	Work Release	33	0
Tippecanoe	Day Reporting (Home Detention)	10	0
Tippecanoe	Comm. Ser. Rest.	27	0
Vanderburgh	Day Reporting (Residential)	31	31
Vigo	Day Reporting (Residential)	5	7
Vigo	Day Reporting (Home Detention)	4	2
Vigo	Comm. Ser. Rest.	18	14
Total		408	177

Source: Indiana Department of Correction

Evaluation

To evaluate community corrections programs, this section examines four questions:

- How much variation occurred between agencies in their ability to serve target populations and felons in their communities.

- How much variation occur in state support per target population offender and felon in

their programs?

- How well have counties with community corrections programs been able to divert Class D felons from DOC facilities as compared to counties without community corrections facilities?

- Do community corrections programs reduce recidivism among offenders?

DOC identified diversion of appropriate offenders from DOC facilities as its most important priority when considering funding of new and expanded programs. Consequently, from the standpoint of the state, community corrections programs that accommodate more felons than nonfelons performed better. However, it is difficult to measure performance across agencies because many community corrections agencies also served juvenile delinquents and status offenders.

Target Population

By rule, DOC placed the highest priority on funding new and expanded programs that assisted in diverting both adult and juvenile offenders from DOC facilities. DOC executive staff identified as the target population for community corrections programs nonviolent felons who have been sentenced to a term of not more than four years and Class A misdemeanants. On average 82% of offenders served by the community corrections agencies were in the target population. By agency, the percentage of offenders in the target population varied from a low of 37% in Wayne County to four counties with 100% coverage. Appendix 5 shows the target population that was served in each agency.

By rule, DOC took into consideration the past experience of these agencies when evaluating community corrections grant applications for new and expanded programs.[12] In practice, DOC considered the target population when examining the agencies' proposed budgets for additional state funding. Agencies serving a higher percentage of the target population were given priority for funding new programs.

PL 242-1999

Public Law 242-1999 amended IC 35-38-3-3 to allow only misdemeanants to be admitted into DOC facilities if the misdemeanant:

- would be endangered by injury or death,
- poses a significant threat to others,
- has more than 547 days remaining before the earliest release date as a result of consecutive misdemeanor sentences, or
- there is other good cause shown.

The need for additional jail space could increase because PL 242-1999 no longer allows DOC to accept Class A misdemeanants in state correctional facilities except under special circumstances.

[12] 210 IAC 2-1-1(12)

(However, the appropriation for county jail misdemeanant housing was increased from $4.6 million for the FY 1998-99 biennium to $8.38 million for the FY 2000-01 biennium. This increase could be used to reimburse locals for an increase in these expenses.)

Between calendar years 1994 and 1998, the number of misdemeanants that DOC admitted ranged from 230 to 458. Between July 1, 1999, and February 29, 2000, four misdemeanants were admitted into DOC facilities. Consequently, the number of misdemeanants remaining in the county has likely increased. They are on probation, in county jails, or in community corrections facilities.

Whether the target population should only include nonviolent felons will be an issue for DOC to decide when examining the budgets and new programs proposed by the community corrections agencies. In the short term, DOC indicated that several counties were interested in beginning community corrections programs in part because of the concern with jail overcrowding.

The effect of PL 242 on the community corrections population appeared to be mixed. The overall number of misdemeanants received into community corrections agencies increased by 143 or about 4% for the quarter ending June 30 and the quarter ending September 30. The experiences of the community corrections agencies varied considerably, however. Twenty seven community corrections agencies reported a drop in the number of Class A misdemeanants while 18 agencies reported an increase. Two agencies reported no change in the number of Class A misdemeanants received.

Felons Versus Nonfelons in Each Program

From the state's standpoint, placing certain felons in community corrections programs expands DOC's available resources for more violent offenders. (Appendix 6 shows the average number of offenders who were in a program component in a community corrections programs between April 1 and September 30, 1999.) On average, statewide, 46% of the offenders in community corrections programs were felons while 53% committed a misdemeanor, an infraction, or some other offense. The percentage of the felon population ranged from a low of 12% in Dubois County to a high of 95% in Porter County.

Reasons for this range in the percentage of felons in the community corrections programs were not readily available. Some counties simply may not have had a large number of felons who might be suitable or eligible for community corrections, or the community corrections program may not have been appropriate. In addition, prosecuting attorneys may be reluctant to recommend offenders for these programs, and the judges of the sentencing court may not be interested.

State Funding Per Target Population by Agency

Given available DOC data, the average state support per target population offender was estimated by dividing the total state support that the agency received for 1999 by the number of target offenders. Appendix 7 shows average support amounts estimated on an annualized basis.

The annualized average state support for an adult target population offender was estimated to be $695. The lowest amount was $83 in Johnson County while the highest amount was $3,640 in Gibson.

There are two explanations for some of the difference in state support by agency. First, some community corrections programs, such as Vanderburgh County's, were in operation prior to the establishment of the Community Corrections Statute. IC 11-12-2-8(a) specifies that "...counties may not use funds received under this chapter to replace their spending for correctional purposes or to construct or renovate county jails." Consequently, programs that began with primarily local support were not eligible for state funding to substitute for local funding.

The second explanation, according to DOC, is that DOC attempted to support community corrections agencies that provided a higher degree of restrictiveness (such as residential and work release and day-reporting programs) rather than community service restitution programs that were low cost and received user fees.

Average State Funding Per Felon by Agency Compared to the Average Cost per Offender in a State Facility

An average state support per felon in community corrections agencies was estimated for state expenditures per felon for the period between April 1 and September 30, 1999. (Appendix 8 shows these average support amounts.) The average state support per felon was $1,229 on an annualized basis. The lowest support per felon was $136 in Vanderburgh while the highest amount was $14,630 in Blackford. (Reasons for the differences in state support by agency are the same as cited above in the average support per target population offender.)

These average expenditures per felon in community corrections programs were significantly less than the FY 1999 average annual state cost of $20,483 per felon in adult correctional facilities.

Comparing Commitments of Class D Felons Based on Number of Criminal Dispositions

Using data obtained from DOC and the Indiana Judicial Report, Indiana's 92 counties were grouped by whether or not they participated in the community corrections program. The number of Class D felons sent to DOC facilities from each county was then divided by the number of cases disposed in each county, less the number of cases dismissed, transferred, or venued to a different court location. In 1998, 60 of the state's 92 counties had community corrections programs.[13] On average, these counties committed 10.8% of Class D felony cases to DOC facilities. Counties without a community corrections program committed an average of 16.3% of Class D felony cases disposed in their courts to DOC facilities.

The averages of both of these groups were tested to determine statistically if the presence of a community corrections program affected the percentage of offenders sent to DOC. The test revealed that the difference between the two mean committal rates was statistically significant at the 98% confidence level, which means that there was less than a 2% chance that the differences were due to sampling error. The test results suggested that counties with community corrections programs sent fewer Class D felons to DOC facilities as a result of having a community corrections programs.

While many factors can influence the number of nonviolent offenders who were committed from

[13] Sullivan County withdrew participation in 1998. Therefore, there are only 59 counties participating in 1999.

each county to DOC facilities, further analysis showed that differences in population, unemployment rates, and other economic factors among the counties had little or no statistical influence on the ratio. It is important to note, however, that other unmeasurable factors could have influenced a county's committal rates, such as the prior record of the felon and the willingness of judges and prosecuting attorneys to consider the use of community corrections as an alternative sentence.

Experiences of Counties Starting Community Corrections Programs in the Mid 1990s

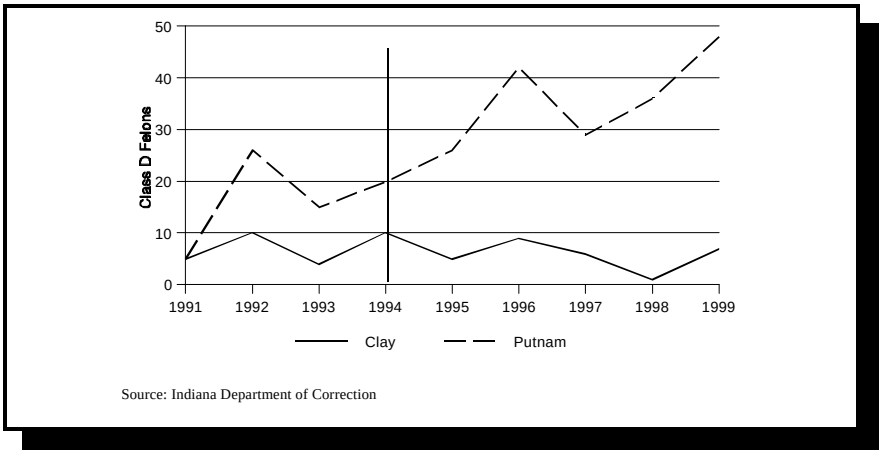
Another method of examining the effectiveness of a county's community corrections program is to evaluate the number of offenders that the county sent to DOC facilities before and after the local program began. Admittance data from DOC were used to examine the number of Class D felons that entered DOC facilities from mid 1991 to 1999.

If community corrections programs were successful in diverting felons, the number of Class D felons admitted into DOC facilities should decline in counties that had adopted a community corrections program.

For illustrative purposes, the experiences of two groups of counties–one group began their programs in 1994 (Clay and Putnam), the other in 1996 (Cass, Jasper, and White)–are shown in the following charts. The leftmost side of the charts indicates the number of Class D felons that were committed to DOC facilities. While many factors could have influenced a change in the number of Class D felons committed to DOC facilities, four of the five counties that adopted programs between 1994 and 1996 experienced a reduction in the number of Class D felon commitments to DOC.

Clay and Putnam Counties began their community corrections program in 1994. While the number of committals increased in Putnam County despite the program, the number of committals in Clay County declined slightly. For Clay County, the average number of Class D felons committed to DOC was 7.25 per year between 1991 and 1994. For 1995 through 1999, the average number of D felons committed to DOC facilities was 5.6 (Exhibit 44).

Exhibit 44. Class D Felony Commitments to DOC from Clay and Putnam Counties.

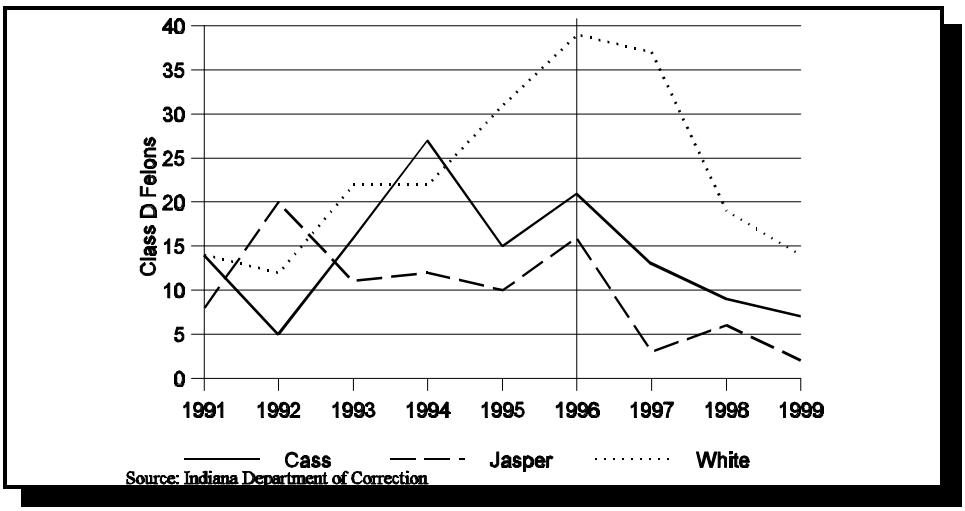


Source: Indiana Department of Correction

As cited above, many other factors could have increased the number of commitments from Putnam County from 1994-1999, including population growth, an economic downturn, or other sociological factors that had an effect over time.

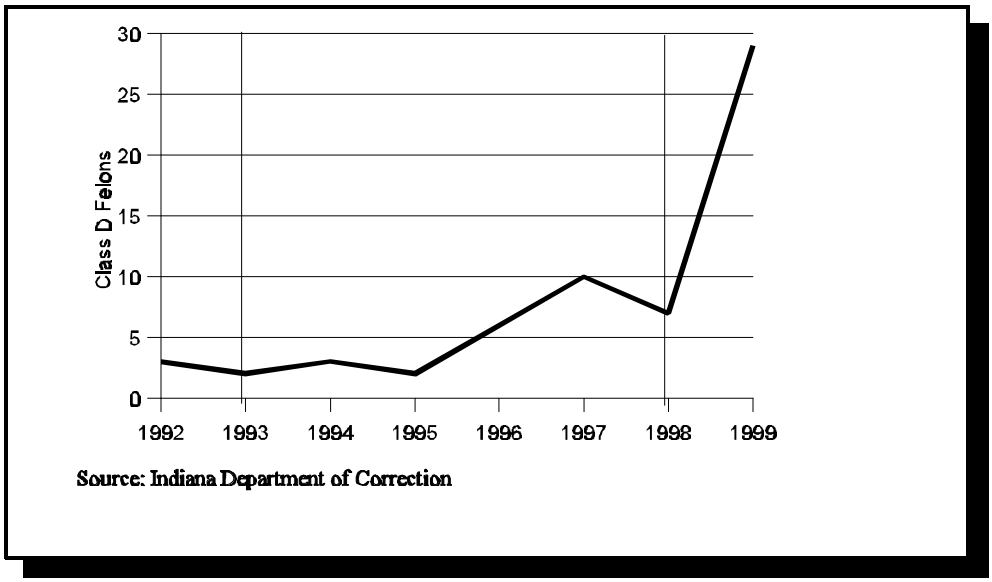
Cass, Jasper, and White Counties began their community corrections programs in 1996. In these counties, a clear reduction in the number of commitments to DOC facilities occurred. In White County, for example, the number of committed felons fell from 39 in 1996 to 14 in 1999 (Exhibit 45).

Exhibit 45. Class D Felony Commitments to DOC from Cass, Jasper, and White Counties.



Sullivan County participated in the community corrections programs in the Wabash Valley Agency from 1993 until 1998. When they withdrew their participation in 1999, the number of Class D felons committed to DOC increased considerably (Exhibit 46). Whether this increase indicates a trend is unclear.

Exhibit 46.Class D Felony Commitments to DOC from Sullivan County.



Do Community Corrections Programs Affect Recidivism of Offenders?

IC 11-8-2-9 provides that recidivism is defined as "a tendency to relapse into a previous condition or mode of behavior."[14] Two common forms of recidivism refer to the propensity for offenders to be rearrested for new crimes and to violate the conditions of participating in an alternative sentencing program. DOC is required to

> establish a program of research and statistics, alone or in cooperation with others, for the purpose of assisting in the identification and achievement of realistic short term and long term departmental goals, the making of administrative decisions, and the evaluation of the facilities and programs of the entire state correctional system.

Among the information that must be compiled are rates of recidivism among offenders.

DOC financed two studies in cooperation with Purdue University to address recidivism in Tippecanoe County. The most recent study occurred in 1996 and examined the effect of the Tippecanoe County Community Corrections Program on recidivism rates of offenders from Tippecanoe County. The study examined the records of 528 adult felons from Tippecanoe County who were released from community corrections, work release, supervised adult probation, and DOC facilities between 1991 and 1995.[15]

The study concluded that the longer offenders spent in community corrections, the less likely that they were rearrested. However, the longer that offenders spend in community corrections programs, the more likely that they were terminated from the community corrections program due to violations of rules or conditions of participation. (Offenders who were terminated from a community corrections program were often returned to DOC.) The study concluded that offenders who received a sentence that combined community corrections and probation were the least likely to be rearrested.

The Value of Community Corrections to Offenders and Their Dependents

From the perspective of the offender and the dependents of the offender, community corrections programs kept offenders in the community and with their families. Depending on the program, offenders could keep their jobs and continue to support their dependents which could marginally reduce the overall costs of welfare. In addition, offenders can experience an easier time making the transition back into the community.

Conclusions

Information on the Performance of Individual Agencies Was Incomplete: DOC indicated that reports from community corrections programs had been inconsistent and unreliable. Beginning in

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[14] Webster's Ninth New Collegiate Dictionary, (Springfield, MA: Merriam Webster Inc. 1984) 983.

[15] Jeffery Ulmer Ph.D. et al, A Comparative Assessment of Community Corrections in Tippecanoe County , (Indianapolis: Department of Correction, 1998) ii.

1999, DOC made efforts to improve the quality and reliability of the information. Consequently, data concerning offender admissions and program participation were limited to the six months between June 1 and September 30, 1999. As a result, analysis on the number of offenders who were admitted and who were in programs was limited to this time period and may not represent a typical six months in community corrections programs.

In order to assess and monitor how well community corrections agencies are performing, DOC will need to continue improving the information reporting by the local agencies.

Agencies Varied in the Types of Offenders That They Served: How well community corrections programs accommodated felons versus nonfelons and the target population versus the nontarget population varied by county and agency. DOC defined the target population as nonviolent felons with less than four years of a sentence and Class A misdemeanants. The average percentage of the target population in community corrections agencies was 82%, but varied from a low of 37% to a high of 100%. The average percentage of the caseload that included felons was 46% and ranged between a low of 12% and a high of 95%.

The Average State Funding per Offender Varied by Agency: State support for offenders in community corrections programs varied during the time period that was under study. The average amount of state support per felon was $1,229 on an annualized basis and ranged from a low of $136 to a high of $14,630. For the target population, the average state support per target population offender was $695 and ranged from a low of $83 to a high of $3,640.

Counties with Community Corrections Programs Appeared to Be Diverting More Class D Felons from DOC Facilities Than Counties Without These Programs: As specified by rule, the highest priority of the community corrections programs was to divert adult and juvenile offenders from DOC facilities. The existence of community corrections programs has had this effect. When examining the number of Class D felons who have been committed to DOC, the overall number was lower in 1998 for counties with programs than for counties without programs. In addition, for five counties that began community corrections programs in 1994 and 1996, the number of Class D felons committed to DOC declined either significantly or slightly in four of the counties and increased in one.

Information on Recidivism Rates Among Community Corrections Offenders Is Limited: One study funded by DOC that concerned the effect of community corrections programs on recidivism of offenders concluded that the longer that offenders were in the program, the less likely that offenders would be rearrested. Yet, because these offenders were more closely monitored, they were more likely to violate program rules and in some cases be returned to DOC. However, one study cannot provide conclusive evidence that community corrections programs were better able to reduce recidivism among offenders who were appropriate for these types of alternative sanctions. If DOC intends to fund a statewide evaluation of community corrections programs, the study should consider the effect of community corrections programs on recidivism.

IV. Community Transition Program

PL 273-1999 requires each county to establish a community transition program to provide services that improve an offender's chances of successfully moving from prison to community life. Counties must provide a community transition program through the county's community corrections program. In counties where a community corrections program does not exist, the probation department of each court in the county with criminal jurisdiction operates the community transition program.

Time Line of Community Transition Program

May 1999: PL 273-1999, which created the community transition program, was signed into law.

August and September 1999: The Interim Study Committee on Probation Services heard testimony concerning the Community Transition Program.

September 1999: DOC transferred the first offenders from DOC facilities into community transition programs.

September 1999: The prosecuting attorney for Marion County, a crime victim, and 18 other prosecuting attorneys filed suit against DOC. The lawsuit sought to declare the Community Transition Act unconstitutional by alleging that it violates the rights of crime victims and the separation of powers clauses of the Indiana Constitution. The lawsuit sought an injunction against DOC that would prevent DOC from granting early transfer under the Community Transition Program.

October 1999 : The Vanderburgh County Board of County Commissioners and Sheriff filed suit against DOC. Plaintiffs alleged inadequate notice to prepare the program and inadequate facilities to provide the necessary services. Plaintiffs sued to prohibit DOC from releasing offenders into the county. The lawsuit was filed in Gibson Circuit Court.

January 2000: SEA 433 - 2000 was introduced. The major provisions of this bill included:

- Terminating the authority of DOC to assign to a community transition program an offender against whom a court imposed a sentence of less than two years or who resides outside of Indiana.

- Assigning DOC with the responsibility of providing medical care if the offender cannot afford medical care.

- Requiring an offender to agree in writing to abide by the rules and conditions of the community transition program and to participate voluntarily in the program before participation in the program.

January 2000: Marion Court Judge David Jester denied injunctive relief and dismissed the lawsuit filed by the prosecuting attorney of Marion County for lack of jurisdiction.

March 2000: SEA 433-2000 was signed into law.

Governance

As amended by SEA 433-2000, the Community Transition Statute has the following features:

Purpose: According to IC 11-12-10, the program's purpose is to provide services to offenders that "improve the offender's chances of making a successful transition from commitment to employment and participation in the community without commission of further crimes."

Eligible Offenders: Any offenders committed to DOC are eligible for the program unless they have:

- an indeterminate life sentence;
- been sentenced to life without parole;
- been sentenced to death;
- been convicted of murder, attempted murder, or conspiracy to commit murder; or
- active nonDOC warrants.

The following offenders are also not eligible for the program:[16]

- safekeepers (offenders who are incarcerated while awaiting trial and are in DOC because they either pose danger to themselves, other jail inmates, or the jail staff);
- predisposition (offenders who are in DOC for diagnostic testing at the request of the court);
- misdemeanants;
- offenders who are nonIndiana residents;
- offenders with sentences of less than two years; and
- offenders who do not meet notification requirements as determined by the community transition program manager.

Procedure for Transfer: DOC gives the court that sentenced the offender written notice of the offender's eligibility for a community transition program. DOC must send this notification between 45 and 60 days before a community transition program commencement date.

When sentencing courts receive this notification for Class C or D felons, they may:

- issue an order denying the offender participation in the program within 45 days of receiving notification from DOC;
- do nothing and allow the offender in the program by default; or
- send an order that approves the transfer.

Unless DOC receives a ruling denying participation, DOC transfers Class C or D felons to either the county sheriff or another person ordered by the sentencing court. Offenders sentenced for a Class A or B felony as the most serious conviction may only be placed into a community transition program if DOC receives a court order that modifies their sentences. Class A or B felons may not be transferred by default.

[16] Indiana Department of Correction, 1.

Intended Program Length: Class A and B felons have a community transition program of 120 days. Class C offenders have a program of 90 days, while Class D offenders have 60 days.

Assignment of Offenders: Offenders who meet the eligibility requirements and are not denied by the sentencing court are assigned a minimum security classification. Once assigned a minimum security classification, the offenders can be placed in a community transition program. DOC is responsible for these offenders' medical costs if the offenders cannot afford their own medical care. Upon meeting the eligibility requirements and having not been denied by the court, the offenders after having been transferred to a community transition program must agree in writing that their participation is voluntary. Finally, offenders who violate the rules of conduct established by the community transition program are immediately returned to DOC.

Issues Pertaining to Offenders: Two issues concerning the status of offenders are not resolved. First, state law does not specify whether DOC or the local community transition program is liable for a tort committed by an offender who is placed in a community transition program and commits a crime.

IC 11-8-1-5 specifies that:

> "Committed" means placed under the custody or made a ward of the Department of Correction. The term includes a minimum security assignment, including an assignment to a community transition program under IC 11-10-11.5.

While DOC agrees that the term "committed" includes assignment to a minimum security program, it is concerned about whether an offender assigned to a community corrections program which is operated by county personnel with no oversight by DOC is within DOC's custody. Whether DOC or the community transition program has civil liability for offenders placed in the program is not clear in statute.

The second issue is whether community transition programs should be immune from claims made by an offender in the program who is either injured or has property damaged while in the program.

IC 34-13-3-3(16) specifies that:

> A governmental entity or an employee acting within the scope of the employee's employment is not liable if a loss results from . . . injury to the person or property of a person under the supervision of a governmental entity and who is: (A) on probation; or (B) assigned to an alcohol and drug services program under IC 12-23, a minimum security release program under IC 11-10-8 or a community corrections program under IC 11-12.

The statute specifies "community corrections program," adding "community transitions programs" to IC 34-13-3-3(16) could clarify liability issues.

Financing

For the FY 2000-2001 biennium, the General Assembly appropriated $41.4 million to provide

support for three programs:

- the community transition programs;
- support for existing community corrections programs and creation of new programs described in Chapter 3;
- additional costs of adult contract beds with the approval of the Governor and the Budget Agency after review by the Budget Committee.

IC 11-12-10-4 specifies that DOC must reimburse counties with a community transition program at the per diem rate of at least $7 per day. The statute also specifies that in setting the per diem rate for a community, DOC may consider the direct costs incurred by the community to provide a community transition program. As of March 2000, DOC pays the minimum per diem rate.

Concerning the $41.4 million appropriation, DOC plans to fund the community corrections programs with $33.2 million over the biennium. The remaining balance of $8.2 million is available for both the community transition program and for contract beds. State support for the community transition program depends on the number of offenders assigned to the program, the per diem paid, and DOC's private bed needs.[17]

As of March 2000, DOC paid $65,912 for community transition claims by counties providing this service. (At $7 per day, the total paid represents 9,416 offender service days in DOC facilities. Annually, 25.8 beds were freed for DOC to use to accommodate other offenders.)

Operations

Between September and December 1999, 9.3% of eligible offenders participated in the program (Exhibit 47).

[17] Indiana Department of Correction, 3.

Exhibit 47. Offenders Participating in the Community Transition Program: September 1999 to December 1999.

	September	October	November	December	Four-Month Total
Offenders Eligible	451	524	492	523	1,990
Offenders Transitioned	45	53	41	48	187
By Default *	34	42	25	39	140
By Approval**	11	11	16	9	47
Total Court Ordered Denials***	406	471	451	475	1,803

Notes:
* Offenders were transferred into the community transition program by default when DOC received no order from the sentencing court denying participation in the program.
** Offenders entering by approval were assigned by the court when the court actively approved the transfer.
*** These denials include offenders who after initial eligibility had their status revised because of a change in the earliest possible release date, warrant status, early release due to credit time earnings, or other procedural reasons. Other denials deemed substantive by the court are not included in this data.

Source: Indiana Department of Correction

Participating Counties: Thirty-three counties had community transition programs (see Appendix 9). Of these, 75% of all community transition offenders were placed into the community transition programs in Marion, Allen, St. Joseph, Elkhart, Henry, and Porter Counties.

Number of Offenders by Felony Class: Between September and December 1999, 187 of a total of 1,990 eligible offenders were placed into community transition programs. As of December 1999, seven Class A and B felons and 180 Class C and D offenders were placed.

Number of Felons Returned to DOC: DOC reported that 27 of these 187 offenders were returned to DOC between September and December 1999, a return rate of 14%.

Survey of Selected Community Transition Program Directors

Since the Community Transition Program has existed for less than 12 months, information was not adequate to perform a formal analysis. A survey of selected counties providing this program was used to report on the state of community transition programs.[18] The counties selected for this survey included Allen, Henry, Marion, Porter, St. Joseph, and Elkhart.[19] These counties received

[18] A summary of the survey results is presented in Appendix 10.

[19] Sheila Hudson, Allen County Community Corrections; Susan Gannon, Henry County Community Corrections; Brian Barton, Marion County Community Corrections; Tammy O'Neal, Porter County PACT; Gordon Clewell, St. Joseph County Community Corrections; and Robert Girard, Elkhart County Court Services, personal interviews, March 2000.

75% of the offenders placed in community transition programs between September and December 1999.

Each director was asked to comment on the following topics:

- procedure followed when offenders were placed in local community transition programs from state facilities;
- programs offered to offenders in the community transition program;
- length of stay in the program;
- fiscal impact on the county program; and
- other comments.

Placement Procedure

The directors were asked about placement procedure because there was some concern about the length of time that offenders were being housed in county jails. Three directors reported that offenders were delivered to the community correction center while the other three reported that DOC delivered offenders to the county jail.

Offenders generally spent 24 hours in either the jail or the community corrections center before the community transition program staff performed intake. After intake, offenders were typically released into the community. Depending on the county, offenders either needed to secure their own place to stay or were assigned to program quarters. In Marion County, offenders were assigned to a local shelter. In Allen County, offenders stayed in either the center, a homeless shelter, or a private residence. In other counties, offenders found their own place to live. Some initially lived in the local homeless shelters.

Allen and Porter County agencies received offenders who were not county residents. Some of these offenders found places to live in the counties while others commuted from other counties to participate in the program. The director of Porter reported that the majority of the offenders in the Porter County program were not Porter County residents.

Programs Offered

Directors of Allen, Marion, Porter, and St. Joseph Counties placed offenders in existing day-reporting programs. Allen County developed programs for offenders who were released from DOC facilities on split sentences as a transitional program. In Allen County, offenders with a split sentence had stayed in the program for 150 days. The director reduced the length of these programs to meet the length of stay for offenders in the community transition program. Offenders could receive assistance in anger management, substance abuse, and skill- development training.

Porter County developed a relapse prevention program. In addition to the day-reporting program, Marion County placed offenders on electronic monitoring. St. Joseph's day-reporting program provided GED assistance, job-search assistance, and substance abuse counseling. Henry County reported that offenders were placed on home detention and were linked to existing programs in the county, such as Alcoholics Anonymous and GED preparation programs.

Length of Stay

All counties, with one exception, reported that the length of stay was between 60 and 90 days. Allen County reported 45 to 60 days, depending on credit time earned by offenders while in the program.

Fiscal Impact

Both Allen and Marion Counties reported that community transition program expenditures were greater than the $7 per diem reimbursement that they received from DOC. Marion County's daily cost per offender was $20. Allen County's daily cost was approximately $12. While Marion County offenders were assessed an initial $75 fee and a $12 per day supervision fee, collecting fees was difficult because offenders were slow to obtain jobs. The fee collection rate was about 31%.

The other four counties recovered costs of the program through the $7 per day reimbursement. Counties adjusted, in part, by assigning additional responsibilities to existing staff. However, two directors indicated that for the program to meet the needs of the offenders, they will have to add more staff.

Other Comments

Directors reported the following general comments:

- The program length was too short for most of the offenders. Offenders needed to be in a more restrictive environment and gradually moved to less restrictive settings.

- Information concerning conduct history of offenders was sent from DOC facilities to the sentencing courts. However, some programs did not receive this information when offenders were placed in the community transition program.

- The sentencing court should consider the offender's attitude concerning the community transition program. Offenders who did not volunteer for the program were not likely to succeed in the program.

SEA 433-2000 now requires offenders to sign an agreement that program participation is voluntary before participating in the program. Under IC 11-10-11.5-8, the staff of the community transition program is required to provide the offender with a reasonable opportunity to review the rules and conditions of the program and obtain the offender's written agreement to abide by these rules and conditions.

Conclusions

SEA 433-2000 will likely resolve several issues that were mentioned by directors of the community transition programs and discussed during the 1999 Interim Study Committee on Probation Issues. First, medical costs for offenders will be covered by DOC or the offender thereby eliminating local medical expenses. Second, offenders placed in the community transition program must agree to volunteer for the program once they are transported to the local jail or

community corrections center. Otherwise, the offender is returned to the correctional facility. Third, offenders who violate program rules can be returned to DOC on an expedited process. Finally, the programs will be restricted to offenders who are residents of Indiana.

Cost recovery remains an issue. Counties have little incentive to expand transition programs if the counties are not recovering the costs of the programs. In addition, more and better communication must take place particularly at the local level if the programs are to be successful. While state law recognizes offenders in the community transition programs to be placed on minimum security under the custody of DOC, DOC officials indicate that the offenders are not under the custody or control of DOC when they are assigned to community transition programs. Hence, the issue of tort claim liability of offenders who are placed in the community transition programs has not been resolved.

IC 34-13-3-3(16) makes governmental entities and employees immune from personal injury or property damages against offenders who are placed on probation and/or in a community programs. Specifying in statute that the community transition program is also covered under IC 34-13-3-3(16) would clarify the liability issue relative to governmental entities and employees.

Works Cited

Barton, Brian, Marion County Community Corrections. Personal interview, March, 2000.

Clewell, Gordon, St. Joseph County Community Corrections. Personal interview, March, 2000.

Criminal Justice Institute, Inc. The Corrections Yearbook, 1998. Middletown, CT: Criminal Justice Institute, 1998.

Gannon, Susan, Henry County Community Corrections. Personal interview, March, 2000.

Girard, Robert, Elkhart County Court Services. Personal interview, March, 2000.

Hudson, Sheila, Allen County Community Corrections. Personal interview, March, 2000.

Indiana Department of Correction. Community Transition Program (HEA 1001, 1999, Questions and Answers). Indianapolis: Department of Correction. 1999.

O'Neal, Tammy, Porter County PACT. Personal interview, March, 2000.

State of Indiana v. Eckhardt, 687 N.E. 2d 374 (Ind. App. 1997).

Ulmer Ph.D., Jeffery et al, A Comparative Assessment of Community Corrections in Tippecanoe County, Indianapolis: Department of Correction, 1998.

Webster's Ninth New Collegiate Dictionary, (Springfield, MA: Merriam Webster Inc. 1984).

Appendices

Appendix 1. Number of Correctional Officers by Facility: 1993 to 1999.

Facility	1993	1994	1995	1996	1997	1998	1999
Level 1 Facilities							
Atterbury Correctional Facility (CF)	22	23	21	23	20	20	21
Chain O' Lakes CF	15	16	15	16	14	16	13
Edinburgh CF	36	34	35	32	35	32	32
Henryville CF	20	21	20	21	21	21	21
Indpls Men's Work Release (WR) Center	13	14	15	14	16	16	12
Indpls Women's WR Center	13	11	14	16	16	14	12
Madison CF	37	36	35	37	36	33	36
Medaryville CF	16	16	16	15	14	16	15
South Bend WR Center	15	14	15	15	15	14	16
Level 2 Facilities							
Branchville CF	173	173	175	178	174	179	175
Lakeside CF	29	33	37	42	45	43	58
Putnamville CF	318	335	333	361	358	354	343
Rockville CF	88	91	121	116	113	113	151
Westville CF	473	488	473	491	486	484	425
Level 3 Facilities							
Correctional Indus. Facility	274	274	279	277	266	273	265
Indiana Women's Prison	97	98	105	107	98	93	90
Plainfield CF	236	242	253	247	222	223	216
Level 4 Facilities							
Indiana State Prison	341	326	331	339	328	303	307
Pendleton CF	332	336	325	337	316	334	330
Reception Diag. Center	100	157	133	143	145	142	126
Wabash Valley CF	143	270	273	282	445	460	443
Level 5 Facilities							
Maximum Control Facility	79	75	74	67	65	61	55
Transition Facilities							
Westville Transitional Unit	37	41	53	50	47	45	45
Juvenile Facilities							
Bloomington Juvenile CF	14	16	16	16	16	16	17
Camp Summit Juvenile CF	17	16	1	n/a	n/a	n/a	n/a
Fort Wayne Juvenile CF	8	11	10	11	8	9	9
Indianapolis Juvenile CF ("Girl's School")	62	61	66	65	61	67	59
Logansport Juvenile Intake	5	17	19	23	26	25	27
North Central Juvenile CF	n/a	n/a	45	52	61	65	61
Northeast Juvenile CF	15	18	14	18	16	18	18
Plainfield Juvenile CF ("Boy's School")	127	126	122	123	111	115	111
South Bend Juvenile CF	15	15	14	15	16	15	15

Source: Indiana Department of Correction

Appendix 2. Numbers of Staff and Offenders by Facility: January 1, 1993, to January 1, 1999.

Facility	January1, 1993			January1, 1994			January1, 1995			January1, 1996			January1, 1997			January1, 1998			January1, 1999		
	S[1]	O[1]	R[1]	S	O	R	S	O	R	S	O	R	S	O	R	S	O	R	S	O	R
Chain O'Lakes	15	85	5.7	16	89	5.6	15	88	5.9	16	104	6.5	14	101	7.2	16	103	6.4	13	103	7.9
Henryville	20	72	3.6	21	79	3.8	20	89	4.5	21	106	5.0	21	105	5.0	21	97	4.6	21	99	4.7
Edinburgh	36	68	1.9	34	55	1.6	36	94	2.6	32	103	3.2	35	103	2.9	32	104	3.3	32	105	3.3
Lakeside	29	214	7.4	33	220	6.7	35	159	4.5	42	317	7.5	45	298	6.6	43	291	6.8	58	306	5.3
Madison	37	100	2.7	36	156	4.3	37	184	5.0	37	195	5.3	36	179	5.0	32	183	5.7	35	180	5.1
Medaryville	16	98	6.1	16	84	5.3	16	91	5.7	15	121	8.1	14	119	8.5	16	117	7.3	15	119	7.9
Atterbury	22	89	4.0	23	55	2.4	21	70	3.3	23	66	2.9	20	94	4.7	20	97	4.9	21	92	4.4
Indpls Men's WR Center	13	47	3.6	14	77	5.5	15	56	3.7	14	104	7.4	16	122	7.6	16	123	7.7	12	127	11
South Bend WR Center	15	34	2.3	14	62	4.4	15	42	2.8	15	74	4.9	15	77	5.1	14	66	4.7	16	71	4.4
Indpls Women's WR Center	13	32	2.5	11	20	1.8	14	22	1.6	16	26	1.6	16	43	2.7	14	51	3.6	12	40	3.33
Branchville	173	778	4.5	173	774	4.5	175	777	4.4	178	830	4.7	174	823	4.7	179	821	4.6	174	832	4.8
Putnamville	318	1,635	5.1	335	1,639	4.9	333	1,628	4.9	361	1,642	4.5	358	1,630	4.6	354	1,632	4.6	342	2,015	5.9
Wabash Valley	143	20	0.1	270	453	1.7	273	1,028	3.8	282	1,071	3.8	445	1,957	4.4	460	2,128	4.6	443	2,097	4.7
Rockville	88	275	3.1	91	315	3.5	121	352	2.9	114	381	3.3	112	433	3.9	112	539	4.8	151	662	4.4
Correctional Indus. Facility	274	1,240	4.5	274	1,238	4.5	279	1,229	4.4	277	1,247	4.5	266	1,230	4.6	273	1,259	4.6	265	1,263	4.8
Plainfield	236	1,406	6.0	241	1,155	4.8	249	1,160	4.7	240	1,273	5.3	232	1,056	4.6	223	1,344	6	215	1,350	6.3
Westville	473	2,707	5.7	488	2,644	5.4	473	2,657	5.6	491	2,745	5.6	485	2,736	5.6	484	2,747	5.7	422	2,708	6.4
Indiana Women's Prison	97	365	3.8	98	354	3.6	105	336	3.2	106	384.0	3.6	98	361	3.7	93	354	3.8	89	356	4
Indiana State Prison	340	1,640	4.8	326	1,645	5.0	331	1,645	5.0	338	1,656	4.9	328	1,810	5.5	303	1,837	6.1	307	1,861	6.1
Pendleton	332	1,537	4.6	335	1,513	4.5	325	1,605	4.9	336	1,606	4.8	316	1,611	5.1	334	1,607	4.8	329	1,791	5.4
Reception Diagnostic Center	100	371	3.7	157	448	2.9	133	513	3.9	143	656	4.6	145	619	4.3	142	642	4.5	126	668	5.3
Maximum Control Facility	79	116	1.5	75	194	2.6	74	81	1.1	67	58	0.9	65	55	0.8	61	176	2.9	55	169	3.1
Westville Transitional Unit	37	189	5.1	40	186	4.7	53	193	3.6	50	191	3.8	47	197	4.2	45	193	4.3	45	193	4.3
Bloomington Juvenile	14	25	1.8	16	43	2.7	16	52	3.3	16	55	3.4	16	30	1.9	16	36	2.3	17	35	2.1
Fort Wayne Juvenile	8	30	3.8	11	26	2.4	10	37	3.7	11	34	3.1	8	20	2.5	9	30	3.3	9	31	3.4
Logansport Juvenile Intake	5	0	0.0	17	47	2.8	18	58	3.2	22	67	3.0	25	48	1.9	24	67	2.8	27	53	2
Plainfield Juvenile	127	464	3.7	126	449	3.6	121	352	2.9	121	299	2.5	111	286	2.6	114	286	2.5	110	331	3
Northeast Juvenile	15	29	1.9	18	41	2.3	14	45	3.2	18	45	2.5	16	39	2.4	18	40	2.2	18	35	1.9
South Bend Juvenile	15	29	1.9	15	21	1.4	15	37	2.5	15	40	2.7	16	29	1.8	15	33	2.2	15	38	2.5
Indianapolis Juvenile	59	232	3.9	59	193	3.3	64	184	2.9	63	197	3.1	58	189	3.3	65	183	2.8	57	254	4.5
Camp Summit Juvenile	17	22	1.3	16	40	2.5	n/a	0	n/a	26	29	1.1	21	28	1.3	22	24	1.1	23	32	1.4
North Central Juvenile	n/a	n/a	n/a	n/a	n/a	n/a	45	74	1.6	52	128	2.5	61	180	3.0	65	144	2.2	61	154	2.5

[1]S = Staff; O = Offender; R = Ratio
Source: Indiana Department of Correction

						??			??			??			??			??			

Appendix 3. Expenditures for Community Corrections Programs by Source of Income: FY 1999.

	Financial Report for FY 1999				
	Federal	**State**	**Local**	**Project Income**	**Total**
Allen		$668,387		$854,497	$1,522,884
Bartholomew		$109,568		$330,433	$440,001
Blackford		$65,837	$3,326	$28,202	$97,365
Brown		$75,991		$40,633	$116,624
Cass/Pulaski		$59,839	$29,053	$98,494	$187,386
Daviess		$104,450	$2,414	$41,533	$148,397
Delaware		$271,916		$167,339	$439,255
Dubois		$86,738		$138,547	$225,285
Elkhart	$54,289	$175,657	$89,303	$10,345	$329,594
Fayette		$128,695		$139,304	$267,999
Floyd		$85,521		$125,015	$210,536
Gibson		$136,483		$93,561	$230,044
Grant		$439,655	$210,523	$31,205	$681,383
Greene		$170,427		$3,216	$173,643
Hamilton		$429,724	$26,826	$434,127	$890,677
Hancock		$102,584		$32,711	$135,295
Henry		$120,801			$120,801
Hoosier Hills Pact*		$176,792			$176,792
Howard		$161,540		$306,993	$468,533
Jackson		$110,114	$16,223	$127,577	$253,914
Johnson		$123,551	$33,115	$640,523	$797,189
Lake		$759,853		$149,879	$909,732
Laporte		$220,475	$172,649	$348,799	$741,923
Lawrence		$122,209	$24,634	$70,555	$217,398
Madison	$41,616	$284,041	$11,795	$550,324	$887,776
Marion		$1,319,257	$94,681	$815,326	$2,229,264
Martin		$74,879	$622	$10,088	$85,589
Monroe		$211,461		$143,863	$355,324
Morgan		$74,098		$182,388	$256,486
Owen		$66,213		$99,726	$165,939
Phoenix		$106,711		$72,047	$178,758
Porter*		$204,138			$204,138
Scott		109,991	$27,830	$86,064	$223,885
Shelby		$370,829	$27,000		$397,829
Southeast		$228,400	$8,244		$236,644
St. Joseph		$430,221		$246,148	$676,369
Tippecanoe		$378,956		$843,734	$1,222,690
Tipton		$31,711		$10,495	$42,206
Vanderburgh		$386,462	$1,495,939	$952,773	$2,835,174
Vigo		$92,255	$70,015	$189,547	$351,817
Wabash Valley Regional		$356,976		$300,805	$657,781
Wayne		$127,678		$125,394	$253,072
Wells		$84,303		$80,780	$165,083
West Central Regional		$139,012		$484,020	$623,032
Whitley		$82,853		$85,022	$167,875
White/Jasper		$112,519	$203,497	$154,065	$470,081
Total	$95,905	$10,179,771	$2,547,689	$9,646,097	$22,469,462
Number of Agencies	2	46	19	41	46

* Expenditure not available. Appropriation used.

Source: Indiana Department of Correction

Appendix 4. Counties Participating in the Community Corrections Grant Program: 1999-2000

Counties with Community Corrections Programs

Note: Marshall and Warrick are expected to begin offering community correction programs during 2000.

Source: Indiana Department of Correction

Appendix 5. Average Offenders by Target and Nontarget Group in Program Components: April to Sept. 30, 1999.

	Target	Nontarget	Total Population	Percent Target
Allen	427	48	475	90%
Bartholomew	239	129	368	65%
Blackford	24	11	35	69%
Brown	42	10	51	81%
Cass/Pulaski	135	0	135	100%
Daviess	35	5	40	87%
Delaware	803	341	1,144	70%
Dubois	143	64	207	69%
Elkhart	278	5	283	98%
Fayette	291	22	313	93%
Floyd	123	9	131	94%
Gibson	38	2	40	95%
Grant	232	33	265	88%
Greene	72	18	90	80%
Hamilton	126	3	129	98%
Hancock	115	11	125	92%
Henry	50	2	52	96%
Hoosier Hills Pact	429	168	597	72%
Howard	199	118	317	63%
Jackson	126	5	131	96%
Johnson	1,485	176	1,661	89%
Lake	309	0	309	100%
Laporte	77	3	80	96%
Lawrence	268	45	313	86%
Madison	563	4	567	99%
Porter	194	3	197	98%
Marion	719	2	721	100%
Martin	32	18	49	64%
Monroe	449	203	652	69%
Morgan	70	0	70	100%
Owen	91	37	128	71%
Phoenix	126	77	203	62%
Scott	400	180	579	69%
Shelby	188	63	251	75%
Southeast	63	15	78	81%
St. Joseph	284	20	304	94%
Tippecanoe	441	90	530	83%
Tipton	46	6	52	88%
Vanderburgh	3,438	311	3,748	92%
Vigo	306	49	355	86%
Wabash Valley Regional	218	98	316	69%
Wayne	387	653	1,040	37%
Wells	38	34	72	52%
West Central Regional	276	18	294	94%
Whitley	154	71	225	68%
White	101	27	128	79%
Statewide Average	14,640	3,196	17,836	82%
			Lowest	37%
			Highest	100%

Source: Indiana Department of Correction

Appendix 6. Average Offenders by Felony and Nonfelony Category: April to September 30, 1999.

	Felons	Nonfelons	Total Population	Percent Felons
Allen	305	170	474	64%
Bartholomew	148	220	368	40%
Blackford	5	30	35	13%
Brown	21	30	51	42%
Cass/Pulaski	89	46	134	66%
Daviess	13	27	40	33%
Delaware	190	954	1,143	17%
Dubois	25	182	206	12%
Elkhart	140	143	283	49%
Fayette	201	112	313	64%
Floyd	35	97	131	26%
Gibson	26	13	39	66%
Grant	138	127	264	52%
Greene	36	54	90	40%
Hamilton	110	18	128	86%
Hancock	63	61	124	51%
Henry	15	37	52	28%
Hoosier Hills Pact	120	477	597	20%
Howard	103	214	317	33%
Jackson	34	98	131	26%
Johnson	454	1,206	1,660	27%
Lake	115	194	309	37%
Laporte	74	7	81	91%
Lawrence	101	212	313	32%
Madison	222	345	567	39%
Porter	186	11	197	95%
Marion	664	56	719	92%
Martin	11	39	50	21%
Monroe	182	470	652	28%
Morgan	44	27	71	62%
Owen	37	91	128	29%
Phoenix	47	156	203	23%
Scott	134	445	579	23%
Shelby	95	156	251	38%
Southeast	27	51	78	35%
St. Joseph	141	163	304	46%
Tippecanoe	270	260	530	51%
Tipton	19	33	52	37%
Vanderburgh	2,838	910	3,748	76%
Vigo	91	264	355	26%
Wabash Valley Regional	114	202	316	36%
Wayne	314	726	1,040	30%
Wells	11	60	71	15%
West Central Regional	168	126	294	57%
Whitley	58	167	225	26%
White/Jasper	60	66	126	48%
Statewide	8,284	9,543	17,826	46%
			Lowest	12%
			Highest	95%

Source: Indiana Department of Correction

Appendix 7. Average State Support per Target Group Offenders: April to September 30, 1999.

County/agency	Target Population	State Support	Average State Support
Allen	427	$668,387	$1,567
Bartholomew	239	$109,568	$459
Blackford	24	$65,837	$2,743
Brown	42	$75,991	$1,831
Cass/Pulaski	135	$59,839	$443
Daviess	35	$104,450	$3,028
Delaware	803	$271,916	$339
Dubois	143	$86,738	$607
Elkhart	278	$175,657	$632
Fayette	291	$128,695	$443
Floyd	123	$85,521	$698
Gibson	38	$136,483	$3,640
Grant	232	$439,655	$1,899
Greene	72	$170,427	$2,367
Hamilton	126	$429,724	$3,411
Hancock	115	$102,584	$896
Henry	50	$120,801	$2,440
Hoosier Hills Pact*	429	$176,792	$412
Howard	199	$161,540	$812
Jackson	126	$110,114	$874
Johnson	1,485	$123,551	$83
Lake	309	$759,853	$2,459
Laporte	77	$220,475	$2,863
Lawrence	268	$122,209	$456
Madison	563	$284,041	$505
Porter*	194	$204,138	$1,055
Marion	719	$1,319,257	$1,835
Martin	32	$74,879	$2,377
Monroe	449	$211,461	$471
Morgan	70	$74,098	$1,059
Owen	91	$66,213	$728
Phoenix	126	$106,711	$847
Scott	400	109991	$275
Shelby	188	$370,829	$1,972
Southeast	63	$228,400	$3,625
St. Joseph	284	$430,221	$1,515
Tippecanoe	441	$378,956	$860
Tipton	46	$31,711	$697
Vanderburgh	3,438	$386,462	$112
Vigo	306	$92,255	$302
Wabash valley regional	218	$356,976	$1,638
Wayne	387	$127,678	$330
Wells	38	$84,303	$2,248
West central regional	276	$139,012	$504
Whitley	154	$82,853	$540
White/Jasper	101	$112,519	$1,114
Total	14,640	$10,179,771	$695
		Average	$695
		Lowest	$83
		Highest	$3,640

*Expenditure not available, appropriation used

Source: Indiana Department of Correction

Appendix 8. Average State Support for Felons by Program.

County	Felons	Full Year's Expenditure	Average Expenditure
Allen	305	$668,387	$2,195
Bartholomew	148	$109,568	$743
Blackford	5	$65,837	$14,630
Brown	21	$75,991	$3,619
Cass/Pulaski	89	$59,839	$676
Daviess	13	$104,450	$8,035
Delaware	190	$271,916	$1,435
Dubois	25	$86,738	$3,540
Elkhart	140	$175,657	$1,255
Fayette	201	$128,695	$642
Floyd	35	$85,521	$2,479
Gibson	26	$136,483	$5,352
Grant	138	$439,655	$3,197
Greene	36	$170,427	$4,734
Hamilton	110	$429,724	$3,907
Hancock	63	$102,584	$1,628
Henry	15	$120,801	$8,331
Hoosier Hills Pact*	120	$176,792	$1,473
Howard	103	$161,540	$1,568
Jackson	34	$110,114	$3,287
Johnson	454	$123,551	$272
Lake	115	$759,853	$6,607
Laporte	74	$220,475	$3,000
Lawrence	101	$122,209	$1,216
Madison	222	$284,041	$1,279
Porter*	186	$204,138	$1,098
Marion	664	$1,319,257	$1,988
Martin	11	$74,879	$7,131
Monroe	182	$211,461	$1,165
Morgan	44	$74,098	$1,684
Owen	37	$66,213	$1,790
Phoenix	47	$106,711	$2,270
Scott	134	109,991	$824
Shelby	95	$370,829	$3,903
Southeast	27	$228,400	$8,459
St. Joseph	141	$430,221	$3,062
Tippecanoe	270	$378,956	$1,404
Tipton	19	$31,711	$1,669
Vanderburgh	2,838	$386,462	$136
Vigo	91	$92,255	$1,014
Wabash Valley Regional	114	$356,976	$3,131
Wayne	314	$127,678	$407
Wells	11	$84,303	$7,664
West Central Regional	168	$139,012	$827
Whitley	58	$82,853	$1,441
White/Jasper	60	$112,519	$1,875
Statewide	8,284	$10,179,771	$1,229
		Average	$1,229
		Lowest	$136
		Highest	$14,630

* Expenditure not available. Appropriation used.

Source: Indiana Department of Correction

Appendix 9. Offenders in Community Transition Programs: September to December 1999.

County	Default			Approval				Grand Total
	C Felons	D Felons	Total	A and B Felons	C Felons	D Felons	Total	
Adams	1		1					1
Allen	12	26	38	2	3	6	11	49
Bartholomew	1		1	1	1		2	3
Benton	1		1					1
Boone		1	1		1		1	2
Brown						1	1	1
Carroll		1	1					1
Decatur	2	1	3					3
DeKalb						1	1	1
Elkhart	6	2	8	1	2		3	11
Greene	1		1		2		2	3
Hancock	1	1	2					2
Henry	1	4	5		1		1	6
Howard	1	2	3					3
Jackson		1	1					1
Jay	1	1	2			1	1	3
Jefferson		2	2					2
Johnson		1	1					1
Kosciusko		1	1					1
Lake				1			1	1
LaPorte					1		1	1
Lawrence	2	2	4					4
Marion	1	15	16		6	5	11	27
Marshall	1		1					1
Morgan						1	1	1
Porter	2	3	5	2	2		4	9
Pulaski	1		1					1
St Joseph	14	24	38			2	2	40
Steuben						2	2	2
Sullivan		2	2					2
Switzerland		1	1					1
Vanderburgh						1	1	1
Vigo					1		1	1
Offenders:	**49**	**91**	**140**	**7**	**20**	**20**	**47**	**187**
Counties:	17	19	25	5	10	9	18	33

Source: Indiana Department of Correction

Appendix 10. Summary of Survey of Community Transition Program Directors: March 2000.

	Offenders Served	Placement Procedure	Programs Offered	Length of Stay	Fiscal Impact	Other Comments
Allen	49	Offender brought to community corrections center. Intake conducted. Offenders stayed in the center, homeless shelter, halfway house or private home.	Day-reporting Program: Transition approach already existed for offenders released on split sentences. Program modified to fit shorter stay for CTP offenders.	45 to 60 days, depending on credit time earned.	Not recovering costs. Estimated cost per day was $11.95. County was reimbursed at $7 per day.	Estimated failure rate was 50%. Offenders failed primarily for violating program rules.
Elkhart	11	Offender brought to county jail. Probation staff released offenders and required contact with program staff within 24 hours. Offenders were required to secure their own residence.	Placed in same transition program developed for offenders who were on early release.	60 to 90 days.	Recovering costs. No funds available to develop programs and services that will increase success of offender transition.	Needed more information from DOC facility on a more timely basis.
Henry	6	Offender was placed in jail where community corrections staff processed intake within 24 hours.	Offenders linked to existing programs in the county.	Generally 60 days.	Recovering costs through per diem.	Program was manageable.
Marion	27	Offender released into community corrections center. Male offenders assigned to Salvation Army while female offenders assigned to Crane House.	Day-reporting program with electronic monitoring.	Generally 60 days.	Not recovering costs through per diem.	About 50% of offenders returned to DOC because of program violation. Few committed new crimes. Women were more likely to succeed than men.
Porter	9	Offenders were placed in jail. Probation officer preformed intake within 24 hours.	Day-reporting program and relapse prevention program.	60 to 90 days.	Recovering costs.	Program needed to be longer. Only two of the nine offenders were Porter County residents.
St. Joseph	40	Offenders released into community corrections center. Intake performed immediately. Afterwards, offender was released into community.	Day-reporting program.	60 to 90 days.	Recovering costs. Needs additional staff to be effective in addressing problems of offenders.	Program needed to be longer. Staff needed information from DOC facilities in more timely manner.