

33-38-9.5-1 Definitions

Sec. 1. The following definitions apply throughout this chapter:

- (1) "Advisory council" means the justice reinvestment advisory council established by section 2 of this chapter.
- (2) "Board" means the board of directors of the judicial conference of Indiana established by IC 33-38-9-3.
- (3) "Office of judicial administration" means the office of judicial administration established under IC 33-24-6-1.
- (4) "Local advisory council" means the local justice reinvestment advisory council established by section (4) of this chapter.

Ind. Code Ann. § 33-38-9.5-1 (West)

33-38-9.5-2 Establishment; members; chairperson; duties; recommendations; staffing; expenses; per diem and travelling expenses; majority; meetings; annual report; compiling information

Sec. 2. (a) The justice reinvestment advisory council is established. The advisory council consists of the following members:

- (1) The executive director of the Indiana public defender council or the executive director's designee.
- (2) The executive director of the Indiana prosecuting attorneys council or the executive director's designee.
- (3) The director of the division of mental health and addiction or the director's designee.
- (4) The president of the Indiana Sheriffs' Association or the president's designee.
- (5) The commissioner of the Indiana department of correction or the commissioner's designee.
- (6) The chief administrative officer of the office of judicial administration or the chief administrative officer's designee.
- (7) The executive director of the Indiana criminal justice institute or the executive director's designee.
- (8) The president of the Indiana Association of Community Corrections Act Counties or the president's designee.
- (9) The president of the Probation Officers Professional Association of Indiana or the president's designee.
- (10) The budget director or the budget director's designee.
- (11) The executive director of the Association of Indiana Counties or the executive director's designee.
- (12) The president of the Indiana Judges Association or the president's designee.
- (13) The chair of the Indiana public defender commission or the chair's designee.
- (14) The chair of the senate corrections and criminal law committee or the chair's designee.

(15) The ranking minority member of the senate corrections and criminal law committee or the ranking minority member's designee.

(16) The chair of the house courts and criminal code committee or the chair's designee.

(17) The ranking minority member of the house courts and criminal code committee or the ranking minority member's designee.

(18) The governor or the governor's designee.

(b) The chief justice or the chief justice's designee shall serve as chairperson of the advisory council.

(c) The duties of the advisory council include:

(1) reviewing and evaluating state and local criminal justice systems and corrections programs, including pretrial services, behavioral health treatment and recovery services, community corrections, county jails, parole, and probation services;

(2) reviewing the processes used by the department of correction and the division of mental health and addiction in awarding grants;

(3) reviewing and evaluating jail overcrowding to identify a range of possible solutions;

(4) coordinating with other criminal justice funding sources;

(5) establishing committees to inform the work of the advisory council; and

(6) performing other relevant duties as determined by the advisory council.

(d) The advisory council may make recommendations to:

(1) the department of correction, community corrections advisory boards, and the division of mental health and addiction concerning the award of grants;

(2) criminal justice systems and corrections programs concerning best practices to improve outcomes of persons under supervision;

(3) the Indiana general assembly concerning legislation and funding for criminal justice initiatives;

(4) the Indiana criminal justice institute concerning criminal justice funding priorities;

(5) the office of judicial administration concerning veterans problem-solving court grants; and

(6) the county sheriffs concerning strategies to address jail overcrowding and implementing evidence based practices for reducing recidivism for individuals in county jails.

(e) The office of judicial administration shall staff the advisory council.

(f) The expenses of the advisory council shall be paid by the office of judicial administration from funds appropriated to the office of judicial administration for the administrative costs of the justice reinvestment advisory council.

(g) A member of the advisory council is not entitled to the minimum salary per diem provided by IC 4-10-11-2.1(b). The member is, however, entitled to reimbursement for traveling expenses as provided under IC 4-13-1-4 and other expenses actually incurred in connection with the member's duties as provided in the state policies and procedures established by the Indiana department of administration and approved by the budget agency.

(h) The affirmative votes of a majority of the voting members appointed to the advisory council are required for the advisory council to take action on any measure.

(i) The advisory council shall meet as necessary to:

- (1) work with the department of correction and the division of mental health and addiction to establish the grant criteria and grant reporting requirements described in subsection (l);
 - (2) review grant applications;
 - (3) make recommendations and provide feedback to the department of correction and the division of mental health and addiction concerning grants to be awarded;
 - (4) review grants awarded by the department of correction and the division of mental health and addiction; and
 - (5) suggest areas and programs in which the award of future grants might be beneficial.
- (j) The advisory council, in conjunction with the Indiana criminal justice institute, shall jointly issue an annual report under IC 5-2-6-24.
- (k) Any entity that receives funds:
- (1) recommended by the advisory council; and
 - (2) appropriated by the department of correction;

for the purpose of providing additional treatment or supervision services shall provide the information described in subsection (l) to the department of correction to aid in the compilation of the report described in subsection (j).

(l) The department of correction shall provide the advisory council with the following information:

- (1) The total number of participants, categorized by level of most serious offense, who were served by the entity through funds described in subsection (k).
- (2) The percentage of participants, categorized by level of most serious offense, who completed a treatment program, service, or level of supervision.
- (3) The percentage of participants, categorized by level of most serious offense, who were discharged from a treatment program, service, or level of supervision.
- (4) The percentage of participants, categorized by level of most serious offense, who:
 - (A) completed a funded treatment program, service, or level of supervision; and
 - (B) were subsequently committed to the department of correction;

within twenty-four (24) months after completing the funded treatment program, service, or level of supervision.

- (5) The percentage of participants, categorized by level of most serious offense, who were:
 - (A) discharged from a funded treatment program, service, or level of supervision; and
 - (B) subsequently committed to the department of correction;

within twenty-four (24) months after being discharged from the funded treatment program, service, or level of supervision.

- (6) The total number of participants who completed a funded treatment program, service, or level of supervision.
- (7) The total number of participants who:
 - (A) completed a funded treatment program, service, or level of supervision; and
 - (B) were legally employed.

(8) Any other information relevant to the funding of the entity as described in subsection (k).

Ind. Code Ann. § 33-38-9.5-2 (West)

33-38-9.5-3 Purpose of council

Sec. 3. The purpose of the justice reinvestment advisory council is to review policies, promote state and local collaboration, and provide assistance for use of evidence based practices and best practices in community based alternatives and recidivism reduction programs, including:

- (1) probation services;
- (2) problem solving courts;
- (3) mental health and addiction treatment and recovery services;
- (4) programs providing for pretrial diversion;
- (5) community corrections;
- (6) evidence based recidivism reduction programs for currently incarcerated persons;
- (7) other rehabilitation alternatives; and
- (8) the incorporation of evidence based decision making into decisions concerning jail overcrowding.

Ind. Code Ann. § 33-38-9.5-3 (West)

33-38-9.5-4 Establishment of local advisory council; members; chairperson; duties; recommendations; meetings; annual report; compiling information

Sec. 2. (a) A local justice reinvestment advisory council is established in every county. The local advisory council consists of at least the following members:

- (1) In counties with a chief public defender, the county chief public defender or the county chief public defender's designee. In counties without a chief public defender, a public defender who practices public defense within the county appointed by the local public defense board. If there is no local defense board, then a public defender who practices public defense within the county appointed by the circuit court judge.
- (2) The elected prosecuting attorney or the elected prosecuting attorney's designee.
- (3) The director of the local community mental health center or the director's designee.
- (4) The county sheriff or the county sheriff's designee.
- (5) In counties with a community corrections program, the director of the county's community corrections program or the director's designee.
- (6) A judge exercising criminal jurisdiction.
- (7) The president of the county executive body or the president's designee.
- (8) The chief probation officer or the chief probation officer's designee.
- (9) The president of the county fiscal body or the president's designee.

(b) The members of the council shall elect one member as chair and another member as vice chair.

(c) The duties of the local advisory council include:

- (1) reviewing and evaluating local criminal justice systems and corrections programs, including pretrial services, behavioral health treatment and recovery services, community corrections, the county jail(s), and probation services;
 - (2) reviewing and evaluating local jail overcrowding to identify a range of possible solutions;
 - (3) establishing committees to inform the work of the local advisory council;
 - (4) communicating with the advisory council in order to establish and implement best practices and to ensure consistent collection and reporting of data requested by the advisory council.
 - (5) preparing and submitting an annual report of the local advisory council's work to the advisory council by December 31 each year; and
 - (6) performing other relevant duties as determined by the local advisory council.
- (d) The local advisory council shall meet no less frequently than bi-monthly.

33-38-9.5-5 Purpose of local advisory council

Sec. 3. The purpose of the local justice reinvestment advisory council is to review policies, promote state and local collaboration, establish and implement best practices, ensure consistent collection and reporting of data as requested by the advisory council, and to receive assistance from the advisory council regarding use of evidence based practices and best practices in community based alternatives and recidivism reduction programs, including:

- (1) probation services;
- (2) problem solving courts;
- (3) mental health and addiction treatment and recovery services;
- (4) programs providing for pretrial diversion;
- (5) community corrections;
- (6) evidence based recidivism reduction programs for currently incarcerated persons;
- (7) other rehabilitation alternatives; and
- (8) the incorporation of evidence based decision making into decisions concerning jail overcrowding.