



**STATE OF INDIANA
Department of Correction**

Indiana Government Center—South

Eric J. Holcomb
Governor

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Robert E. Carter Jr.
Commissioner

November 29, 2018

Mr. Jason D. Dudich
Director, Indiana State Budget Agency
Indiana Statehouse, Room 212
Indianapolis, IN 46204

Re.: IDOC Overview – Budget Transmittal Letter
FY 20/21 Biennium

Dear Director Dudich,

As Commissioner of the Indiana Department of Correction (IDOC), I respectfully submit this overview in support of the IDOC's budget request for the biennium beginning July 1, 2019, and ending June 30, 2021. I have included: (1) A description of the overarching services provided by the IDOC, how the Department is structured, and the agency's KPIs; (2) An explanation of the accomplishments made and the challenges faced by IDOC over the last biennium, with a summary of the programs that were changed or reduced; and (3) A description of the objectives for next biennium with a deeper discussion of the significant challenges IDOC expects to face, including recommendations on ways to address these challenges, and a summary of the budgetary changes the IDOC is requesting in order to best meet the needs of its mission, and to advance the priorities established by the Executive Branch.

This letter describes how the IDOC is progressing through dynamic times. It details how the stabilizing impact of Indiana's prison population from recent sentencing reform efforts is coming to an end, and once again the number of people incarcerated in Indiana's prisons is growing. As things stand, the prison population will continue to expand for the foreseeable future, and will exceed optimal capacity limits by the summer of 2020. Several recommendations for addressing this growth are included. This letter also highlights how IDOC has been replacing programs that are not working as expected with new and more promising initiatives that produce better outcomes supported by data, as well as, practical experience.

But first, this letter tells about the IDOC, how it operates, and about the primary services it provides in order to protect the citizens of Indiana and keep them safe from continued victimization by people found guilty of serious crimes that are no longer presumed innocent.

The Department of Correction's Overarching Mission – Protect the People of Indiana

It is the job of law enforcement to police for criminal violations, and arrest those that cross the lines. It is the court's responsibility to oversee due process hearings to identify those who are guilty beyond reasonable doubt, and impose an appropriate punishment. The worst of these criminals (e.g., those convicted of murder, rape, child molestation, armed robbery, drug dealing, and burglary) are sent to prison, where it is the IDOC's responsibility to see these serious criminals do not reoffend during their period of incarceration, and to reduce their chances of reoffending by

the time they are released. This overarching responsibility is reflected in the IDOC's mission and vision statements, which read:

Mission

We promote public safety by providing meaningful, effective opportunities for successful re-entry.

Vision

As the model of best correctional practices, we strive to return productive citizens to our communities and inspire a culture of accountability, integrity and professionalism.

Which is consistent with Indiana's Constitution, which reads:

Art.I, Section XVIII

The penal code shall be founded on the principles of reformation, and not vindictive justice.

To protect the citizens of Indiana, over 6,100 state employees, 1,800 contractual staff, and hundreds of intermittent volunteers supervise, serve and treat more than 26,300 felons, and 400 adjudicated delinquents, 24 hours a day, seven days a week, all year long, holidays included. IDOC also operates Indiana's Parole Services, which supervises more than 7,100 parolees across the State.

IDOC also supports several county-based correctional services and sentencing alternatives. Each year the IDOC pays out \$64.9 million to Indiana counties to support community correction programs. IDOC also makes per diem payments to counties for each F6 level felon incarcerated in a county's jail. Last fiscal year, IDOC paid more than \$20 million to counties at a rate of \$35 per day for each offender. Additionally, a lump sum payment is made to each county (totaling \$4.15 million) to help defray the cost of managing those convicted of misdemeanor offenses.

IDOC's Organizational Structure

The Department can be divided into four primary divisions: Operations (custody), Reentry, Youth Services, and Administrative support. Custody is the largest division in IDOC, and utilizes a military style command structure starting with correctional officer (CO), then sergeant, lieutenant, captain, and major. In addition to custody, the Operations Division includes IDOC's emergency response operations, offender classifications, parole services, jail inspections, and staff development and training.

Using a case management model system, the Reentry Division first assesses the risks and needs of each inmate sent to prison, and then develops a plan that tracks their progress through various treatment services and rehabilitative programs offered by the IDOC to address their needs. As its name suggests, the reentry division also prepares inmates for successful reentry back into the community. In addition to case management, Reentry Division also oversees offender medical, mental health and addiction recovery treatment services, as well as, educational programs, faith based services, community corrections, and victim services.

The Department's Division of Youth Services includes custody, operational, reentry and programming aspects similar to the adult side. However, these services are independent of the adult prisons and specially designed to meet the needs of juveniles sent to the IDOC.

Administrative support services include the Department's fiscal management, legal services, construction services, research division, policy management, internal affairs investigative services, media and public communications, IT support, legislative, and procurement services.

IDOC's Key Performance Indicators

Working with the Performance Management Hub, the Department formulated and continuously tracks seven high-level key performance indicators (KPI). These include:

- (1) The percentage of inmates released to parole that obtain employment within 50 days of their release from prison;
- (2) Of the former offenders that obtained employment, the percentage that remain employed over time;
- (3) The percentage of people enrolled in addiction recovery programming while incarcerated that successfully complete their substance abuse treatment;
- (4) The monthly staff vacancy rate;
- (5) The change in total Agency staffing over time;
- (6) The percentage of general fund appropriation spent FYTD, by month; and
- (7) The recidivism rate, measuring the percentage of inmates that return to prison within three years of release

In addition to these dashboard KPIs, IDOC has developed performance measures in virtually every funded service area including, but certainly not limited to:

- The number of certifications awarded to inmates for successful completion of vocation programs, broken down by those that attain certification in high-demand jobs areas
- Changes in Department and facility per diem rates
- Case management report cards
- Parole Services report cards, broken down by district
- Educational services report cards
- Facility internal and external audit reports (for compliance with American Correctional Association standards)
- Contractual services surveys and audit reports
- Jail inspection reports
- The number and locations of inmate assaults
- Random inmate drug testing results by facility

In addition to tracking outcomes within the various services areas, the Department's Executive team conducts on-site facility reviews that look at every aspect of each prison and parole district's fiscal accounts, human resource management, operations, treatment and rehabilitative programming, physical plant, and community involvement.

IDOC Accomplishments, Changes, and Challenges

A brief explanation of the more significant accomplishments made by the IDOC thus far in this biennium is provided below. A description of the relevant changes that were made is also included and is followed by a discussion of the main challenges faced by IDOC.

The Bigger Accomplishments

Employing the formerly incarcerated

During his 2018 State of the State Address, Governor Holcomb set a goal for the IDOC. That goal was to prepare inmates leaving prison to become a part of the 21st century workforce by seeing that qualified inmates are provided vocation programming towards recognized certifications for high demand jobs. Specifically, the Governor challenged IDOC to get more than 1,000 inmates certified in high demand jobs before 2020. The Governor's goal helps ensure that inmates leaving prison do not continue to be a drain on Indiana's general fund, but instead become tax-contributing members of the workforce. Prioritizing offender employment also plays an important role in public protection in that those that leave prison and attain meaningful employment are far less likely to reengage in a criminal lifestyle. In fact, recent data shows that, of those that return to prison for a new criminal offense, 78% are likely to be unemployed at the time of arrest.

The IDOC wasted no time in meeting the Governor's challenge. This past year IDOC:

- Formed a blue ribbon work group that included subject matter experts from within IDOC, as well as, DWD and the Indiana Parole Board
- Realigned its organizational structure to emphasize vocational skills development in preparation for jobs for inmates upon release
- Expanded upon existing programs that were proven to work
- Added new vocational programs that data shows lead to real jobs in trades like metalworking and machining, computer coding, and building trades
- Commenced the first coding program in Indiana, and started the first welding program for female inmates in the country
- Developed a new system for linking would-be employers with inmates that have the vocational skills they are looking for, and who are returning to their community
- Introduced a passport/resume report that validates the inmates work and vocational skills training history, and other relevant information wanted by those looking to hire the formerly incarcerated

To date, these IDOC changes have allowed 860 offenders to receive job skills training leading to certifications in high demand job sectors. The IDOC expects to attain the Governor's goal of 1,000, not by 2020, but before the end of 2018.

Combatting Drug Addiction

Another priority of the Executive Branch is to find new and better ways to combat Indiana's epidemic of addiction to opioid and other addictive and destructive substances. Since the spring of 2017, IDOC, in partnership with its medical services provider, Wexford Health Systems, initiated a new plan for addiction recovery treatment called Recovery While Incarcerated (RWI). This multi-faceted approach aims to improve the quality of addiction recovery services offered to prison inmates by:

- Increasing access to care while incarcerated, and moving treatment earlier within the person's period of incarceration
- Implementing updated, evidence-based integrated care
- Providing medication assisted treatment (MAT) options
- Providing increased opportunities for collaboration and continuity with community-based services for those being released
- Expanding available addiction recovery treatment from 10 IDOC facilities to all 17 adult corrections institutions (4 of which are in the implementation phase at this time)

- Introducing cutting edge addiction recovery treatment to all three IDOC juvenile facilities

Lower Recidivism

The most conclusive measure of rehabilitative success can be observed by IDOC's recidivism studies. Like many other state DOC's, for nearly twenty years Indiana has kept track of the percentage of former inmates that were returned to prison within three years of their release. This year's report shows Indiana's recidivism rate dropping to 33.87%, which is the lowest rate ever observed by IDOC, and one of the lowest rates of any state DOC in the nation. Just two years ago, the rate for Indiana was 38.17%, and the national average, according to the Federal Bureau of Statistics, is estimated at 68%. This success equates to hundreds of fewer crimes in Indiana; there is also a significant cost avoidance due to fewer trials, and fewer prison beds occupied by repeat offenders.

The Most Significant Changes

Closing Indianapolis Reentry and Education Facility (IREF)

Due to the provisions of HEA 1006, which restricted level 6 felons from prison, IDOC was able to close the IREF. This small facility was one of the oldest correctional facilities in Indiana, and also one of the most inefficient. It was not suitable for housing the sort of high-risk/high-security inmates which IDOC continues to receive.

Closing Madison Juvenile Correctional Facility

The number of juveniles adjudicated delinquent and sentenced to the IDOC, especially female juveniles, has been steadily decreasing in recent years. This change is partly due to the impact of diversion efforts like juvenile community correction programs and the Juvenile Detention Alternative Initiative (JDAI). To promote efficiencies and move the female students closer to a majority of their communities, the IDOC closed the Madison Juvenile Correctional Facility. The former boot camp in LaPorte County called Camp Summit, was retrofitted to accommodate the female students. The Department's juvenile boot camp for male students was moved to the Pendleton Juvenile Correctional Facility.

Eliminating Ineffective Programs

The Department has taken steps to reevaluate how USDOL Apprenticeship programs are utilized. Though some of the Department of Labor apprenticeship certifications (e.g. six color printing, and HVAC maintenance) did offer valuable skills that could position inmates for future employment; other certifications (e.g. housekeeping and horticulture) were not shown to provide much value. The IDOC is shifting away from many of these programs in favor of true skills development and certifications in high demand vocational areas, as described in the "Accomplishment" section, above.

Introducing New Technology

The Department also completed a competitive procurement process to identify the supplier that will introduce new tablet-based technologies to prison. These tablets do not offer social media apps or Internet access. Instead, these tablets are designed for use in a correctional environment. These tablets will provide computer-based training,

education and treatment learning modules, commissary ordering, emailing with approved family and friends, access to policies, and the ability to initiate grievances, prepare job applications, and listen to approved music and videos during down times. This promises to improve facility management, and provide a much more efficient way for inmates to receive services. These tablets should also free up staff time, so they can more effectively supervise and provide case management oversight and counseling to inmates that need it.

The Big Challenges for IDOC

Prison Population Growth

As previously mentioned, a challenge faced by IDOC is Indiana's growing prison population. It is true that HEA1006 diverted the lowest level felons from prison, which allowed IDOC to close two of its facilities for minimum-security male offenders. However, it is the credit time reductions enacted by HEA1006 that is keeping higher risk offenders in prison longer. Instead of one day credit for every day served, which was the law in Indiana for 35 years, those sentenced to prison now receive one day credit for every four days actually served. Provisions of HEA1006 adjusted down sentencing ranges for each felony to try and offset some of this impact on increased prison stays. However prevailing sentencing practices still easily fit within these ranges, and we have seen no real adjustment down in sentence lengths being imposed by the courts, or through plea agreements. The net effect is that Indiana's medium, high, and very high risk felony offenders are staying in prison longer (not an unintended consequence of HEA1006). IDOC is now seeing the beginning stages of prison growth stemming from this change in law, and this growth is expected to continue for many years to come. It is estimated that IDOC will be at maximum prison capacity by the end of summer 2020. With just two years to prepare, something must be done this biennium. What that something is requires discussion and is yet to be determined.

During the 32 year period from 1980 to 2012, Indiana authorized the building of expanded prison capacity 12 separate times. That equates to an increase in prison capacity every 2 years and eight months. However, in the last six years there has been no expansion to IDOC's prison capacity. In as much as it takes 2-5 years for any new construction to be built and ready for use, Indiana will have gone eight or more years without an expansion. There are several options of varying costs to be considered; including retrofitting existing facilities to be more efficient and capable of holding more high-security inmates, or building additional housing units within the secured perimeters of existing facilities.

Another option would be to make changes to the Indiana code. One proposal that seems to have merit over others, and still preserves the credit time restrictions enacted by HEA1006, involves simplifying (but not reducing) education/program credit awards currently in statute. This could give IDOC more autonomy to make awards based on completion of evidence-based case management plans. This proposal is worthy of further discussion, as it could be crafted in a way that would have a flattening effect upon prison growth, at least for the immediate future.

Of course another option would be to implement a combination of both of the above options. In any event, it is incumbent upon policymakers to do something this coming biennium.

Vocational Program Funding

As described above, IDOC has been making good strides in helping inmates develop high demand job skills, so these (now former) offenders can become employed and self-sustaining as soon after release as possible.

Some might argue that inmates, because they committed serious crimes, do not deserve these training opportunities or the job opportunities that follow; or that these resources should be preserved only for those outside the criminal

justice system. But this rationale fails for several reasons. First, 97% of people in prison will be returning back to the Indiana community from which they were sentenced. Ignoring their needs would be doing a disservice to Indiana communities. As mentioned, the chances of a former offender committing subsequent crimes after release is much greater for offenders that remain unemployed. A decent job redefines who the former offender is and helps remove the stigma of prison. The data is clear, employing former offenders improves the safety of the people of Indiana. And it has the added impact of turning a potential drain on Indiana's tax dollars into a contributing tax paying member of society.

Retaining Quality Corrections Professionals

Still another challenge faced by IDOC is attracting and retaining the kind of quality correctional professionals that Indiana expects of its prison custody and reentry staff. High staff turnover is, unfortunately, commonplace in most prisons. National standards hold that a 10% vacancy rate is acceptable, but higher than that can bring risk. With lower unemployment generally statewide, it is harder than ever to attract career-minded new employees to work in penal institutions; many of which operate a great distance from Indiana's larger metropolitan areas.

IDOC is taking unprecedented measures to address the threat of expanding staff vacancies in prison. For the first time IDOC hired a team of twelve Recruitment and Retention Specialist to work full-time in attracting and retaining new employees to prison and juvenile detention facilities. The Department has also implemented a referral bonus program to current staff who successfully refer new employees to work in key positions for IDOC. Actual and virtual job fairs have also become routine practices to attract new people to the field of corrections. Using some of the savings earned by some of the Department's efficiency initiatives, this past year IDOC was able to strategically make some compensation adjustments where needed.

Regards,

A handwritten signature in black ink, appearing to read "Rob Carter", with a stylized flourish at the end.

Commissioner Rob Carter, Indiana Department of Correction

