Assessing the Impact of HEA 1006 in Marion County

FINAL REPORT

HEA Sentencing Reform 1006
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2014
Acknowledgements

The HEA Sentencing Reform 1006 Team would like to acknowledge the following agencies and individuals for project assistance:

Community Solutions, Inc.
Hawthorne Community Center, Diane Arnold, Director
Indianapolis City County Council, Jeff Miller, Councilor
Marion County Re-entry Coalition
Marion County Sheriff’s Office, Lt. Colonel Louis Dezlen, Administration Division
Marion Superior Courts, Judges
Marion Superior Court Probation Department
Public Advocates in Community Re-Entry (PACE)

Special Thanks:
Lena Hackett, President, Community Solutions, Inc.

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Key Terms

1. **Recidivism** – Habitual criminal behavior by committing new criminal acts and/ or by committing technical violations of probation or parole.

2. **GED** – Abbreviation for General Education Diploma

3. **Criminal Code** – a set of laws that defines criminal offences and penalties that will be given to an individual who commits a criminal act.

4. **Class A Felony** – Under Indiana law a Class A Felony is punishable by twenty (20) to fifty (50) years in prison and a fine up to $10,000.00

5. **Class B Felony** – Under Indiana law a Class B Felony is punishable by six (6) to twenty (20) years in prison and a fine up to $10,000.00.

6. **Class C Felony** – Under Indiana law a Class C Felony is punishable by two (2) to eight (8) years in prison and a fine up to $10,000.00.

7. **Class D Felony** – Under Indiana law a Class D Felony is punishable by at least six (6) months in a jail or as much as three (3) years in a prison and a fine up to $10,000.00.

8. **Level 1** – Under Indiana law a Level 1 Felony carries a penalty of twenty (20) to fifty (50) years in prison and a fine up to $10,000.00

9. **Level 2** – Under Indiana law a Level 2 Felony carries a penalty of twenty (20) to thirty (30) years in prison and a fine up to $10,000.00.

10. **Level 3** – Under Indiana law a Level 3 Felony carries a penalty of three (3) to twenty (20) years in prison and fine up to $10,000.00.

11. **Level 4** – Under Indiana law a Level 4 Felony carries a penalty between two (2) to twelve (12) years in prison and a fine up to $10,000.00.

12. **Level 5** – Under Indiana law a Level 5 Felony carries a penalty of one (1) to six (6) years in prison and a fine up to $10,000.00.

13. **Level 6** – Under Indiana law a Level 6 Felony carries a penalty of six (6) months to two (2) years in prison and a fine up to $10,000.00.

14. **Admission** – An individual is processed into a correctional facility.
15. **Felony** – a serious criminal offense where an individual could be sentenced for one year or more in a jail or prison and no longer has certain constitutional rights such as the right to own a firearm.

16. **Misdemeanor** – A low level crime where an individual could serve up to a year in jail and could also be fined a specific amount set by state law.

17. **Capacity** – the number of individuals a room or a building could house at one time by law.

18. **Commitment** – an obligation, promise, or having involvement.

19. **Reclassification** – to restructure information.

20. **Release** – An individual is no longer housed in a correctional facility.

21. **Reintegrate** – allowing one the same opportunities; to integrate or combine one into a group.
Executive Summary

Indiana Criminal Code Reform, also known as House Bill 1006 became law on July 1, 2014. As a result of the Criminal Code Reform, Community Solutions Incorporated and the Marion County Re-entry Coalition wanted the measure the impact of HEA1006 in Marion County.

Community Solutions, Inc. is a consulting firm that focuses on community and leadership development, program and system evaluation, public health systems redesign, and sustainability for local, regional, and national organizations (Community Solutions, Inc., 2014). Community Solutions, Inc. works to provide their clients with comprehensive strategic planning in terms of program development, organization development, and effective public policy (Community Solutions, Inc. 2014). The organization assists their clients with identifying targets that are in need of their services and then implements a strategic plan to respond to that need.

Marion County Re-Entry Coalition (MCRC), formerly known as the Marion County Leadership in Action Program (LAP), provides assistance to implement systems, programs, and policy recommendations regarding issues of re-entry (Community Solutions, 2014). Community Solutions, Inc. introduced the Results Based Accountability method, facilitated trainings, and community collaborations to assist in the development of the Marion County Re-Entry Coalition (Community Solutions, Inc., 2014). MCRC is comprised of representatives from public safety, state and community corrections, county jail, housing, health, education, substance abuse, children and families, employment, victims’ services and local businesses (Community Solutions, Inc., 2014).

Upon assessment of HEA 1006, Community Solutions and MCRC seek to utilize innovative ways to aid individuals, who have been released from Criminal Justice facilities, in being successfully reintegrated into society. Marion County devised plans for a new Criminal Justice Complex to help reduce Criminal Justice related costs by having all Criminal Justice agencies in one location. In this new complex, multiple programs can be used to improve successful reintegration by providing for the needs of ex-offenders.
Six graduate Capstone students agreed to conduct the research on the impact of HEA 1006, calling their team: *HEA Sentencing Reform 1006*. *HEA Sentencing Reform 1006 team members are* Cameray Boyden, Morgan Davis, Laura DeMougin, Corrin Harvey, Amber Huffman, and Amy McCoy.

The goal of the project is to review the new sentencing reform law and define how the changes are going to affect the population of adult offenders who would be returning to the Marion County community. The *HEA Sentencing Reform 1006 Team* also evaluated the potential needs of the proposed Criminal Justice Complex, including the programs that would be needed to help with reducing recidivism to create successful community reintegration. The analysis of the project was based on key informant interviews, surveys, meetings with Community Solutions Incorporated, the review of the House Bill 1006, and a state case study with Ohio, California, New York, Kentucky, and Michigan in relation to their criminal code reform.

Throughout the analysis process, the *HEA 1006 Sentencing Reform Team* came to the conclusion that HEA 1006 can be successful in reducing state prison populations if Criminal Justice agencies work as a system to support the law change and aid offenders in obtaining resources needed to reach successful community re-entry. In the long run, HEA 1006 will result in an increase in caseloads for Probation, Parole, and Community Corrections. Because of this, agencies will need adequate resources.

Our team’s analysis revealed several potential routes for reducing recidivism across Marion County. Success was noted in multiple alternatives to incarceration. These alternatives include utilizing mental health courts and drug courts, where the program targeted underlying problems that were determined to be a causation of criminal activity. Also, recidivism was reduced more successfully when programs focused on substance abuse treatment, employment services, and education. Maximizing the impact of the new Criminal Justice Complex will be assisted through utilization of these techniques for recidivism reduction.

Based on our analysis there were four main policy recommendations the *HEA 1006 Sentencing Reform Team* found. The problem solving courts should provide diagnosis for those who have
never had a previous diagnosis. Marion County problem solving courts should negotiate additional contracts with facilities not currently being utilized. Transportation services are vital for those who lack transportation and are required to meet certain conditions that are ordered by the court. Additional resources should be allocated towards education and employment services to ensure the successful integration for offenders into society.
Introduction

Effective July 1st, 2014, Marion County implemented its first criminal code sentencing reform in 35 years, also known, as House Enrolled Act 1006 (Haight, Jarjoura, & Zaugg, 2014). The main goal of HEA 1006 is to reduce the increasing prison population within the state of Indiana (118th Indiana General Assembly, 2014). The act altered the previous sentencing structure for Indiana counties, by moving from a felony class system to a felony level structure (118th Indiana General Assembly, 2014). HEA 1006 sends the most serious offenders to prison for longer periods of time. The act also takes into account less serious offenders and aims at keeping this population in local jurisdictions and providing them with local services (Jarjoura, Zaugg, & Haight, 2014). Research has shown that while there has been an increase in the Indiana prison population, crimes in the state have been on a downward trend (Jarjoura, Zaugg, & Haight, 2014).

The purpose of the MCRC is to develop programs and policy recommendations to ensure “all adult offenders in Marion County successfully reintegrate into their community” (Community Solutions, Inc., 2014). MCRC helped the Re-Entry Study Commission to move forward in addressing issues of recidivism, re-entry services, and supporting adopt the Ban the Box (Community Solutions, Inc., 2014).

In response to House Enrolled Act 1006, Community Solutions, Inc. and Marion County Re-Entry Coalition decided to assess the impact of HEA 1006 in Marion County. In addition, the project proposal’s goals include assessing the impact of HEA 1006 upon local Criminal Justice agencies, determining the services needed for successful reintegrate into the community, and developing policy recommendations for the Criminal Justice Complex. The Marion County Re-Entry Coalition (MCRC), coordinated by Community Solutions, Inc., collaborated with the School of Public and Environmental Affairs Graduate Capstone course V600, to assess the impact of Indiana HEA 1006 on Marion County Criminal Justice agencies. Upon accepting the project proposal, the HEA 1006 Sentencing Reform Team was formed.
Assessing HEA 1006 in Marion County

The Community Solutions, Inc. and Marion County Re-Entry Coalition (MCRC) requested the assistance of IUPUI Graduates students, Cameray Boyden, Morgan Davis, Laura DeMougin, Corrin Harvey, Amber Huffman, and Amy McCoy, to help address the following deliverables: (Reference Statement of Work in Appendix A)

1. Review the sentencing changes outlined in HEA 1006 and research what other states have done to prepare for sentencing reform (e.g. increasing local criminal justice and community provider capacity).

2. Conduct an impact study with data from local Criminal Justice Agencies (Marion County Sheriff’s Department, Community Corrections, Probation, Work Release, Problem Solving Courts, etc.), research on the potential community impact, and key informant interviews. Though there will be several goals of the study, we want to make sure that it includes estimates on the potential census increase at each of the impacted criminal agencies, compared with current capacity.

3. Based on the impact study findings and relevant research on sentencing reform and re-entry best practices (incorporating the recommendations from this study), outline recommendations to the MCRC with regard to the public policy agenda and the development of the new Criminal Justice Complex.
Methods Introduction

This section of the report includes an overview of the methods used to assess the impact of HEA 1006 to Marion County.

*Secondary Research Includes:*
  - Literature Review
  - State Case Study
  - Criminal Justice Data Analysis

*Primary Research Includes:*
  - Surveys
  - Key Informant Interviews
Secondary Research

Literature Review

On March 26th, 2014, the Indiana General Assembly passed the House Enrolled Act (HEA) 1006-2014, IC 5-2-6-24, authored by Representative Greg Steuerwald. Indiana Criminal Code Reform was the first major reform in Indiana since 1977 (www.in.gov). The implementation of HEA 1006 took effect on July 1st, 2014, significantly impacting state and local governments (www.iga.in.gov). According to the American Institute for Research study on “Assessing the Local Fiscal Impact of Indiana HEA 1006,” the estimated annual cost to house offenders, provide treatment services, correctional programs, and reduce recidivism at the local level is $10.5 million dollars (Haight, Jarjoura, & Zaugg, 2014).

In 2014, according to the Indiana Office of Fiscal & Management Analysis, the passage of HEA 1006 encompasses many legislative changes to the following areas:

- Reclassification for felonies
- Juvenile jurisdiction
- Pretrial diversion
- Sentence modification
- Crimes that are non-suspendable
- Imposing of sentences
- Changes in sentencing of drug crimes
- Changes in conditions for intent to deliver (drugs)
- Habitual offenders
- Sentencing guidelines
- Credit time and class provisions
- Transfer of money from any anticipated savings

In addition, reassignment of certain crimes, from Level 5 to Level 6, occurred under HEA 1006. These changes include indecent images, child seduction, and offenders with limited lengths of stay (Indiana Office of Fiscal & Management Analysis, 2014).
The changes to the Indiana Criminal Law Code will to relocate over 14,000 offenders from the Indiana Department of Corrections (IDOC), each year, to local municipalities (Haight, Jarjoura, & Zaugg, 2014). According to the American Institute of Research, of the estimated 14,000 inmates, potentially 2,943 will be diverted back to the Marion County Jail (Haight, Jarjoura, & Zaugg, 2014). Of these offenders, 48.2% are Level 6 offenders and 19.5% are Level 5 offenders (Haight, Jarjoura, & Zaugg, 2014). Level 5 and Level 6 offenders are classified as those that have been charged with C and D Felonies under the previous Indiana sentencing guideline prior to July 1, 2014 (Haight, Jarjoura, & Zaugg, 2014).

In response to the enactment of HEA 1006, the Criminal Law & Sentencing Policy Study Committee was created (118th Indiana General Assembly, 2014). The purpose of the Criminal Law and Sentencing Policy Study Committee is to analyze and evaluate the effect of the criminal code reform on county jails, community corrections programs, probation departments, and courts (118th Indiana General Assembly, 2014). The study committee is also responsible for analyzing recidivism rates, reentry court programs, data relevant to the availability and effectiveness of mental health and addictions programs (118th Indiana General Assembly, 2014). The committee will track requests for sentence modification that are set for a hearing by the court (118th Indiana General Assembly, 2014). At the request of our client, Community Solutions Inc., the literature review and Capstone project will discuss the felony sentencing reform.

**Felony Reclassification “Class” to “Level”**

The reclassification of felonies in Indiana is the most broad criminal law reform in 35 years (Solutions, 2014). The purpose of reclassifying felonies is to help separate more violent offenders from low-level offenders (Haight, Jarjoura, & Zaugg, 2014). Reclassification creates the possibility of cost savings by providing services locally, preventing overcrowding in IDOC, and reducing recidivism by supporting alternative sentencing methods and re-entry programs (Indiana Office of Finance & Management Analysis, 2014). House Enrolled Act 1006-2014, redefines felony classifications from a “Class” system to a “Level” system (Indiana Office of Finance & Management Analysis, 2014). Prior to July 1st, 2014, Indiana has used an “A, B, C, and D” classification system for felony offenses (118th Indiana General Assembly, 2014). Under
the new law, felonies are now classified as Level “1, 2, 3, 4, 5, and 6” (118th Indiana General Assembly, 2014). Level 5 and Level 6 represent lower-level felonies, previously known as a “Class D” felony (118th Indiana General Assembly, 2014). According to HEA 1006, inmates will now be required to serve 75% of their sentence where as before, only 50% of time served was required, based on good behavior, volunteering in programs, and other considerations (118th Indiana General Assembly, 2014).

According to the criminal code reform, all Level 1, 2, 3, and 4 offenders will be transported to Indiana State correctional facilities (118th Indiana General Assembly, 2014). Consequently, all Level 5 and Level 6 offenders in IDOC will be redirected to the county with jurisdictional authority (118th Indiana General Assembly, 2014). The lower-level offenders, Level 5 and Level 6, will serve time in either a county jail, community corrections, or treatment programs operated by local government (Haight, Jarjoura, & Zaugg, 2014). Under the new law, certain crimes are reassigned from Level 5 to Level 6 (118th Indiana General Assembly, 2014). For example, crimes such as arson with intent to defraud, institutional criminal mischief, an offense intellectual property, and auto theft were lowered from a Level 5 to a Level 6 felony (Indiana Office of Finance & Management Analysis, 2014). HEA 1006 changes only apply to felony level crimes and do not change misdemeanor sentencing (118th Indiana General Assembly, 2014).

Marion County Criminal Justice Complex

With the concern of overcrowding, due to the reclassification law and the public safety concerns for the City County Building, city officials have decided to create a consolidated Criminal Justice Complex for Marion County, Indiana (www.indy.gov). Memorandums of Understanding (MOU’s) have been created between the Mayor of the City of Indianapolis (Mayor Gregory A. Ballard), the Marion County Sheriff (John Layton), the Marion County Prosecutor (Terry Curry), members of the Marion County City County Council, and several elected officials, including Marion Superior Court Judges and the Marion County Public Defender’s Office to discuss and better understand the creation of the proposed Criminal Justice Complex (www.indy.gov). Public safety leaders involved believe that the outdated facilities pose
a threat to the safety of inmates, as well as to the community. The projected date of completion is estimated for the year of 2018. The proposed complex will encompass an adult jail, adult inmate processing center, juvenile inmate processing, Criminal Courts, the Prosecutor’s Office, the Public Defender’s Office, Probation Offices, Community Corrections, and perhaps specific Clerks Offices.

Current jail facilities in Marion County require considerably more maintenance to operate due to the many years of wear and tear. In essence, the required upkeep of these facilities turns into a heavy cost issue for the county. To maintain these outdated facilities, the question then arises of where this money comes from? For starters, taxpayer money is involved in maintaining current facilities. In addition, funds come from the Public Safety Budget. However, if these funds were not used for as much maintenance, it could be allocated toward programs and resources to aid inmates and help eliminate the cycle of recidivism. When the county is constantly using money, overtime, to fix operational issues in outdated facilities, Marion County Officials feel responsible to build a brand new complex to help reduce operational cost in the long run.

As mentioned before, another issue that the Marion County Jail facilities are facing is overcrowding. Overcrowding becomes a safety concern for both male and female inmates, as well as staff members. There is not sufficient space to house female inmates and male inmates in the same facilities. Doing so creates a potential situation for civil liability, once again costing the city of Indianapolis, and Marion County potential financial liability. In addition to the overcrowding issue, medical care for the inmates is a becoming a large concern. The current facilities do not have sufficient medical capabilities to care for inmates. According to the American Civil Liberties Union Section on Prisoner’s Rights, once an individual is incarcerated, it is then the state’s responsibility to care for those individuals who cannot receive the care they need on their own while being incarcerated (Union, 2014.)

The public was also considered when deciding to create the new Criminal Justice Complex. For instance, a vast amount of business is conducted at the City-County Building and much of which is not Criminal Justice related. However, inmates are being transported to and from the City-County Building for court, every day, only to be mixed in with the public. This
creates a liability and safety issue for Marion County. The cost of security for the City-County Building is significant and could be reduced. The proposed complex will separate individuals conducting non-criminal business at the City-County Building, from those who are conducting criminal related business, such as court hearings, Probation meetings, detective interviews, and etc. On any given day, there are an estimated 700,000 inmates circulating the City County Building with over 500,000 citizens, victims, jurors, and witnesses (www.indy.gov).

This being said, the flow of traffic from facility to facility is a major safety concern. The process can be lengthy and confusing for inmates entering the Criminal Justice System in Marion County because of transportation policies and procedures. For instance, an inmate must first be transferred to the Arrestee Processing Center. Next, the inmate will reside in a cell until he or she is seen in front of a Judge for an initial hearing. Depending on the course of action the Judge wishes to take, the inmate may be released on bond or their own recognizance, meaning their “promise” to appear on their scheduled court date when released. Given the inmate is not released he or she will be transported back to the Marion County Jail. Assumed that there are pre-existing medical issues or new medical issues arise, the inmate will then be transferred to Eskenazi Hospital for medical care. When released from the hospital, the inmate will return to the jail to await their court date. The inmate may then be sentenced to IDOC and will then need to be transported once again to their final prison location. As described above, the current process of transportation is lengthy. As a result, costs money and time. The proposed complex is intended to provide a way to effectively and efficiently run Criminal Justice business in Marion County, Indiana.

**Recidivism**

Reducing recidivism is an essential undertaking to the Criminal Justice System in Indiana and across the country. The less individuals participating in criminal activity, the less cost incurred to the citizens of Indianapolis. In addition to the financial gain from reducing the prison population, there is also an increase in the safety of the public at large with less crime occurring.
Recidivism is a large problem that is not typically on the headlines of National News outlets. In 2003, the national rate of recidivism within three years was roughly two-thirds (McKean & Ransford, 2004). The Justice Department conducted a study of fifteen states, regarding inmates released in 1994. By the year 1997, those inmates were charged with 2,900 homicides and they were charged with over 300,000 crimes in the United States (McKean & Ransford, 2004). These numbers only represent inmates’ recidivating that were released in one calendar year across fifteen states. The fact is 97% of today’s inmates will see the streets again (McKean & Ransford, 2004). Therefore, taking measures to ensure individuals do not return to criminal activity is important for Indiana’s financial future and overall public safety.

**Criminal Justice System, Reintegration, and Rehabilitation to Reduce Recidivism**

The Criminal Justice System in America is evolving in hopes of reducing or deterring crime through swift and certain sanctions, such as mandatory sentencing. However, it takes more than swift and certain sanctions to reduce crime. In order to reduce crime, it could possibly take more than early intervention or rehabilitation. In the state of Indiana, we are at a point of incarceration crisis due to overcrowding and the expenses required for building new prisons. To incorporate and maintain effective rehabilitation, Indiana cannot classify all inmates the same.

Individuals commit crime for their own reasons, with no two individuals sharing precisely the same motivation (Cullen & Jonson, 2012). Because of the different causations of criminal activity, rehabilitation and reintegration will be required to be similarly diverse to maximize its effectiveness. Each offender has different risks, needs, and responsivity to various program offerings. For example, high-risk offenders may need more focused rehabilitation than low-risk offenders. Understanding the needs of an individual can help predict future behavior and can provide for a more effective intervention. Offender focused interventions can ultimately help to change factors causing the rooted problem (Cullen & Jonson, 2012). Different levels of education, employment experience, health problems, and housing are examples of such disparate backgrounds in inmates (McKean & Ransford, 2004).
The contrasting rehabilitation needs in incarcerated individuals is beginning to be recognized. In a study by the Center for Impact Research, three types of programs were cited most frequently as being imperative for reducing recidivism. Programs included substance abuse treatment, education, and employment services (McKean & Ransford, 2004). To reduce recidivism and prevent new crimes from being committed, programs need to be accessible as a condition of release from the Criminal Justice System. Program accessibility will help make substantial gains in recidivism reduction. Providers outside of the Criminal Justice System could offer substance abuse, education, and employment programs to offenders, as long as funding and resources are available (McKean & Ransford, 2004). Unfortunately, budget cuts have reduced programs offered to inmates to combat recidivism (McKean & Ransford, 2004). Budget cuts further contribute to the problems facing government and the Criminal Justice System.

**Substance Abuse and Recidivism**

Substance abuse is a significant problem in the Criminal Justice System. Prior addiction often leads to re-incarceration (Zarkin et al, 2012). Drug courts and mandatory substance abuse treatment have been demonstrated to have a 31% reduction in recidivism (McKean & Ransford, 2004). Mumola and Karberg found that in 2004, “32% of prison inmates had used illegal drugs at the time of the offense for which they were incarcerated for, 56% had used in the month before the offense, and 53% met diagnostic criteria for recent drug dependence or abuse” (2006). Substance abuse prevention and treatment is imperative since it has also been found that substance abuse causes the highest recidivism rates (Zarkin et al, 2012).

Treating substance abuse should be a primary target of the Criminal Justice System. An estimated 50% of crimes committed are related to substance abuse in some fashion (McKean & Ransford, 2004). Whether crime is committed because an individual is under the influence of drugs, or the involvement and/or transfer of drugs, it is evident that controlling substance abuse is a key factor to controlling recidivism. Any progress an individual makes in programs concerning substance abuse is capable of diminishing, if that individual returns to substance abuse. Drug related issues are powerful enough to cause drug users to recidivate.
Drug courts are popular tools in the Criminal Justice System to counteract the effects of substance abuse. Multiple studies have shown an estimated 32% reduction in recidivism by the use of drug courts across multiple states (McKean & Ransford, 2004). Marion County currently operates two separate drug courts, one for adults and one for families. Continued use of this tool is crucial for expanding successful recidivism reduction techniques.

**Education and Recidivism**

Providing education to inmates was one of the most frequent indicated programs for successful reduction in recidivism (McKean & Ransford, 2004). Texas actually offers a school system for inmates, which started in 1969, called the Windham School District (Fabelo, 2002). The Windham School District currently serves about 60,000 inmates per year, offering different educational programs that depend on the inmates’ prior education.

A study was conducted on the Windham program’s efficacy and measured two-year recidivism rates for program participants versus non-participants for individuals committing property crimes (Fabelo, 2002). Individuals younger than thirty-five that moved from a less than fourth-grade reading level, categorized as non-reader, to a fourth-grade reading level, categorized as reader, demonstrated a 37% decrease in recidivism rates over the two-year period after release (Fabelo, 2002). Individuals over the age of 35 demonstrated a 55% decrease in recidivism (Fabelo, 2002). Individuals younger than 35, who moved from a fourth-grade reading level, categorized as Illiterate, and moved to a sixth-grade reading level, categorized as literate, showed a 17% decrease in two-year recidivism rates, while those over the age of 35 showed a 14% decrease (Fabelo, 2002). The program also offered a GED/college course path, but no positive gains in recidivism reduction were noted by the study (Fabelo, 2002). The Center for Impact Research found in their study that a High School diploma was the most pervasive educational need in recidivism reduction (McKean & Ransford, 2004).
**Employment Services and Recidivism**

Offering employment services, while incarcerated and following release, is another key factor to reducing recidivism (McKean & Ransford, 2004). The more time spent at work, the less time to commit crime. Additionally, steady income from working can reduce crime of need. One program providing employment services to its released and paroled inmates is the New York Community and Law Enforcement Resources Together program (ComALERT). ComALERT has reported recidivism rates of 17% for program participants versus 41% for those that do not participate in the program (McKean & Ransford, 2004). Of the individuals participating in the program, less than half as many individuals went on to re-offend.

Bridging the gap across these programs is an intervention called Moral Resonation Therapy, or MRT. The MRT program is used alongside substance abuse, education, and employment programs to effectively reduce recidivism (McKean & Ransford, 2004). MRT has reported recidivism reduction rates between 25% and 60%, translating in a cost savings of $11.48 for every $1 put into the program (McKean & Ransford, 2004). MRT could be an opportunity to pursue for facilities seeking to reduce recidivism to benefit the public both financially and in public safety.

**Additional Recidivism Reducing Techniques for Consideration**

Drug addiction and mental health issues are at the heart of many of the Criminal Justice System’s issues, especially when considering recidivism. Approximately 50% of crimes involve drugs (McKean & Ransford, 2004). In addition, roughly 16% of inmates suffer from a mental health condition that requires treatment (McKean & Ransford, 2004). Addiction and mental health are significant issues that need attention in any environment seeking to assist in solving problems presented to the Criminal Justice System (McKean & Ransford, 2004). Those who have experienced incarceration, each year, have a higher likelihood to have mental health and addiction issues when compared to those who have not experienced imprisonment (Drucker, 2013). Individuals who work in the correctional field have been describing jails as the new mental health facilities. When we look at the general population, approximately 5.7% have a mental health issue (Cooper, 2013). However, when we look at jail populations, approximately
14.5% of male inmates and 31% of female inmates suffer from mental illness (Cooper, 2013). Many individuals in the incarcerated population use drugs to self-medicate, due to suffering from a mental illness (O’Keefe, 2007). In Marion County Jail facilities, it is estimated that 30% of inmates suffer from a mental health issue. Therefore, addressing mental health to reduce recidivism is essential.

With the data above, it could be concluded that any solution with the ability to affect mental health and drug addiction issues could make a sizeable contribution to positive change within the Criminal Justice System. Expansion of problem solving courts is a technique that could be utilized more thoroughly, in order to reduce the burden of mental health and substance abuse issues on the Criminal Justice System.

Drug courts and mental health courts are two types of problem-solving courts that have been introduced into the Criminal Justice System in this country. Problems-solving courts are fundamentally different in their approach to offenses, when compared to traditional procedures (Castellano, 2011). Problem-solving courts generally focus on treating the underlying problems present in the offender, rather than just punishing them (Goldman, 2013). Problem-solving Courts “operate collaboratively among judges, attorneys, clients, and mental health experts” in order to reduce recidivism (Goldman, 2013).

**Drug Courts**

When proposing alternatives to incarceration, many states decided to assign low-level, non-violent criminal offenders to treatment programs in substance abuse facilities and/or halfway houses (Pew Charitable Trusts, 2011). Making these significant changes, allows those who are incarcerated the opportunity to earn time credits to reduce sentence length (Pew Charitable Trusts, 2011). Other states have been reviewing punitive sentencing for additional alternatives to incarceration by expanding drug courts and lowering “a felony to a misdemeanor on the successful completion of Probation or drug treatment” programs (Subramanian and Moreno, 2014). Offering the opportunity to have records sealed and reduce or remove employment restrictions for drug offenses has also created an incentive to help ex-offenders reintegrate into society more easily (Subramanian and Moreno, 2014).
Restorative Justice is another way drug courts are working with offenders to help offenders understand the crime from the eyes of the victim. Restorative Justice brings together the offender and the victim to discuss each side of the story to help both sides gain an understanding and begin a healing process (Castellano, 2011). Restorative Justice helps offenders reintegrate into society, as well as gain restoration within that society (Castellano, 2011). Through the Restorative Justice process, offenders must take responsibility for their criminal offense and begin to change their decision making process (Castellano, 2011).

**Mental Health Courts**

Mental health courts are another type of problem-solving court, aimed at interrupting the flow of repeat offenders into the Criminal Justice System, specifically incarceration facilities. Marion County provided the first doctor specializing in mental health treatment in 1996 (Callahan, Steadman, Tillman & Vesselinov, 2013). The existence of mental health courts is based upon the theory that some individuals offend and re-offend due to a lack of treatment of their mental illness (Luskin, 2013).

Mental health courts are similar to drug courts, as they both aim to reduce recidivism as well as increase the level of treatment being received by the enrollees (Callahan, Steadman, Tillman & Vesselinov, 2013). The two types of courts differ in that mental health courts consider a relapse to be part of the treatment process, whereas a relapse in a drug court would be a violation of the abstinence requirement (Callahan, Steadman, Tillman & Vesselinov, 2013). Another shared characteristic between the two types of problem-solving courts is the use of both positive and negative reinforcement techniques to pose accountability for program adherence (Callahan, Steadman, Tillman & Vesselinov, 2013).

Evidence shows these courts are successful in increasing the levels of treatment received by enrolled offender-clients. A study was conducted by Mary Lee Luskin of Indiana University, on the treatment outcomes of individuals enrolled in the Marion County mental health court. The study was conducted through a baseline interview and a 6-month follow-up interview with
subjects classified by enrollment in the mental health court program versus receiving treatment as usual (Luskin, 2013). It should be noted that all study individuals were out of incarceration and in the community for long enough to make an outpatient visit for treatment between the baseline and 6-month follow-up interviews (Luskin, 2013). Also of note, the amount of time spent in jail did not influence the number of outpatient visits (Luskin, 2013).

According to the Luskin study, there is a difference between the treatment needed for the two groups. Separating treatment locations between outpatient, hospital-inpatient, and jail, the mental health court group experienced an increase in treatment at outpatient facilities with 96.5% receiving outpatient treatment at the baseline and 100% receiving treatment at the 6-month follow-up (Luskin, 2013). Conversely, the treatment as usual group had 90.6% of individuals receiving treatment at an outpatient facility at the baseline interview and only 69.5% receiving such treatment at the 6-month follow-up, showing a 20.7% decrease in treatment level from outpatient facilities (Luskin, 2013). Among the treatment as usual group, only treatment at a jail facility demonstrated an increase in participation percentage of 30.5% (Luskin, 2013). Also, drug or alcohol related treatment decreased by 6.1% (Luskin, 2013). Among the mental health group, jail treatment received a slight increase of 1.1%, however drug or alcohol related treatment demonstrated a 12.3% increase (Luskin, 2013).

In addition to the numbers of individuals receiving treatment showing an increase against the treatment as usual group, the mean frequency of outpatient treatments among the enrollees also demonstrated growth (Luskin, 2013). Among the treatment as usual group, the mean number of outpatient treatments receded from 13.4 at the baseline interview to 9.9 (Luskin, 2013). Additionally, the number of jail nights increased from 3.3 at the baseline to 34.3 (Luskin, 2013). On the contrary, mean frequency of outpatient visits increased from 23.5 to 31.6 among the mental health court group (Luskin, 2013). Additionally, a minimal decrease in jail nights was demonstrated among the mental health court group (Luskin, 2013). Across the board, decreases were seen among both groups in both the participation level and frequency of inpatient visits, indicating the possibility that the event leading to the arrest occurred near the time of a mental health crisis (Luskin, 2013). Overall it would appear that the mental health group was successful at increasing both the participation and frequency of treatment, especially in outpatient facilities.
It is noteworthy to add that the greatest effects from mental health courts are demonstrated by offenders suffering from schizophrenia or bi-polar disorder (Luskin, 2013). This may be due to the difference of treatment intensity given to offenders with those diagnoses (Luskin, 2013). It was noted by the study that an increased frequency of treatment was given to those offenders, with schizophrenia or bi-polar disorder, compared to the frequency given to the enrollees that suffer from depression instead (Luskin, 2013).

Given that the aim of mental health courts is to both reduce recidivism and increase treatment, it is important to evaluate this program on both fronts. Mental health courts have been shown to “increase the public safety outcomes of participants” (Callahan, Steadman, Tillman & Vesselinov, 2013). One statistic to note from the Marion County study is that the percentage of defendants spending at least one night in jail was significantly higher among the treatment as usual group, 68.3%, versus the group of enrollees in the mental health court where only 12.4% of those individuals spent at least one night in jail during the 6 months between the baseline interview and follow up interview (Luskin, 2013). It is also shown that the compliance with prescribed medication regimens and increased outpatient treatment demonstrated better public safety outcomes (Callahan, Steadman, Tillman & Vesselinov, 2013). Another study, conducted in a Southeastern courthouse in North Carolina, found program participants were re-arrested approximately 28% as often as non-participants (Moore and Hiday, 2006). Additionally individuals that completed the mental health treatment program were re-arrested approximately 28% as often as those that did not complete the program (Moore and Hiday, 2006). Therefore, enrollment and completion of a mental health court program can certainly reduce the chances of recidivism.

**Indiana’s Sentencing Reform**

In order for Indiana to be more proactive in Criminal Justice reform, to reduce recidivism, the state must understand the inmate population and overcrowding issues. Prior to the sentencing reform, Indiana’s inmate population was projected to increase by 21% from 2010 to 2017 (Eaglin, 2013). Due to the majority of offenders being low-level, nonviolent drug offenders, there is a call for incarceration reformation (Eaglin, 2013). Indiana is already at a
higher rate of incarceration than surrounding states and there is now concern for overcrowding with new law changes. Therefore, sentencing reform is a topic worth investigating (Eaglin, 2013). Indiana faces a sentencing reform problem with its incarcerated population increasing by 40% in the last decade, while some states have reduced their prison population (Eaglin, 2013).

In 2010, the Pew Center for the States determined that Indiana was incarcerating too many low-level offenders, contributing to its overcrowding problems (Eaglin, 2013). The report concluded that a graduated sentencing scheme could alleviate some of the prison overcrowding problems (Eaglin, 2013). A proposal to implement some of these policies was defeated in 2011 (Eaglin, 2013). In an interview conducted by The Pew Charitable Trusts, Blumstein noted the influx regarding incarceration, was due to the increase in drug offenses (2014). For instance, in Indiana approximately 20% of state and 50% of federal prisoners were incarcerated due to drug offenses (Pew Charitable Trusts, 2014). An approximation of 1.2 billion dollar saving increase can be expected for incarceration, if changes in the correctional system are made (Eaglin, 2013).

Cost

It has taken the United States 35 years to incarcerate approximately 8 million people (Drucker, 2013). In 2009, America was imprisoning people at a rate of 720 per 100,000 people (Drucker, 2013). There are approximately 2.2 million people currently incarcerated with an additional 5 million individuals on Parole or Probation in the United States (Drucker, 2013). According to the Pew Center on the States, 1 in 100 people have been incarcerated (2011). Pew also found 1 in 31 individuals have been imprisoned or have been sentenced to Probation or Parole (2011). In the state of Indiana, there were 13,651 individuals released from prison with a 37.1% recidivism rate (Pew Center on the States, 2011). With these statistics, it is no secret that the costs of the Criminal Justice System are consistently increasing.

Recidivism is a major contributor to the cost of the Criminal Justice System. Each time an individual is arrested, the public, as well as the city of Indianapolis, must pay for the arrest, the prosecution, and the incarceration. Given that an individual becomes a habitual offender, this process of arrest, prosecution, and incarceration repeats itself indefinitely, costing taxpayer’s money to essentially fix the same problem time after time. Therefore, any program
demonstrating modest success will have difficulties being efficient, effective, and profitable to the Criminal Justice System. In fiscal year 2010, the Indiana Department of Corrections’ (IDOC) average cost per day, per inmate was $52.60 (NIC State Statistics - IN, n.d.). IDOC housed 28,103 inmates, as of September 1, 2011. This equates to roughly 1.47 million dollars being spent on criminal confinement every day in the IDOC (NIC State Statistics - IN, n.d.). Also, Indiana currently has a crime rate of approximately 10 percent above the national average (NIC State Statistics - IN, n.d.). Considering the cost of incarceration and Indiana’s rate of crime, there are many opportunities to reduce costs and lower crime rates. Reducing costs and crime rates would serve as an advantage for the Criminal Justice System (NIC State Statistics - IN, n.d.).
State Case Study

Indiana is not the only state reviewing *Get Tough on Crime* sanctions. Many states across the country have been trying to find solutions to overcrowded jails, prisons, and the excessive spending that is breaking state budgets (Pew Charitable States, 2012). New York, Ohio, Oklahoma, and Kentucky have all altered various low-level nonviolent drug offenses to misdemeanors or low-level felonies (Jonson, Eck, and Cullen, 2014).

Ohio

On June 29, 2011, Ohio House Bill 86 was signed by the Governor of Ohio and took effect in the State of Ohio on September 30, 2011 (Diroll, 2011). The main purpose of Bill 86 is to make significant changes to both the felony sentencing laws and the Juvenile Justice System in Ohio, but more specifically to “reduce the amount of public funds used to operate state prisons and to reduce the number of offenders in prisons for violation of low to moderate level offenses” (Conference, 2011). House Bill 86 would assist the state of Ohio in their mission to target low-level, non-violent offenders to reduce the prison population as well as to reduce the amount of money that is being used to fund state prisons.

The Ohio Department of Rehabilitation and Correction’s (DRC) inmate population is “at an all-time high and projects to keep growing” (Reform, 2011). The DRC conducted a predicted study that looks at the skyrocket numbers in DRC admissions from 1993 to 2018 and the study showed “substantial increases in the prison population over the next ten years, reaching 59,846 in 2018” (Reform, 2014). Consequently, there is a tremendous importance and pressure on House Bill 86 to successfully make significant changes to reduce the prison population in the state.

The felony levels used in this Criminal Justice System are labeled from the most violent at F-1 down to lower level felony crimes at F-5. House Bill 86 caused several important sentencing changes within the five different felony levels that looked at reducing certain felony levels, as well as increases maximum penalties. For instance, in levels F-4 and F-5 a Judge is authorized by the law to send an offender to prison if “the offense is committed with a firearm or there is physical harm to another person while committing the crime” (Conference, 2014). However, an F-3 felony level saw a reduction in the “maximum penalty to three years” if the
offense is not violent, sexually oriented, repeat robbery or burglary, aggravated vehicular homicide, or aggravated vehicular assault (Conference, 2011).

On top of the sentencing reforms, House Bill 86 has also looked at a plan for re-entry because the state is well aware of what happens when offenders are released from the Ohio Department of Rehabilitation and Correction and go back to their neighborhood. The bill includes a re-entry plan that “requires the DRC to develop a re-entry plan for all offenders imprisoned for more than 30 days, except those sentenced to life without Parole or death” (Conference, 2011). House Bill 86 does not dive further into the details of the plan, but just simply having a plan in place for offenders that focuses on their re-entry could possibly help them obtain resources easier. In addition, the re-entry plan can help to get offenders back on their feet quicker once they are released from prison.

The House Bill 86 also identifies the importance of increasing enrollment in Community Corrections diversions. In 2008, it was reported “15,485 offenders were sentenced to the Ohio prison for F-4 and F-5 level crimes, which was 57% of the overall intake population that year” (Reform, 2014). However, of those offenders many of them would have been “eligible for the community-based sanctions and programming that is provided to them by the Department of Rehabilitation and Corrections” (Reform, 2014). Community diversion programs in Ohio focus on providing offenders with a “wide-array of risk and needs-based supervision and services” which include day reporting, work release, substance abuse treatment, community service, and GPS, and electronic monitoring (Reform, 2014). The community diversion programs provide lower level felony offenders the ability to receive “local punishment while also ensuring that they remain accountable for employment, paying taxes, paying child support, and other family responsibilities” (Reform, 2014).

The Sentencing Reform Special Analysis portion of the Executive Budget for Fiscal Years 2010 and 2011 looked at the amount of money that the state could be saving by keeping level F-4 and F-5 offenders on the local level and putting them in Community Corrections diversionary programs, rather than sending them to prison. The State of Ohio would be saving “1,374 beds and an annual estimated savings of $5,927,848” if they were to remove F-4 and F-5
level offenders from prison and place them into Community Correction’s diversion programs (Reform, 2011). House Bill 86 appears to have the potential to do exactly what it was made to do when it took effect in September of 2011; to reduce public funds used for corrections and to reduce the number of offenders in the Ohio Prison Department of Rehabilitation and Correction.

**California**

On September 4, 2013, California Senate Bill (SB) 649 was passed (Senator Leno, 2013). This bill was passed in regards to the state of California and their overwhelming prison population. The prison population in California is increasingly high and continues to grow. SB 649 seeks to help control the prison population.

The bill provided a means to control the prison population by changing the controlled substance law. The law previously stated that the unlawful possession of any controlled substance would be a felony that is punishable by imprisonment between 1.5 years to 3 years (Senator Leno, 2013). SB 649 changed that legislature and stated that the unlawful possession of any controlled substance would be punishable as a felony or misdemeanor in county jail for no more than a year (Senator Leno, 2013). The bill also states that any individual unable to pay their fine could substitute the fine for community service (Senator Leno, 2013). Changes in legislation also help keep individuals out of prison that simply are not able to afford a fine.

The prison system in California is currently overcrowded. The prison population is at approximately 144% capacity (Lovett, 2014). California currently does not have the capacity to hold its own prisoners. Approximately 8,900 prisoners are being housed in other states (Lovett, 2014). Governor Jerry Brown has been working on ways to enhance the rehabilitation programs in the state and reduce California’s recidivism rate, which currently is 60% of released inmates will return to prison within three years (Lovett, 2014). California has become one of the states to begin considering sentencing reforms to lower their ever-increasing prison population.

**New York**
Congress has also begun to analyze many sentencing reforms and has started to make changes that could help lower the prison population. On September 31, 2013, Congress proposed the Smarter Sentencing Act (Library of Congress). This act would direct the court to be able to make a sentence without regards to any statutory minimum sentence when an individual does not have more than two criminal history points or no prior convictions (Library of Congress). The Smarter Sentencing Act also enabled the courts to offer reduced sentences to any individual who was convicted of a crack cocaine possession before August 3, 2010 (Library of Congress). The Smarter Sentencing Act will increase the prison sentence for domestic violence or assault (Library of Congress).

The country’s prison population is ever growing, but steps are being taken to help reduce this by the acts that have been put in place. The prison population has grown almost 800% in the last 30 years (McCurdy, 2014). The Smarter Sentencing Act helped reduce the mandatory minimum sentencing for certain drug offenses, meaning that more individuals with small drug crimes would be able to return to the community quicker (McCurdy, 2014). This bill provides Judges with clemency for individuals who do not pose a risk to society. It currently costs roughly $29,000 a year to house a single prisoner (McCurdy, 2014). The Smarter Sentencing Act provides some leniency for offenders. Therefore, taxpayer’s money and room in federal prisons can be saved for offenders with more serious crimes.

New York also became a state that realized many of the current Criminal Justice practices were not working. New York began to find other alternatives to simply imprisoning individuals. In 2003, Mark Goldsmith started Getting Out and Staying Out, a non-profit organization dedicated to reducing the rate of recidivism for young men, ages 16-24 (Getting Out and Staying Out). The program’s focus is to give incarcerated men the motivation and drive to want to stay out of prison upon release. The program accomplished this through bringing successful individuals to prisons to provide coaching and a sense of encouragement to offenders (Getting Out and Staying Out). The program gives young men the tools for proper training and education, which are seen as the most important tools to have to reduce recidivism (Getting Out and Staying Out). The program has seen a great amount of progress in reducing recidivism rates. Young men involved in the program are only likely to recidivate at a 15% rate (Getting Out and Staying Out).
Out). On the other hand, most of the country has a recidivism rate of almost 50% or higher. In other words, 90% of Getting Out and Staying Out participates do not return to prison. The program continues to work through the help of volunteers and donations (Getting Out and Staying Out). Getting Out and Staying Out helps keep young men out of prison and provides a sense of accomplishment for each young man who participates in the program.

**Kentucky**

The state of Kentucky, like the rest of the country, faced grim forecasts in the field of corrections, as the number of people secured within prison facilities continued to climb throughout the state. In order to protect the state’s budget from soaring, Kentucky’s reform efforts have revolved around “Justice Reinvestment.” Discussions of Justice Reinvestment allowed Kentucky to consider ways to decrease the state’s prison population, while protecting public safety, state budgets, and enforcing offender accountability (Smith, 2011). Kentucky Governor Steve Beshear believes:

“By reducing the rate of offenders who return to prison, we keep our communities safer, our families more intact, and we’re able to begin reinvesting incarceration costs to other critical services” (Pew Center on the States, 2011).

In order to reduce the prison population, to prepare for sentencing reform, and to keep low-level offenders in the community, the state of Kentucky has focused on three areas: bipartisan collaboration, low level drug offenders and sentencing reform, and Probation and Parole. Through their efforts, Kentucky is expected to save $422 Million over a 10-year period (Pew on the States, 2011).

By request of Governor Steve Beshear, Kentucky’s Criminal Justice Council developed recommendations for addressing the state’s prison population (2011). Through a focused commitment to Justice Reinvestment, the state was able to promote diverse collaboration to build momentum behind reducing the prison population, while securing public safety. Through bipartisan partnerships, the Task Force on the Penal Code and Controlled Substances was formed. By 2011, the task force’s efforts led to justice reform, House Bill 463.
Among many things, the Public Safety and Offender Accountability Act of 2011 sought to modify the Controlled Substances Act (Kentucky House Bill 463). To address issues of mass incarceration, House Bill 463 reshaped how low-level, non-violent drug offenders were sentenced. Instead of serving time in prison, the law allowed for non-violent, low-level drug offenders to get sanctions related to Probation and drug treatment. In this way, the funding focus shifted toward treatment programs that aim to reduce recidivism. With more offenders being directed away from prison toward Probation, House Bill 463 has shifted public safety efforts toward creating a stronger system of Community Corrections, i.e. Probation and Parole.

In order to accommodate larger caseloads, House Bill 463 gives Probation Officers more discretion in determining sanctions for Probation violations, specifically technical violations. In addition, it is expected that Probation departments rely on evidence based programming and the use of risk assessment tools. These changes allow for greater reliance on programs that are supported by research, which help to increase impact in a cost efficient way. Further, risk assessments help officers determine who is most at-risk for reoffending.

Michigan

According to the NGA Center for Best Practices, the state of Michigan has reduced its prison population by 12%, through the Michigan Prisoner Reentry Initiative (MPRI) (Practices, 2011). In addition, the recidivism rate between years 2004 and 2007 stood as low as 31% (Pew Center, 2011). With a vision to reduce recidivism, Michigan has been able to shut down more than 20 correctional facilities, saving the state money. Through the use of a Transitional Accountability Plan (TAP), an offender is engaged with steps for re-entry throughout his or her prison sentence. The TAP prepares individuals for a successful reintegration back into the community upon release. The Michigan Prisoner Reentry Initiative views re-entry as a three pronged process starting with prison, through community transition, and then discharge. (Reference Appendix F for TAP process)

The Michigan Prisoner Reentry Initiative has greatly impacted the rate of recidivism throughout the state. MPRI participants are “returning to prison 33 percent less frequently than similar offenders who do not participate in the program” (Pew Center, 2011). In addition to the
MPRI, Michigan has developed policy changes related to Probation and Parole revocations, which are at a record low. Former Michigan Director of Corrections Patricia L. Caruso stated:

“Although the roots of MPRI were clearly in a budget crisis, it was never only about saving money—it was a belief that doing corrections ‘right’ would result in a smaller prison system and large savings.” He believes Michigan, “had to change our entire culture to focus on success (of the offender)” (Pew Center, 2011).

With positive changes in Parolee success rates, the state has increased its use of Parole as a means to reduce recidivism and save money by keeping offenders out of prison.
**Criminal Justice Data**

In order to assess the impact of HEA 1006 in Marion County, we gathered data from the Indiana Department of Corrections, the Marion County Sheriff’s Office, and Marion County Community Corrections. Although the law took effect July 1st, 2014, there is substantial data showing the current felonies and levels of admittance and release.

**Indiana Department of Corrections**

In order to assess the impact of HEA 1006 in Marion County, we gathered data of admission and release from the Indiana Department of Corrections (IDOC). As previously mentioned, HEA 1006 did not take effect until July 1st, 2014. Crimes committed after June 30th, 2014, are under the new law. Due to the new felony level reclassification, the number of ‘Class D Felonies’ or ‘Level 5 to 6 Felonies’ are not complete in its entirety. Table 1.1 reflects the number of offenders admitted to IDOC from Marion County by felony class A through D. Although we do not have complete data for 2014, the majority of the population admitted to IDOC from Marion County in 2011-2013 was sentenced as felony class D or Level 5-6. The population represents approximately 1,500 offenders per year or 46% percent of the total prison population. From January 2014 to August 2014, there were 781 ‘D Felonies’ admitted to IDOC. Due to the new law, all Level 5 and Level 6 offenders will serve their sentence in their respective counties, instead of IDOC.

Of the offenders admitted to the Indiana Department of Corrections, the largest population released to Marion County is ordered to community supervision through Parole or Probation, as shown in Table 1.2. Based upon the IDOC data, there is minimal change or an increase in the caseloads received by the offices of Probation and Parole. Based upon the data from 2011-2013, there is consistently a higher number of ex-offenders released to Parole or Probation, than to Community Transition Programs (CTP) or discharged.
Table 1.1: Offenders admitted to IDOC from Marion County, by felony class A through D

<table>
<thead>
<tr>
<th>Marion County</th>
<th>Murder</th>
<th>Felony A</th>
<th>Felony B</th>
<th>Felony C</th>
<th>Felony D</th>
<th>Totals</th>
</tr>
</thead>
<tbody>
<tr>
<td>2014 – August</td>
<td>30</td>
<td>89</td>
<td>441</td>
<td>397</td>
<td>781</td>
<td>1,746</td>
</tr>
<tr>
<td>2013</td>
<td>24</td>
<td>154</td>
<td>823</td>
<td>797</td>
<td>1,311</td>
<td>3,109</td>
</tr>
<tr>
<td>2012</td>
<td>27</td>
<td>163</td>
<td>860</td>
<td>759</td>
<td>1,581</td>
<td>3,390</td>
</tr>
<tr>
<td>2011</td>
<td>32</td>
<td>173</td>
<td>819</td>
<td>860</td>
<td>1,784</td>
<td>3,668</td>
</tr>
</tbody>
</table>

Table 1.2: Released IDOC Offenders to Marion County, 2011-2014

<table>
<thead>
<tr>
<th>Release</th>
<th>Community Transition Program</th>
<th>Probation</th>
<th>Parole</th>
<th>Discharged</th>
<th>County Totals</th>
</tr>
</thead>
<tbody>
<tr>
<td>2014 - August</td>
<td>173</td>
<td>572</td>
<td>1,321</td>
<td>506</td>
<td>2,572</td>
</tr>
<tr>
<td>2013</td>
<td>306</td>
<td>862</td>
<td>2,183</td>
<td>585</td>
<td>3,936</td>
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<tr>
<td>2012</td>
<td>337</td>
<td>951</td>
<td>2,178</td>
<td>882</td>
<td>4,348</td>
</tr>
<tr>
<td>2011</td>
<td>367</td>
<td>800</td>
<td>2,200</td>
<td>1,128</td>
<td>4,495</td>
</tr>
</tbody>
</table>

Marion County Sheriff’s Office

In order to assess the impact of HEA 1006 in Marion County, we collected data from the Marion County Sheriff’s Office (MCSO). Based upon the data, D felonies represent the largest offender population in the MCSO. Table 1.3 represents the number of D felonies booked and released within a given year. From January 2104 through May 2014, approximately 8,000 offenders have been booked and released within a few months. The maximum capacity of the MCSO is 2,400, with a current capacity at 2,300. Although the HEA Sentencing Reform Team does not have complete data for the year 2014, the team can project there will be an increase in the number of class D felonies or level 5-6 felonies serving time in the MCSO.

Table 1.3 outlines Class D felonies booked and released within the year of 2014, between the months of January through May. In addition, Table 1.4 reflects the number of offenders booked and released by felony A-D. As previously stated, D felonies represent the largest population of felonies, compared to the other felonies. The total number of D felony offenders booked and released from the MCSO is 16,158. Based upon the data, we can project this number will increase in response to the new criminal code law.
In order to assess the impact of HEA 1006 in Marion County, to the Marion County Community Corrections, we gathered data on the client caseloads. As of August 2014, the current capacity of Community Corrections is 3,491. The maximum capacity is unknown. Based upon the Community Corrections data, there is an unequal distribution of clients served amongst the Correction Officers (CO). Although a few CO’s specialize in substance abuse, mental health, and sex offenders, the majority of CO’s are responsible for managing higher caseloads of approximately 100 or more. As shown in Table 1.5, there is an unequal distribution of Marion County Community Corrections caseloads and the table outlines maximum components for CO caseloads.
Table 1.5: Marion County Community Corrections, Correctional Officer Caseloads

<table>
<thead>
<tr>
<th>Community Corrections</th>
<th># of Clients</th>
<th># of Components</th>
<th>Type:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1</td>
<td>1</td>
<td>Supervision</td>
</tr>
<tr>
<td></td>
<td>101</td>
<td>103</td>
<td>-------</td>
</tr>
<tr>
<td></td>
<td>96</td>
<td>96</td>
<td>-------</td>
</tr>
<tr>
<td></td>
<td>60</td>
<td>61</td>
<td>Substance Abuse/Mental Health</td>
</tr>
<tr>
<td></td>
<td>4</td>
<td>4</td>
<td>Duvall Supervisor</td>
</tr>
<tr>
<td></td>
<td>124</td>
<td>126</td>
<td>-------</td>
</tr>
<tr>
<td></td>
<td>52</td>
<td>54</td>
<td>Substance Abuse/Mental Health</td>
</tr>
<tr>
<td></td>
<td>101</td>
<td>101</td>
<td>-------</td>
</tr>
<tr>
<td></td>
<td>113</td>
<td>118</td>
<td>-------</td>
</tr>
<tr>
<td></td>
<td>154</td>
<td>155</td>
<td>Private Contractor</td>
</tr>
<tr>
<td></td>
<td>982</td>
<td>1044</td>
<td>New Staff</td>
</tr>
<tr>
<td></td>
<td>47</td>
<td>47</td>
<td>-------</td>
</tr>
<tr>
<td></td>
<td>114</td>
<td>118</td>
<td>Substance Abuse/Mental Health</td>
</tr>
<tr>
<td></td>
<td>85</td>
<td>90</td>
<td>New Staff</td>
</tr>
<tr>
<td></td>
<td>53</td>
<td>53</td>
<td>New Staff</td>
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<tr>
<td></td>
<td>20</td>
<td>21</td>
<td>Sex Offender</td>
</tr>
<tr>
<td></td>
<td>84</td>
<td>84</td>
<td>-------</td>
</tr>
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Findings

From our secondary research, we can conclude that there is little to no immediate change in agency caseloads or incarceration rates in Marion County. According to the data, we can project the number of D felonies or Level 5 and Level 6 offenders, serving time in Marion County, will increase. With the increase in the number of offenders in Marion County, we can project the caseloads of the Office of Parole and Probation will increase at a steady rate. Although the impact of HEA 1006 in Marion County currently shows minimal change, we can project a drastic increase will take place within the next 2-3 years across all Criminal Justice agencies.
Primary Research

Surveys

To better understand positive aspects, as well as major issues and/or concerns regarding resources and services provided to individuals during and post incarceration, the HEA Sentencing Reform 1006 Team distributed surveys to a specific population, consisting of individuals currently or previously involved with the Criminal Justice System, including individuals on Probation, Parole, or Community Corrections. Individuals receiving assistance from Public Advocates in Community Re-Entry (PACE) also completed surveys. Surveys were distributed between October 31- November 11, 2014.

Surveys Discussion

The HEA Sentencing Reform 1006 Team surveyed multiple Criminal Justice entities to gain a well-rounded perspective from those who experience the system first hand. The survey consisted of demographic questions, four multiple-choice questions, and two open-ended questions. We distributed surveys at the Public Advocates in Community Re-Entry (PACE) and Marion Superior Court Probation Department (MCPD) to individuals formally or currently under community supervision.

PACE was selected as a location to distribute surveys and obtain feedback. It was imperative to gain the insights of those who encounter the system on a daily basis and the struggles they face entering back into society. The HEA 1006 Sentencing Reform Team received 14 surveys from individuals at PACE.

MCPD is located in the City County Building Downtown Office on the 6th Floor. The mission statement of the MCPD is “To enhance safety through enforcement of court orders while striving to empower individuals and change lives.” Getting the opportunity to survey those who are dealing with the requirements of probation is very important to understand what has helped or possibly would help these individual to keep from recidivating. By discussing the various issues each individual has experienced may help give additional ideas of the types of programs that would be beneficial to have in the Criminal Justice Complex.
Overall, the HEA Sentencing Reform 1006 Team received 32 surveys. The purpose of the surveys was to gather important information from individuals that have experienced the Criminal Justice system in Marion County. From the 32 respondents, 26 were males and 6 were females and 18 identified themselves as Caucasians and 15 identified themselves as African American. The age range of the respondents was between 18-57 years of age with the highest age range of 23-27 years of age. The demographic data can be reviewed under Appendix C.

Along with demographics, it is important to know the level of felony convictions the respondents have received. Prior to July 1, 2014, out of the 32 respondents there were 5 with no Felony convictions, 1 Class A Felony, 9 Class B Felonies, 8 Class C Felonies, 9 Class D Felonies, and 2 were unsure of the class level of their convictions. After July 1, 2014 we found 5 currently had no Felony convictions, 1 Level A Felony, 1 Level B Felony, 2 Level C Felonies, 2 Level D Felonies, zero Level 5 Felonies, 4 Level 6 Felonies, and 2 were unsure of the Level Felony convictions. This information can be found in Appendix C of the report.

The survey also included the type of supervision each offender had experienced or were currently experiencing as a part of the sentencing requirements given by the judge. Figure 1 below shows that out of the 32 respondents there were 22 on Probation, 12 were on Parole, 10 were on Community Corrections, and 2 were in Problem Solving Courts. There were 3 who were not under any supervision at this time. The information for supervision can be found under Appendix C.

Figure 1: Types of Felony Convictions
Some of the challenges offenders face after incarceration include but are not limited to financial obligations, transportation, safe and affordable housing, time commitments and access to health care, as well as positive support systems. Figure 2 showed financial obligations seemed to be the highest concern with 23 of the 32 respondents. Transportation was the second highest concern with 16 of the 32 respondents, and safe and affordable housing was next with 15 respondents. See Appendix C for a complete list of challenges and barriers faced by those released from incarceration.

Figure 2: Services Received while Incarcerated

Figure 3 below shows the services that respondents received during and after release from incarceration. Out of the 32 respondents, 14 respondents used substance abuse services while incarcerated but only 4 respondents received substance abuse services after release from incarceration. Mental health was another area of concern due to the difference in services received during and after incarceration. Seven individuals received mental health services during incarceration and only 3 individuals received services after incarceration. These major differences could be due to possible mandated sentencing requirements that are associated with the individual’s offense.
While reviewing the large number of programs offered (Appendix F), it was found that most of the programs are centrally located in Downtown Indianapolis and attending these programs or services may prove difficult for many ex-offenders who lack transportation to these program locations.

Below in Figure 4, the highest concentration of individuals coming out of Marion County Jail and correctional programs return to the 46218 zip code. Within this zip code, 9.46% of Marion County offenders were released. However, the highest concentrations of programs available for those who return to the community are centralized in downtown Indianapolis and not within the communities where offenders return.

**Not a comprehensive listing of Re-Entry Service Providers in Marion County**
According to Savi.org, the majority of individuals who lack transportation can be seen in Figure 5 and are also located in zip code 46218 (2014). In 2012, Savi.org statistics show that in certain areas of zip code 46218, there are 33.3% to 63.4% of “housing units with no vehicle available” (2014).

Figure 5: Occupied Housing Units with No Vehicle Available, 2010
Key Informant Interviews

The *HEA Sentencing Reform 1006 Team* conducted eight face-to-face interviews to determine the impact of HEA 1006 to local Criminal Justice agencies, the capacity needed to serve offenders who will remain in the community due to HEA 1006, and evidence-based services or programs recommended for reducing recidivism in Marion County. (Reference Appendix D for consent forms and interview questions)

The HEA Sentencing Reform 1006 Team conducted eight Key Informant Interviews:

- American Institutes for Research
- Marion Superior Court Judge 1
- Marion Superior Court Judge 2
- Marion Superior Court Judge 3
- Indianapolis City County Councilor 1
- Development Corporation Director 1
- Community Center Director 1

Marion County Sheriff’s Office Key Informant Interviews Discussion

Marion Superior Courts have sentenced very few individuals under HEA 1006, since its implementation in July. Although Major Felony Courts have been impacted by HEA 1006, the full impact cannot be determined yet. According to the Judges interviewed, the length of time between implementation of HEA 1006 and this study is too short to determine true impact on the courts. Judges are still determining the impact of HEA 1006 to their courts and project the impact will not be fully recognized for at least six to twelve months.

Challenges in implementing HEA 1006 are connected with the change in computer management systems, from JUSTIS to Odyssey. This change took place in June of 2014. Court room work groups were trained to use Odyssey under the old law, which has caused many communication challenges for the court staff. Along with the changes to the computer management system, Judges discussed the need to develop new court forms. Forms handed down to the courts, because of HEA 1006, have been edited by court room work groups. Through the new management system, Odyssey, Criminal Justice agencies are unable to access the same information that was accessible through JUSTIS. In addition, Odyssey limits the court’s ability
to communicate across agencies. For this reason, Criminal Justice agencies and justice professionals are trying to build a way to interact across agencies.

Bailiffs have created their own forms and some court room work groups have changed their efforts to communicate with (public) defense lawyers. Further, the language used to discuss and file cases under the new law has to be balanced with the language used to discuss cases filed prior to July 1st, 2014. Courts are adjusting to changes in advisory sentence lengths and good time calculations through staff training, research on HEA 1006, “cheat sheet” charts (which outline new sentencing lengths), and various court room forms created by individual courts.

Since the implementation of HEA 1006, Marion Superior (Major Felony) Courts have experienced an increase in cases or have not seen much of a difference in court case loads. Filing of charges may not change under HEA 1006, depending on the response from the Prosecutor’s Office. Judges note that the state’s ability to charge offenders has changed. Because of this, it appears Prosecutors have become “creative” in how they use the law to charge individuals under HEA 1006 (Key Informant Interview). Prosecutors may be up-filing charges to ensure offenders make it to Major Felony Courts for their offenses. For this reason, determining the true impact of HEA 1006 will be difficult. Further, under HEA 1006, Prosecutors may offer offenders pleas, for community programs, more quickly than before (as advised by HEA 1006). Judges suspect this action will increase the need for resources (including funding, equipment, and case managers) for Criminal Justice agencies, including Probation, Parole, and Community Corrections.

Key Informant interviewee’s discussed the need to increase resource allocation (including equipment, case managers, and funding) to agencies serving offenders in the community. HEA 1006 is expected to increase Probation and Parole caseloads, increase the need for Community Corrections, and overcrowd county jails. Key Informant interviewees discussed the importance of using evidence based practices to reduce recidivism, as well as some of the challenges associated with incarceration and release. Interviewees pointed out the challenges with evidence based practices. These challenges include: how recidivism is measured, by whom recidivism is measured, and the practicality of implementing evidence based programs and services as they
were designed. Key Informant’s recommended Criminal Justice programs and services that address education, mental health, substance abuse, housing, employment, and job skills training. To help individuals remain or reintegrate into the community, consensus was that programs and services should be located in communities where ex-offenders reside or the programs and services should be housed in or near the proposed Criminal Justice Complex.
Conclusions

The City of Indianapolis and Marion County must commit themselves to a new Sentencing Reform Act such as HEA 1006. Many states across the country have decided to implement alternatives to incarceration and reduce the prison population. It is important for Marion County to concentrate on a more cost-effective approach when dealing with recidivism and incarceration. Otherwise, public safety officials will be faced with the same individuals committing newer and more dangerous crimes. The literature review reflects that education and employment are the keys to an ex-offender’s success. Somewhere in the Public Safety Plans, continuous education, drug counseling, and intervention must be incorporated. If these do not become a main priority to the Criminal Justice System and public safety discussions, then the cycle of incarceration and recidivism will continue, overcrowding will remain an issue, and crime rates will soar. Indianapolis will no longer be a place to enjoy and as a result, society will live in fear. Creating the new Justice Complex may cut down on budgeting issues, related to transportation and maintenance, to allow for financial savings to be used for offender rehabilitation and re-entry. While county jails can be a difficult place to provide long-term treatment, as the average stay consists of less than two years, it would be beneficial to provide the same programming when individuals are released into the community or sentenced to IDOC. It is essential for jails, prisons, and the community to work together to provide offenders and ex-offenders with services and resources to make the Marion County Community a better, safer place to live.
Recommendations

The HEA 1006 Sentencing Reform Team makes the following recommendations for the new Criminal Justice Complex, for programs and services needed to service those ex-offenders returning to the community, and for policy recommendations for the implementation of HEA 1006.

Criminal Justice Complex

We recommend the new Criminal Complex should support in-house re-entry services or collaborate with local non-profits to provide re-entry services. Based upon our primary and secondary research, there is a need to provide ex-offenders with access to evidence based programs and services that address substance abuse, mental health, education, family support, transportation, job skills, and employment. These types of programs and services are essential to successful re-entry and to reducing recidivism in Marion County. The HEA 1006 Sentencing Reform Team recommends focusing on education, employment, and mental health services. In addition, it is imperative the city address transportation issues to ensure ex-offenders can access these resources to remain in the community.

Step 1: Updated Statistical Data

Throughout the project it was difficult to obtain updated statistical data regarding arrest classes or levels prior to and after July 1, 2014. Until proper changes have been made to the new technology currently being used, arrest data could be recorded on an excel document as a temporary solution. Updated forms should be used in all courtrooms regarding crime classifications so the information will be recorded and correctly filed for each case. With new technology comes additional challenges, but there are temporary solutions that can be created until all of the issues are corrected.

Step 2: Consider Technology and Resource Allocations

Many interviewees stated the various agencies involved will experience and uptake in caseloads. Agencies may need to review budgeting for additional case workers and use various forms of technologies available to help handle the increase in cases. For example, the state of Maryland, the Department of Public Safety and Correctional Services uses “Parole and
Probation Kiosks” which focuses on low-level offender users to reduce face-to-face visitation requirements (www.dpscs.state.md.us). If a violation has been committed, such as a new arrest, the system communicates with the live scan units in various facilities around the state and will send an alert to the Parole or Probation Officer of the violation and location of the offender (www.dpscs.state.md.us). By utilizing technology, resources can be allocated in other areas of need.

**Step 3: Improve Communication**

Technology is consistently changing which results in new creative ways of educating the public and government agencies. As stated previously in the interview and survey findings, communication is an important factor for a more efficient and effective criminal justice system. Various agencies could make use of technology in communication efforts through social media sites. Many businesses will send links to press releases to educate local leaders of any changes taking place in their community.

**Programs & Services Recommendations**

Although the capacity of the Criminal Justice Complex is limited, all services should be given consideration. We recommend the Criminal Justice Complex to partner with local non-profit organizations to assist in re-entry. Local organizations such as PACE, Trusted Mentors, Recycle Force, Indy Reads, and Father’s with Families provide support to ex-offenders. In order to ensure successful reintegration back into the community, there is a substantial need for housing, education, substance abuse services, mental health services, family support, and transportation. We recommend the following programs and services to ensure successful reintegration and a reduction in recidivism in Marion County.

**Step 1: Focus on Substance Abuse Programs**

The next common theme was substance abuse programs for offenders. Many interviewees had the concern that substance abuse related programs were not adequately offered to offenders. This is also another type of program that would become helpful when thinking of the Criminal Justice Complex. According to the Center for Health Policy, out of 92 counties in
Indiana, Marion County is in the top 10% for substance abuse (Green and Wright, 2013). In Marion County, the Indiana Prevention Resource Center found 1,074 per 100,000 have been arrested from a drug related crime (2012). In 2013, the population in Marion County was 928,281 offenses (United States Census Bureau, 2013). If we were to look at the population and the number of drug related arrests, there would be over 9,000 individuals arrested for substance abuse offenses. Understanding that Marion County is in high demand for substance abuse prevention, it is important to know what need must be met to lower substance abuse related crime.

There are several locations in Indianapolis for substance abuse counseling and treatment available through DrugFreeMC.org. Drug Free Marion County is a community organization that provides support from local communities, local businesses, as well as healthcare providers and many others who care about the safety and security of their communities (Drug Free Marion County). Drug Free Marion County offers a listing of various locations to aid in the recovery of substance abuse. The Marion County Drug Court offers 5 approved substance abuse treatment providers such as Amani Treatment Center, 2nd Chance, Gallahue Community Mental Health, Life Recovery Center, and Salvation Army Harbor Light (Indy.gov). A recommendation for the new Criminal Justice Center would be to research additional treatment providers to increase the bandwidth of individuals that can utilize this option for treatment of their substance abuse.

*Step 2: Focus on Mental Health*

Mental health courts are a fairly recent facet of the Criminal Justice System, aimed at reducing recidivism by treating the underlying mental illness that may be contributing to certain individuals’ compulsion to offend. Marion County already has a mental health court serving offenders that are mentally ill. However, the restrictions placed on those that can enter the program are doing a disservice to the population as a whole. With the mounting evidence that participation in mental health court provides more positive outcomes for those involved, it is recommended that this program be expanded as part of the new Criminal Justice Complex. Since it is currently required to have an existing diagnosis of schizophrenia, bi-polar disorder, or major depression, the number of individuals that are eligible for the program is significantly
limited. Additionally, with only five approved facilities for treatment the program does not have the reach that it could.

The first recommended technique for growing the scope of the program is to facilitate the diagnosis of individuals that have not been previously identified as having one of the qualifying mental illnesses. The fact that individuals are required to have already been in mental health treatment is a mitigating factor to the extent of individuals that can be assisted. Evidence was provided by Luskin’s study demonstrating that mental health crises possess the ability to cause criminal events, and increasing the scope of individuals that can receive more effective mental health treatment as an alternative to incarceration seems to be a positive outcome (Luskin, 2013). By conducting an evaluation of individuals with no previous diagnosis, offenders that would qualify if they had an existing diagnosis could also be enrolled in the program if the results of the evaluation result in a qualifying diagnosis. Referral to existing facilities for diagnosis is an alternative to staffing an individual qualified to diagnosis these illnesses.

Another recommendation is to allow enrollees in the program receiving a diagnosis of depression access to the same intensity of treatment as those diagnosed with schizophrenia and bi-polar disorder. By increasing the level of treatment available to these individuals, it is possible the results seen by offenders with schizophrenia or bi-polar disorder could be shared by those with depression.

Once the program is expanded to allow more individuals into the incarceration alternative as well as increasing the treatment level of those afflicted with depression, more facilities would most likely be necessary. As a result it would be recommended to evaluate additional facilities and incorporate them into the existing list of 5 approved facilities to more effectively handle the increased population in the program.

Step 3: Consider Family Support

Family support has been seen as a factor that can contribute to recidivism. Lack of family support can lead an ex-offender back into the criminal culture. Social capital has been defined as the relationship between an offender and their family (Flavin, 2004). Social capital is a factor
that can reduce recidivism (Flavin, 2004). Families are one of the main routes that help socialize an ex-offender back into society (Flavin, 2004). Marriage, children, and close family ties are factors that help determine if a person will recidivate or not (Flavin, 2004). Family ties provide an adherence to social norms and thus a person is less likely to commit a crime (Flavin, 2004). Keeping offenders in a jail close to their homes after offending can promote stronger ties versus sending them away to a farther prison facility (Flavin, 2004). With family support, an offender would have the encouragement needed to stay out of the criminal justice system.

The Fathers and Families Center is a program that can build these social ties and family support. Fathers and Families Center helps fathers build strong bonds with their children (Fathers and Families Center). The center has programs that they promote each month for fathers to bring their children too (Fathers and Families Center). These programs help build strong ties with the father and their child and strong ties with families help reduce recidivism (Flavin, 2004). This center not only helps build ties with fathers and their children but they also offer GED classes, so they also help promote education as a way to stay out of the Criminal Justice System (Fathers and Families Center). This type of program could help build social ties in the Criminal Justice Complex.

Another support group, which can come from families or mentors, is the Trusted Mentors group. This group helps provide assistance to the homeless, under-employed individuals, and previously incarcerated individuals (Trusted Mentors). Trusted Mentors helps give previously incarcerated individuals the motivation to stay out of jail and to also become better fathers (Trusted Mentors). This program helps to try and build stronger social ties amongst families with previously incarcerated individuals and also helps give the motivation to individuals to stay employed (Trusted Mentors). Trusted Mentors helps individuals by mentoring. This type of program can build stronger social ties, which leads to a more productive person in society, and would be a great program to reduce recidivism in the Criminal Justice Complex.

**Step 4: Invest in Educational Programs**

Education has become a necessity in today’s culture. An education can lead to stability in employment. Education has also been seen as a factor that reduces criminal acts. A study
conducted in Texas in 2002, showed that prisoners with a higher educational achievement score were less likely to recidivate (Fabelo, 2002). A prisoner’s educational achievement is based on their testing of which grade level they should belong in (Fabelo, 2002). The higher the grade level, the less likely a person would recidivate (Fabelo, 2002). These factors show that education is important to keep an individual out of the Criminal Justice System.

The new Criminal Justice Complex needs to have an education center. This center would be able to support offenders with their basic needs to achieve a GED, whether it comes from tutors or just resources that an offender may need upon release to achieve their educational goals. This center could also provide, to individuals who already have a GED, the resources needed to receive financial aid and how to apply to a college of their choice.

The Hawthorne center is a great example of the type of center that would be valuable to the new Criminal Justice Complex. The Hawthorne center provides GED assistance, English classes, and other types of educational programs to help an ex-offender (The Hawthorne Center). This center receives most of it’s funding through United Way, grants, and contracts (The Hawthorne Center). The center would be able to provide a wide range of services to individuals, not just educational services but also financial aid services to many individuals.

Indy Reads is also another program that provides services to the Indianapolis community. This center provides tutoring to adults who need further literacy (Indy Reads). Many people in the greater Indianapolis area are only rating at a level of functional literacy (Indy Reads). This means that many individuals read at the lowest level right now, which can cause individuals to not receive employment. Indy Reads offers online programs and tutoring labs that can give the individuals the resources needed to be able to read at a higher level and then perform better at their jobs (Indy Reads). The program currently is located in downtown Indianapolis and provides literacy workshops in Hendricks and Boone County (Indy Reads). This program could give ex-offenders the push needed to gain employment.

*Step 5: Consider Employment Services and Partnerships*
Trusted Mentors helps encourage individuals to stay employed and helps provide resources to individuals who are under employed (Trusted Mentors). Employment has also been seen as a significant factor that helps reduce recidivism. The age of an offender obviously plays a large part in figuring out the criminal culture of an individual but employment is also a factor (Uggen, 2000). Previous offenders with steady employment are seen to not recidivate and go back into the criminal culture in comparison to an unemployed individual that would (Uggen, 2000). Employment is a positive factor in any person’s life and can stray them away from doing illegal acts.

A program that has successful feedback and a positive impact here in Indianapolis is PACE. This program offers a variation of services to ex-offenders and their families so that they can become a successful member of society (PACE-OAR). PACE gives members the tools to successfully reenter back into society. PACE gives offenders the second chance that they need to successfully reintegrate back into the working class (PACE-OAR). PACE has secured over 656 job placements for ex-offenders this 2014 year alone (PACE-OAR). PACE also offers employment programs for individuals, which can provide the tools, needed to have a successful interview or an outstanding resume (PACE-OAR). PACE obviously is a program that is successful in obtaining employment for ex-offenders and employment keeps individuals from recidivating. The PACE program would be a helpful addition in the Criminal Justice Complex.

Recently, there has been much debate on the ban the box campaign. The ban the box campaign states that the part on a job application where it asks for your criminal history is hindering ex-offenders on receiving employment (Thomas, 2014). Many people feel stating that you have had a criminal background hurts your chances of actually getting the job. This campaign is trying to get rid of the box so that there is a level playing for each applicant (Thomas, 2014). In Loren Thomas’ interview with an ex offender, he states that, “I feel as if I am continually getting punished after serving my time” (2014). Citizens Energy Group here in Indianapolis has actually already banned the box and do not require applicants to discuss their criminal record. Banning the box would be a great campaign to add to the Criminal Justice Center so that ex-offenders could receive equal opportunity for employment.
Another program that offers employment services is the Hawthorne Center. The Hawthorne Center offers a variety of services and also offers employment services to individuals. The Center for Working Families is a program located at the Hawthorne Center and offers financial counseling, employment services, and emergency assistance (The Hawthorne Center). The Hawthorne Center could also help individuals who need assistance with finding employment, resume help, or mock interviews (The Hawthorne Center). This program has also had much success.

Another program that would be helpful, in the Criminal Justice Complex, would be Dress for Success. This program offers services mainly towards women (Dress for Success). They offer the services needed for women to succeed in the workplace by offering clothing and provided assistance during the beginning stages of employment to become successful (Dress for Success). The center can also provide women with the confidence to be great in the workplace by offering guidance and workshops that promote these skills (Dress for Success). This program would be great for any woman that is arrested and does not have employment.

**Policy Recommendations**

Overall, the *HEA Sentencing Reform 1006 Team* recommends educating Marion County Criminal Justice agencies on HEA 1006 and its importance. Through proper education, Criminal Justice professionals can begin to shift toward a system wide culture that supports the intent of HEA 1006. To reduce state prison populations, through the successful community reentry of ex-offenders to Marion County, Criminal Justice agencies and government leaders must fully support the new reform. Other states have been successful at criminal law code reform, by fully supporting law changes, and have benefited from the consequent cost savings. In addition to supporting a change in Criminal Justice culture, through HEA 1006, our team recommends focusing on problem solving courts, transportation services, and programs related to offender/ex-offender education and employment.
Recommendation 1: Problem Solving Courts

With mental health courts limiting participation to those who already have a diagnosis, the system is currently failing to assist many individuals in need. By providing a first time diagnosis to individuals interested in the incarceration alternative provided by mental health courts, more individuals suffering from these problems will be able to be serviced, thereby maximizing the potential recidivism reducing effects seen within mental health court treatment paradigms.

There are not enough facilities contracted to work with the current Marion County problem solving courts in order to support an enlarging of the program. In order to support increased throughput of the program to reach more individuals it is necessary to grow the network of available facilities. It will be imperative for future growth of the program to negotiate new contracts with additional facilities.

Recommendation 2: Transportation Services

An unfortunate problem within Marion County is that many individuals released from incarceration do not have access to the transportation necessary for attendance at required meetings and hearings. In order to keep costs and recidivism down, it is imperative that released individuals are not being continuously locked back up for missed attendance due to a lack of transportation.

Partnering with IndyGo is a step that can be taken to reduce this recidivism via a lack of transportation. The first important step would be to make sure that the planned new bus routes for the mass transportation system will cover the needs of the released individuals that lack transportation. It would also be worthwhile to work with IndyGo to obtain reduced rate fares for program participants, especially in the case that an individual is indigent. The reduced rate cards can be provided from IndyGo to the Criminal Justice Complex, and then the complex can distribute them to program participants.
**Recommendation 3: Educational Programs**

Another area of concern we found through our surveys and key informant interviews was the need for additional education. One area we believe could really help inmates during and after incarceration would be creating literacy workshops with Indy Reads. Marion County currently has several programs working with inmates but most of those entail reading books and completing worksheets based off of the reading. It is important to understand many in jails and prisons do not graduate from high school and may have a reading level under the 10th grade. Many offenders may not be able to fill out a job application due to an inability to read. Creating these workshops would give inmates a new piece of personal empowerment to help them with the confidence to make personal changes and find long term employment.

**Recommendation 4: Employment Services and Partnerships**

Along with creating literacy workshops with Indy Reads, allowing employment services to come in and work with offenders on filling out a job application and guiding them on what is necessary to help them succeed in long term employment would be immensely helpful for those being released from incarceration. Dress for success can aid in this literacy program with job skill training, resume building, proper work apparel, and mock interview preparation.
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Assessing HEA 1006 in Marion County


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Appendix

Appendix A. Statement of Work

Overview

In 2007, the Indiana Department of Corrections (IDOC) determined that 49% of people released from IDOC, returning to Marion County, return to prison within three years (RBA in Action, n.d.). The recidivism rate in Marion County is 11% higher than Indiana’s state recidivism rate (RBA in Action, n.d.). Further, 55% of individuals released to Marion County are re-arrested (RBA in Action, n.d.).

By 2008, in partnership with the Annie E. Casey Foundation, the city of Indianapolis deployed the Foundation’s Leadership in Action Program (LAP). Through results-based strategies, the Annie E. Casey Foundation’s Leadership in Action Program helps communities tackle issues related to education preparedness, quality of life, and strengthening family and community through economic well-being (Annie E. Casey Foundation’s Results in Leadership, 2010). Marion County LAP sought to address issues of re-entry through system implementation, policy, and re-entry programs (Solutions, 2014). In doing so, Marion County became the first county to use LAP to address reentry and recidivism for ex-offenders (Annie E. Casey Foundation’s Results in Leadership, 2010). LAP’s results based leadership offered Marion County a space to create goals and determine desired results for re-entry.

Through nine LAP sessions, Marion County LAP leaders discovered the power of working together to tackle the issue of reentry and recidivism. Together with an Accountability Partner (AP), the Marion County Criminal Justice Planning Council, and 36 Indianapolis leaders, the Marion County LAP developed a goal result to ensure “all adult offenders in Marion County are successfully reintegrated into their community” (Annie E. Casey Foundation’s Results in Leadership, 2010). To measure success in reducing recidivism, LAP measured six to twelve-month re-arrest and recidivism rates.
By 2012, the Marion County LAP changed its name to the Marion County Re-entry Coalition, because the group wanted to continue tackling re-entry through the LAP’s results based leadership approach learned from the Annie E. Casey Foundation. The Indianapolis City County Council developed the Re-entry Study Commission, which could build on the work of MCRC. Over the course of a year, the commission outlined 26 recommendations to aid individuals in reintegrating successfully back into the Marion County community. These recommendations ranged from education and employment to mental health and housing accessibility. Among many successes, the Marion County Re-Entry Coalition has helped the City County Council adopt Ban the Box for the city of Indianapolis and also influenced the Indianapolis Housing Agency to re-assess housing restrictions toward individuals returning to the community from IDOC.

On July 1, 2014, Indiana House Enrolled Act (HEA) 1006 took effect to keep people with low-level offenses in the community, while keeping people with more severe convictions in prison longer. The impact of HEA 1006 on Marion County Criminal Justice Agencies has not been analyzed.

Assessing the impact of HEA 1006 in Marion County is important to Community Solutions, Inc. because of their relationship with the Marion County Re-Entry Coalition, the cost savings that come with reducing recidivism, and the importance of successfully reintegrating adult offenders back into the community. Community Solutions, Inc. recognizes the research of the Center for Criminal Justice Research at Indiana University School of Public and Environmental Affairs, which estimates every 1% reduction in recidivism results in a cost saving of $1.5-$2.6 million (Solutions, 2014).

The Marion County Re-entry Coalition, coordinated by Community Solutions, Inc., connected with the School of Public and Environmental Affairs Graduate Capstone course V600 to assess the impact of Indiana House Enrolled Act 1006 on Marion County Criminal Justice Agencies. Our capstone team, HEA Sentencing Reform 1006, is made up of six graduate students in the Graduate Capstone course for the fall 2014 semester. The HEA Sentencing Reform 1006 team borrowed its name from the Indiana House Enrolled Act (HEA) 1006, which is described as
the greatest law change in Indiana’s criminal code in the last 35 years (Solutions, 2014). The team is working with Lena Hackett and April Schmid from Community Solutions, Inc.

**Problem Statement**

*HEA Sentencing Reform 1006* will assess the impact Indiana House Enrolled Act (HEA) 1006 has on local criminal justice agencies across Marion County. In addition, our team will consider the development of the new criminal justice complex to determine the capacity needed to address (the increase in) low level offenders who will remain in the community or local jurisdictions. Further, our team will provide insight into the resources needed, at the complex or in the community, to aid in lowering recidivism and re-arrest (Solutions, Project Proposals, 2014). Lastly, with consideration of these findings, our team will determine policy recommendations for the proposed Criminal Justice Complex to aid in successfully reintegrating ex-offenders back into Marion County.

To assess the impact of HEA 1006, our team created several goals.

**Project Goals**

In January 2014, The American Institutes for Research (AIR) completed a study to assess the local impact of HEA 1006. Although the report provides county-level data, it does not include an analysis of the impact of HEA 1006 on Marion County. Therefore, the HEA Sentencing Reform 1006 team will complete the following goals to assess the impact of HEA 1006:

1. Review the sentencing changes outlined in HEA 1006.
2. Research what other states have done to prepare for sentencing reform.
3. Conduct an impact study, with data from local criminal justice agencies, such as the Marion County Sheriff’s Department, Marion County Community Corrections, Marion County Probation Department, Work Release, and Problem-Solving Courts.
4. Conduct research on the potential community impact, as well as use key informant interviews to develop a better understanding of this sentencing reform and its effect on Marion County.

5. Based on the group findings in the impact study and any relevant research on sentencing reform and re-entry best practices, we will develop recommendations to the Marion County Re-Entry Coalition (MCRC) with regard to the public policy agenda that will address the impact on local correctional agencies and, potentially, the development of the new criminal justice complex.

6. In addition, our group will create deliverables that will include an executive summary and key recommendations. These deliverables will be given to the client for the client to distribute.

**Methodology**

To meet the objectives outlined for this research project, *HEA Sentencing Reform 1006* will conduct:

1. A *Literature Review* to provide a deeper understanding of alternatives to incarceration from other states and localities. The review will examine best practices and sentencing reforms that help keep low-level offenders in the community, rather than the county jail and/or state prison.

2. An *Impact Study* to measure the potential impact of implementing HEA 1006 in Marion County. In particular, *HEA Sentencing Reform* will be looking at arrest and release data from local criminal justice agencies to assess possible impacts on Community Corrections, the Probation Department, the local Jails, and Diversion Courts.

3. *Key Informant Interviews* to gather information on practices to reduce recidivism, as well as the potential local impact in Marion County.

4. *Community Surveys* of individuals that have returned to the community after incarceration, including populations from PACE, Probation, Parole, and Community Corrections. Surveys will
help HEA *Sentencing Reform 1006* gain insight into how communities can assist in providing resources to reduce recidivism.

5. **Secondary Research** from the Indiana Department of Correction, Marion County Sheriff’s Office, Marion County Community Corrections, and the Marion County Superior Court Probation Department. *HEA Sentencing Reform 1006* will focus on arrest and release data to gain a better insight into the assessment of the impact of HEA 1006 in Marion County.

**Project Schedule**

<table>
<thead>
<tr>
<th>Date</th>
<th>Task</th>
<th>Responsible Party</th>
</tr>
</thead>
<tbody>
<tr>
<td>6-Sep</td>
<td>Class</td>
<td>All</td>
</tr>
<tr>
<td>6-Sep</td>
<td>Group Meeting</td>
<td>All</td>
</tr>
<tr>
<td></td>
<td>Minutes</td>
<td>Davis</td>
</tr>
<tr>
<td></td>
<td>Work on Team Planning Assignment, Pre-Sow, Research Outline, Research Responsibilities and Meeting Times, Literature Review Assignments</td>
<td>All</td>
</tr>
<tr>
<td></td>
<td>Turn in Team Planning Assignment</td>
<td>Boyden</td>
</tr>
<tr>
<td>7-Sep</td>
<td>Project Outline and Schedule - Discussed as a Group</td>
<td>All</td>
</tr>
<tr>
<td>9-Sep</td>
<td>Start Literature Review</td>
<td>All</td>
</tr>
<tr>
<td>11-Sep</td>
<td>Re-Entry, Recidivism, Alternatives to Incarceration</td>
<td>DeMougin</td>
</tr>
<tr>
<td></td>
<td>Review and Conclusion</td>
<td>Harvey</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Davis, Boyden</td>
</tr>
<tr>
<td></td>
<td>Review and Conclusion</td>
<td>McCoy</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Huffman</td>
</tr>
<tr>
<td></td>
<td>Review and Conclusion</td>
<td>Boyden</td>
</tr>
<tr>
<td>12-Sep</td>
<td>Complete Literature Review</td>
<td>All</td>
</tr>
<tr>
<td></td>
<td>Complete Research Overview</td>
<td>All</td>
</tr>
<tr>
<td></td>
<td>Create Rough Schedule</td>
<td>All</td>
</tr>
<tr>
<td>15-Sep</td>
<td>Group Meeting</td>
<td>All</td>
</tr>
<tr>
<td>20-Sep</td>
<td>Class</td>
<td>All</td>
</tr>
<tr>
<td>22-Sep</td>
<td>Contact Client</td>
<td>McCoy</td>
</tr>
<tr>
<td>22-Sep</td>
<td>Group Meeting</td>
<td>All</td>
</tr>
<tr>
<td>23-Sep</td>
<td>Edit SOW</td>
<td>DeMougin</td>
</tr>
<tr>
<td>22-Sep</td>
<td>Complete Timeline</td>
<td>DeMougin</td>
</tr>
<tr>
<td>Date</td>
<td>Event</td>
<td>Responsible(s)</td>
</tr>
<tr>
<td>--------</td>
<td>-----------------------------------------------------------------------</td>
<td>------------------------</td>
</tr>
<tr>
<td>25-Sep</td>
<td>Meeting with Client</td>
<td>McCoy, Boyden, Harvey</td>
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<tr>
<td></td>
<td>Lead Speaker with introductory questions</td>
<td>McCoy</td>
</tr>
<tr>
<td></td>
<td>Requesting Available Data</td>
<td></td>
</tr>
<tr>
<td>26-Sep</td>
<td>Group Meeting to work on SOW</td>
<td>All</td>
</tr>
<tr>
<td>29-Sep</td>
<td>Turn in SOW Draft</td>
<td>Boyden</td>
</tr>
<tr>
<td>2-Oct</td>
<td>Key Informant Interview: Dr. Roger Jarjoura</td>
<td>DeMougin, Harvey, McCoy</td>
</tr>
<tr>
<td>6-Oct</td>
<td>Group Meeting</td>
<td>All</td>
</tr>
<tr>
<td>8-Oct</td>
<td>Revise First Draft of SOW with Instructor Review</td>
<td>Davis</td>
</tr>
<tr>
<td>8-Oct</td>
<td>Turn in Revised SOW</td>
<td>Boyden</td>
</tr>
<tr>
<td>9-Oct</td>
<td>Key Informant Interview: Jeff Miller</td>
<td>Boyden</td>
</tr>
<tr>
<td>9-Oct</td>
<td>Key Informant Interview: Andy Fogle</td>
<td>Davis</td>
</tr>
<tr>
<td>9-Oct</td>
<td>Key Informant Interview: Diane Arnold</td>
<td>Harvey</td>
</tr>
<tr>
<td>10-Oct</td>
<td>Key Informant Interview: Jeff Gearhart</td>
<td></td>
</tr>
<tr>
<td>10-Oct</td>
<td>Receive Instructor Comments/Approval of SOW</td>
<td>Instructors</td>
</tr>
<tr>
<td></td>
<td>Distributing Feedback to Group Members</td>
<td>Boyden</td>
</tr>
<tr>
<td>11-Oct</td>
<td>Class</td>
<td>All</td>
</tr>
<tr>
<td>11-Oct</td>
<td>Survey Development</td>
<td>All</td>
</tr>
<tr>
<td></td>
<td>Write survey questions</td>
<td></td>
</tr>
<tr>
<td>13-Oct</td>
<td>Group Meeting</td>
<td>All</td>
</tr>
<tr>
<td></td>
<td>Revise and Redraft Survey</td>
<td></td>
</tr>
<tr>
<td>13-Oct</td>
<td>Client Meeting</td>
<td>McCoy</td>
</tr>
<tr>
<td>17-Oct</td>
<td>Obtain Signatures</td>
<td></td>
</tr>
<tr>
<td>20-Oct</td>
<td>Group Meeting</td>
<td>All</td>
</tr>
<tr>
<td>21-Oct</td>
<td>Compile Survey Data</td>
<td>Harvey, Boyden</td>
</tr>
<tr>
<td>27-Oct</td>
<td>Distribute Survey at Probation/Community Corrections</td>
<td>Harvey</td>
</tr>
<tr>
<td>27-Oct</td>
<td>Distribute Survey at PACE</td>
<td>Boyden</td>
</tr>
<tr>
<td>27-Oct</td>
<td>Group Meeting</td>
<td>All</td>
</tr>
<tr>
<td>27-Oct</td>
<td>Deadline to Receive latest arrest and release data from the client, April Schmid</td>
<td>McCoy</td>
</tr>
<tr>
<td>29-Oct</td>
<td>Criminal Justice Complex Community Meeting @ Key</td>
<td>Boyden</td>
</tr>
<tr>
<td>Date</td>
<td>Event</td>
<td>Responsible(s)</td>
</tr>
<tr>
<td>------------</td>
<td>-----------------------------------------------------------------------</td>
<td>------------------</td>
</tr>
<tr>
<td>21-31-Oct</td>
<td>Close Survey, Clean up survey data, analyze</td>
<td>All, Harvey, Boyden</td>
</tr>
<tr>
<td>1-Nov</td>
<td>Write up survey data findings</td>
<td>Harvey</td>
</tr>
<tr>
<td>1-Nov</td>
<td>Class</td>
<td>All</td>
</tr>
<tr>
<td>3-Nov</td>
<td>Group Meeting</td>
<td>All</td>
</tr>
<tr>
<td>6-Nov</td>
<td>Draft Submitted</td>
<td>Boyden</td>
</tr>
<tr>
<td>10-Nov</td>
<td>Group Meeting</td>
<td>All</td>
</tr>
<tr>
<td>15-Nov</td>
<td>Class</td>
<td>All</td>
</tr>
<tr>
<td></td>
<td>Teams will be Schedules for MOC Presentations</td>
<td>Instructors</td>
</tr>
<tr>
<td>15-Nov</td>
<td>Begin Developing Presentation</td>
<td>All</td>
</tr>
<tr>
<td>17-Nov</td>
<td>Group Meeting</td>
<td>All</td>
</tr>
<tr>
<td></td>
<td>Submit Final Draft</td>
<td>Boyden</td>
</tr>
<tr>
<td>24-Nov</td>
<td>Group Meeting</td>
<td>All</td>
</tr>
<tr>
<td>1-Dec</td>
<td>Class</td>
<td>All</td>
</tr>
<tr>
<td>1-Dec</td>
<td>Finalize Presentation Sections</td>
<td>All</td>
</tr>
<tr>
<td>5-Dec</td>
<td>Updates and Revision of Final Report</td>
<td>Davis, Boyden</td>
</tr>
<tr>
<td>12-Dec</td>
<td>Final Report and Printing</td>
<td>All</td>
</tr>
<tr>
<td>19-Dec</td>
<td>Final Report Due to Instructors</td>
<td>All</td>
</tr>
<tr>
<td>19-Dec</td>
<td>Peer Review Due</td>
<td>All</td>
</tr>
<tr>
<td>19-Dec</td>
<td>Present to Client</td>
<td>All</td>
</tr>
</tbody>
</table>
**Deliverables**

At the conclusion of this project the HEA Sentencing Reform 1006 team will produce a professional report that includes the following elements:

1. Formal final report
2. Electronic copy of the report on a flash drive
3. Compellation of all data collected
4. Complete literature review
5. Impact study
6. Recommendations for the new Criminal Justice Complex
7. Public policy recommendations
8. Presentation

**Expectations of Work**

The Marion County Re-entry Coalition can expect the HEA Sentencing Reform 1006 team to meet the following criteria:

1. **Accuracy** - Final products will use correct and substantiated facts, figures, methods, and references.
2. **Clarity** - Final products will be produced using clear, reader-friendly language and visual aids.
3. **Confidentiality** - Final products and research methods will adhere to accepted and expected standards of confidentiality.
4. **Completeness** - Final products will be comprehensive in addressing objectives outlined in this document and providing sources of information.
5. **Ethics** - Final products will be the result of ethical research, considerate of professional expectations and cultural sensitivity throughout the project.
6. **Format** - Final products will be presented as a professionally formatted hard copy report, and electronics copies will be provided.
7. **Professionalism** - Final products will adhere to professional presentation expectations, and throughout the project team members will conduct themselves in a professional manner.

8. **Timeliness** - Final products and intermediate steps will meet the timeliness established in this document.

9. **Standards** - Final products will meet all of the standards outlined in this document and expected by SPEA V600 policies.

**Works Cited**


Solutions, Community. (2014). Assessing the Impact of HEA 1006 in Marion County. Project Proposal Form: V600, Graduate Capstone Course
Signature Page
This statement of work is agreed to and signed by:

April Schmid, Marion County Re-entry Coalition

[Signature]

April 20, 2014

Cameray Boyden, HEA Sentencing Reform 1006

[Signature]

October 19, 2014

Morgan Davis, HEA Sentencing Reform 1006

[Signature]

October 19, 2014

Laura Demougin, HEA Sentencing Reform 1006

[Signature]

October 19, 2014

Corrin Harvey, HEA Sentencing Reform 1006

[Signature]

October 19, 2014

Amber Huffman, HEA Sentencing Reform 1006

[Signature]

October 19, 2014

Amy McCoy, HEA Sentencing Reform 1006

[Signature]

October 19, 2014
Appendix B. Services Survey Questions

SERVICES SURVEY

Please answer any questions you are comfortable answering. Responses are anonymous and will be used to inform the Marion County Re-entry Coalition’s re-entry strategies.

Please select or write in response:

Gender: Male Female Other

Race/Ethnicity (you may circle more than one):
- African American
- Hispanic/Latino/a
- Caucasian/White
- Other: ____________

Age: _____

Zip Code: ____________

1. If you are or have been under any type of criminal justice supervision, please select the type.
   - Probation
   - Parole
   - Community Corrections (Work Release, Home Detention/Electronic Monitoring, Day Reporting, etc.)
   - Problem-Solving Court (Drug Court, Re-entry Court, Veterans Court, etc.)
   - None
   - Other: ________________

2. If convicted of a felony, what level (if known)?
   - No Felony Convictions
   - I’m not sure
   - A
   - B
   - C
   - D
   - 1
   - 2
   - 3
   - 4
   - 5
   - 6

3. What are the greatest challenges or barriers you’ve faced in re-entering the community after incarceration? (Select all that apply.)
Financial Obligations (fines, fees, child support, etc.)
Time Commitments (making it to court and other appointment(s), reporting to Probation/Parole, work, etc.)
Getting a Stable Job
Safe and Affordable Housing
Transportation
Access to Health Care (mental health, physical health, or substance abuse needs)
Positive Support Systems (friends, family, etc.)
Other: __________________________________________________________

4. **What services did you receive? (Select all that apply.)**

<table>
<thead>
<tr>
<th>While Incarcerated</th>
<th>After Release from Incarceration</th>
</tr>
</thead>
<tbody>
<tr>
<td>Case Management (Help with coordinating your care)</td>
<td>Case Management (Help with coordinating your care)</td>
</tr>
<tr>
<td>Mental Health Services</td>
<td>Mental Health Services</td>
</tr>
<tr>
<td>Substance Abuse Services</td>
<td>Substance Abuse Services</td>
</tr>
<tr>
<td>Behavioral Services (example: Thinking for a Change)</td>
<td>Behavioral Services (example: Thinking for a Change)</td>
</tr>
<tr>
<td>Employment Assistance/Job Skills Training Services</td>
<td>Employment Assistance/Job Skills Training Services</td>
</tr>
<tr>
<td>Housing Placement</td>
<td>Housing Placement</td>
</tr>
<tr>
<td>Education Services (example: GED classes)</td>
<td>Education Services (example: GED classes)</td>
</tr>
<tr>
<td>Food/Clothing Assistance</td>
<td>Food/Clothing Assistance</td>
</tr>
<tr>
<td>Transportation Assistance</td>
<td>Transportation Assistance</td>
</tr>
<tr>
<td>Other: __________________________</td>
<td>Other: __________________________</td>
</tr>
</tbody>
</table>

5. **What services have been most beneficial to you and why?**

____________________________________________________________

____________________________________________________________________________

____________________________________________________________________________

6. **What other resources would have been helpful?**

During incarceration: ________________________________________________________

____________________________________________________________________________

After release: ________________________________________________________________

____________________________________________________________________________
Appendix C. Services Survey Results

Survey Respondents’ Gender

Survey Respondents’ Ethnicity
Survey Respondents’ Age Range

Survey Respondents’ Type of Felony Conviction
Survey Respondents’ Level of Felony Conviction after July 1st, 2014

- Level 6: 4
- Level 5: 0
- Level 4: 2
- Level 3: 2
- Level 2: 1
- Level 1: 1
- I'm not sure: 2
- No Felony Conviction: 5

Survey Respondents’ Type of Criminal Justice Supervision

- Probation: 22
- Parole: 12
- Community Corrections: 10
- None: 3
- Problem-Solving Courts: 2
Survey Respondents’ Greatest Challenges or Barriers Faced since Release from Incarceration

- Financial Obligations: 23
- Transportation: 16
- Safe and Affordable Housing: 15
- Time Commitments: 12
- Access to Health Care: 9
- Positive Support Systems: 7

Survey Respondents’ Services Received while Incarceration

- Transportation Assistance: 1
- Food/Clothing Assistance: 5
- Education Services: 6
- Housing Placement: 3
- Employment Assistance: 8
- Behavioral Services: 8
- Substance Abuse Services: 14
- Mental Health Services: 7
- Case Management: 9
### Survey Respondents’ Services Received after Released from Incarceration

<table>
<thead>
<tr>
<th>Service</th>
<th>Number of Respondents</th>
</tr>
</thead>
<tbody>
<tr>
<td>Transportation Assistance</td>
<td>1</td>
</tr>
<tr>
<td>Food/Clothing Assistance</td>
<td>1</td>
</tr>
<tr>
<td>Education Services</td>
<td>2</td>
</tr>
<tr>
<td>Housing Placement</td>
<td>3</td>
</tr>
<tr>
<td>Employment Assistance</td>
<td>4</td>
</tr>
<tr>
<td>Behavioral Services</td>
<td>3</td>
</tr>
<tr>
<td>Substance Abuse Services</td>
<td>3</td>
</tr>
<tr>
<td>Mental Health Services</td>
<td>3</td>
</tr>
<tr>
<td>Case Management</td>
<td>3</td>
</tr>
</tbody>
</table>
Appendix D.1 Key Informants Interviewed

Key Informants as City & Community Representatives:

**American Institutes for Research Principal Researcher, Dr. Roger Jarjoura** graduated from the University of Maryland with a doctorate in criminology in 1990. Dr. Roger Jarjoura joined the IUPUI SPEA faculty in 1993. He founded the organization AIM, which is a mentoring program for youth who have been involved in the prison system. In 2007 Dr. Jarjoura initiated Indiana’s first Inside Out Prison Exchange Program. This class included residents of Plainfield Re-Entry Educational Facility and IUPUI students (IUPUI, 2014).

**Hawthorne Community Center, Director Diane Arnold** has served as Executive Director of Hawthorne Community Center since 1986. Diane has worked at Hawthorne for 45 years. She also has the distinction of taking the leadership of the agency upon the retirement of her mother, who worked at the center for 25 years. Diane has an undergraduate degree in elementary education and a master’s degree in social work both from Indiana University. Diane has a strong history in community work and is proud to live and work in her own neighborhood for most of her life (Ivytech.edu, 2014).

**Indianapolis City County Councilor, Jeff Miller** was elected to represent the near southeast, south and southwest sides of Indianapolis to the Marion County/Indianapolis City County Council in November 2011. His district is bordered by Washington on the north, Shelby on the East, Troy on the South, and Lynhurst on the West. The City/County Council is the chief legislative body for the City of Indianapolis. He serves on the Metropolitan and Economic Development, Community Affairs and Ethics committees (Indy.gov, 2014).

**Anonymous Development Corporation Director**

Key Informants from Criminal Justice Agencies:

**Marion County Sheriff’s Office Administration Division, Lt. Colonel Louis Dezlen** has served more than 37 years in public safety positions. He was a firefighter with the Indianapolis Fire Department for 30 years and served as the Fire Chief for the City of Indianapolis for five years from 2000 through 2005. Following retirement from the Indianapolis Fire Department, Dezelen joined the Marion County Sheriff’s Office where he has served as the Commander of the Administration Division for six years. Colonel Dezelen, 68, holds a bachelor’s degree from Indiana University and is also a graduate of Harvard University’s Program for Senior Executives in State and Local Governments (2014).

**Anonymous Marion Superior Court Judge A**

**Anonymous Marion Superior Court Judge B**
Anonymous Marion Superior Court Judge C

Appendix D. 2 Key Informant Consent to Participate

Informed Consent

Date: October xx, 2014

Researchers: Camery Boyden, Morgan Davis, Laura DeMougin, Corrin Harvey, Amber Huffman, Amy McCoy
IUPUI V600 Capstone Course

To: Company:

Project: Our team, HEA Sentencing Reform 1006, will research sentencing reform in other states, best practices in the field of re-entry, and recidivism to complete the following tasks that will help in assessing the impact of HEA 1006:

1. Review the sentencing changes outlined in HEA 1006 and research what other states have done to prepare for sentencing reform.
2. Conduct an impact study with data from local criminal justice agencies, such as the Marion County Sheriff’s Department, Marion County Community Corrections, Marion County Probation Department, Work Release, and Problem-Solving Courts.
3. Based on the group findings in the impact study and any relevant research on sentencing reform and re-entry best practices, we will develop recommendations to the Marion County Re-Entry Coalition (MCRC) with regard to the public policy agenda and the development of the new criminal justice complex.
4. In addition to developing our impact study, our group will create a brief that will include an executive summary and key recommendations. This brief would be given to the client for the client to distribute.

Purpose: Our team, HEA Sentencing Reform 1006, will address the impact of House Enrolled Act 1006 on Marion County Criminal Justice Agencies and determine policy recommendations for the proposed Criminal Justice Complex to aid in successfully reintegrating offenders back into the Marion County community.

Procedure: Interviews with key informants will be conducted to gather information on best practices in reducing recidivism, community corrections, and criminal justice policies as well as the potential local impact in Marion County Correctional System.

Invitation: As a research professional we value your insight in the field of Criminal Justice and appreciate any informative feedback you can provide towards this project.

Risks: There is very little risk directly related in participating in this research project.

Thank you for your time and participation in this project.
I agree to participate in the project: Assessing the Impact of HEA 1006 in Marion County.
Appendix D.3 Key Informant Consent to Record

Consent Form

I………………………………………agree to participate in SPEA-V600 Capstone research study.

The purpose of this interview is to gather research on the potential impact of HEA 1006 upon Marion County, IDOC, Community Corrections, Marion County Sheriff’s Office, local agencies, and participating nonprofits.

- I am participating voluntarily.
- I understand that I can withdraw from the SPEA Capstone research at any time.
- I understand that I can withdraw my permission to use the data within one week of the interview, in which case the material will be deleted.
- I understand that anonymity will be ensured in the write-up by concealing my identity upon special request.

I give permission for my interview with ________(please initial) to be taped or video recorded.

I understand that excerpts from my interview may be quoted in the final project.

(Please check one box)

I agree to quotation/publication of extracts from my interview

I do not agree to quotation/publication of extracts from my interview

Signed……………………………………… Date……………………..
Appendix D.4 Key Informant Interview Questions for City & Community Representatives

1. What evidence based practices would help reduce recidivism in Marion County?

2. What programs should be housed in the criminal justice complex (to help level 5-6 offenders successfully integrate into the community)?

3. What nonprofits, programs, and/or services could partner with the criminal justice complex to aid in reducing recidivism?

4. What are the most significant issues concerning recidivism - generally - and to Marion County specifically?

5. What research or data would you recommend, to help us understand incarceration and recidivism?

6. We are putting together a community survey, in your opinion what should the survey include?
Appendix D.5 Key Informant Results for City & Community Representatives

American Institutes for Research Principal Researcher, Dr. Roger Jarjoura

What evidence based practices would help reduce recidivism in Marion County?

Try to catalog those in the report. Main questions is how to keep them in the community under supervision. Recommendations – Project Impact Group – doing everything possible to keep ex-offenders in the community; think about alternatives – change the motivation

- Keith Graham
- We need more resources for the community
- Recovery Oriented Systems of Care – more realistic, encompasses the whole package; no good local resources for a short-lived program;
- Transitional jobs – comes with case worker, little skills, etc. for those without work history – getting them in the right kind of work history (look at the report, page 23)

What programs should be housed in the criminal justice complex (to help level 5-6 offenders successfully integrate into the community)?

- Look up Fortune Society
- If space, New York has an excellent model for NCJ – provides food stamps, healthcare, job resources, etc.
- Making mandatory programs (Southern, IN; Bloomington, IN – Center Stone) they set up case coordinator then link them up with other services (community linked program – once jail released)
- Recovery coaching/ Core Software from Kentucky
- Smart Phone technology – used track, monitor, and give reminders
  - Missing data to show the recidivism reduction

What nonprofits, programs, and/or services could partner with the criminal justice complex to aid in reducing recidivism?

- PACE
- Bethlehem House
- Community support – Forest Manor
- Bonner Center
- Recycle Force – will take the most serious offenders
- Midtown Community Health Center
- Horizon House: people who are at risk or homeless
- Dress for Success
- Fathers with Family

Trusted Mentors
What are the most significant issues concerning recidivism - generally - and to Marion County specifically?
- Didn’t ask this question

What research or data would you recommend, to help us understand incarceration and recidivism?
Pew Charitable Trust
- Crime Solutions
- Boston Re-Entry Initiative
- Hope Probation – show sanctions
- Re-Entry Court – 9% Recidivism – if they stay – the results can be very good
- EPIC’s for probation officers – training how to deal with parolees and accountability
- Problem Solving Court: this is happening in Indiana – Porter County, Grant County
- We need to get the number of people in jail lower
- Individualized sentencing – having flexibility and individualized care

What are the next steps and what is the impact/ recommendations for local agencies?
- There will be capital cost @ start up
- Communications amongst the agencies
- Think about talking to offenders;
- Probation caseload: how many?
- Community corrections: Bob Vandamar
- Marion County Court: Emily VanOsdol
- Dog Studies
What evidence based practices would help reduce recidivism in Marion County?

- We’ve really thought about this because we have a re-entry program here.
- Our social services component is called, “Center for Working Families” (started in Chicago – national model; very well received): 3 Key components
- There are two different populations coming to get services =
  o People without educations and could not get a job (no GED or high school diploma) – wrote a proposal got a grant funding for someone to come in to teach
  o People without felonies who did not tell and not get hired bc of it;
- Employment and housing
  o Are the two biggest issues to prevent recidivism
    - When people don’t have a decent place to live or cannot get a place to live and they can’t get stable employment; they are more likely going to re-offend
- Started a program called “Natural Guardians”
  o The issue of the stigma; if they come back – sometimes their family issues or community with them returning – assuming you have the same behavior; not a good environment, etc.
  o At a very grassroots level – we took 40 offenders, people who live in a neighborhood and should stay in their neighborhood and take pride in their neighbor; Family Night to talk about issues
    - We had resources to help with housing, jobs, working clothes
    - You will be part of our case management
      - Go to neighborhood clean, events, and associations – gave them pride in their community; less likely to get back into trouble
      - Issue with neighborhood associations, maybe ppl with probation come and help; community did not welcome the ex-offenders back into their community very well
      - In the first year 2/40 re-offended; most were all female
      - If you they were coming back to the community, either we help or live with the consequences – we decided to be proactive about it; looked at other
  o If things are going to change they must start at the community level;
  o Goal is to be supportive – but have expectations of those returning
  o You can’t fix at the government level and force changes at the bottom; it has to start in the community – event including the police, create a partnership to bring all the needed resources into streamline process

What programs should be housed in the criminal justice complex (to help level 5-6 offenders successfully integrate into the community)?

- Resources needed for these people – specific assistance – getting housing, jobs, transportation, benefits, health, addictions, mental health services, family support (its about children, spouses, significant others, etc.).
- Working Poor Parents – when family can come to one place to get a lots of services helps – bringing services all together under one roof in a streamline
- Don’t put all these restrictions on people, yet expect them to do all these other things
What nonprofits, programs, and/or services could partner with the criminal justice complex to aid in reducing recidivism?

- PACE – OAR
- Trusted Mentors – trains people to be mentors and matches them with offenders; recommend to put into the new criminal justice complex
- Any kind of services that help with that transitions and getting people support is great

What are the most significant issues concerning recidivism - generally - and to Marion County specifically?

- Financial cost; Would rather put resources into prevention than treatment or intervention
  - For example, child support example
- We have to look at – how do we move forward and change that cycle especially if there are kids involved who are highly more likely to do whatever environment is going on in their environment
- Are people ready or not
  - We cannot do programs for people. You can only do programs with people
  - You need to sit down with offenders, those who have worked with offenders, a community dialogue, and ask what they need, what would help, what the community thinks they need,
  - I’m part of the IPS School Board and I have a school across the street from the proposed facility and am I concerned they people can just walk out of there with no services, absolutely. I’d rather they have help, access to services, resources, etc. before they get out
  - I think it could be done well, but I’m concerned it might become a bureaucratic pone; 70% of the people we received have some type of criminal history; the investment in doing it right up front, far out ways the impact of incarcerating them

What research or data would you recommend, to help us understand incarceration and recidivism?

- Look at community-based re-entry; not top heavy (more probation, parole workers, etc.), but looking at it from a community prospective to how to make this better

We are putting together a community survey, in your opinion what should the survey include?

- I think you’ll hear different ideas, I think it’s good to ask people what will work; If it were successful what would it look like to you? What would you absolutely not negotiate on? What kind of services do you think people need when they are coming out
- When you say re-entry – people immediately go to the worst – like raped, murders, sex-offenders, etc. Part of this is economics, not wanting to have prisons in downtown for this new urban dwellers and put it in another neighborhood and say it’s ok. This will only work if you have the wrap around services that can get ex-offenders immediate help to reduce recidivism and make the community more comfortable
What evidence based practices would help reduce recidivism in Marion County?
- Band the box, many resumes are potentially thrown out b/c employer knows an individual has committed a crime by the checking of the box
- Citizens Energy has band the box
- Private sector needs to give people a chance (band the box willingly)
- Need to get to people sooner when they are released from incarceration, the sooner you can get to them and help them with resources and information the more chance they have to be successful
- COACHING- steering person in right direction, helping them find appropriate resources, information, counseling, etc.

What programs should be housed in the criminal justice complex (to help level 5-6 offenders successfully integrate into the community)?
- Programs that encourage positive mentality
- Coaching program for physically helping individuals
- Counseling (optional) in and out of prison setting to provide hope and an outline of what steps to take next in order to be successful

What nonprofits, programs, and/or services could partner with the criminal justice complex to aid in reducing recidivism?
- Churches (all religions)
- More community centers
- More government involvement
- Prison ministries
- INDY READS
- STREET TEAMS (teams that help homeless individuals to gain resources and information)
- Collaborate vs. Competing!

What are the most significant issues concerning recidivism - generally - and to Marion County specifically?
- Government subsidies
- No jobs
- Individuals committing more crimes
- Individual’s mental and societal status are negative

What research or data would you recommend, to help us understand incarceration and recidivism?
- BOB’s Band the box research
- City County Council Videos
We are putting together a community survey, in your opinion what should the survey include?

- What groups/people should we know about who are able to help and provide services to those in need of assistance?
What evidence based practices would help reduce recidivism in Marion County?

- There are housing assistance programs and counseling for Veterans
- However, these do not deal with underlying causes of recidivism
- Tried to loosen standards relative to past offenses and in result there has been an increase in drug related issues and prostitution in senior housing
- Employees are not trained to deal with special circumstances
- Need to pay close attention to Re-entry Committee and focus on their plans for reintegration of individuals into society

What programs should be housed in the criminal justice complex (to help level 5-6 offenders successfully integrate into the community)?

- There are programs which seem to be successful in the community
- Maggie Lewis- home for women with drug addictions
- “Seeds of Hope”-Church which houses individuals with substance abuse issues?
- “Hope Chest”- In order for individuals to remain in residence they must be employed at a local thrift store. This helps them to gain valuable job skills.

What nonprofits, programs, and/or services could partner with the criminal justice complex to aid in reducing recidivism?

- EDUCATION programs/services, huge topic among judges, also Sheriff Layton has discussed an education piece
- Find out what jobs are needed for the new justice system, what jobs are coming open, and how to get individuals from the community and those reintegrating back into the community qualified for these jobs
- Key is to tie jobs into the new criminal justice complex during construction and post construction to the community

What are the most significant issues concerning recidivism - generally - and to Marion County specifically?

- Mental health issues
- Education
- Issues with structure post incarceration

What research or data would you recommend, to help us understand incarceration and recidivism?

- Insights from individuals in neighborhood
- Neighborhood surveys

We are putting together a community survey, in your opinion what should the survey include?

- Need to focus on community perceptions
- Focus on those who have experiences with the CJ system and those which do not
- Keep survey simple with open ended questions where individuals do not have to “find” answers
  - Ex: What are some of the primary causes for individuals ending up in jail?
  - Ex: Why do some people end up going back to jail and others do not?
Appendix D.6 Key Informant Interview Questions for Criminal Justice Agencies

1. Have you sentenced any person under HEA 1006? *If no, skip to question to 5.*
   
   Yes or No

2. HB 1006 became effective July 1, 2014. Have you felt any impact in your local agency?
   
   Yes or No

   a. If any impact is felt at your agency, how?

3. Have you experienced any difficulties with how your current system is set up in terms of being able to implement HEA 1006?
   
   Yes or No

   a. If there are any difficulties, please give details.

4. Have you set up any new systems (or re-designed any existing systems) to be able to respond to the impact?
   
   Yes or No

   a. If yes, what types of systems?

   b. How has your sentencing structure changed since HEA 1006? Have you used more alternative sentencing methods (i.e. diversion programs)?

5. What evidence-based practices are you aware of that would help serve the number of people who will be held locally under HEA 1006?
   
   a. How will implementing these practices help reduce recidivism in Marion County?

6. What are the most significant issues concerning recidivism to Marion County?
a. What programs (nonprofit and/or services) should be housed or co-located in the criminal justice complex (to help level 5-6 offenders successfully integrate into the community)?

Appendix D.7 Key Informant Results for Criminal Justice Agencies

Marion County Sheriff’s Office Administration Division, Lt. Colonel Louis Dezlen

HEA 1006 became effective July 1, 2014. Have you felt any impact in your local agency?
- Yes

If any impact is felt at your agency, how?
- The change is codes have caused some confusion in arrestee processing.

Have you experienced any difficulties with how your current system is set up in terms of being able to implement HEA 1006?
- Yes

If there are any difficulties, please give details
- Information technology (IT), and changes and updating forms.

Have you experienced any difficulties with how your current system is set up in terms of being able to implement HEA 1006?
- No

If there are any difficulties, please give details.
- None

Have you set up any new systems (or re-designed any existing systems) to be able to respond to the impact?
- Yes

If yes, what types of systems?
- Officer’s arrest point needed to be updated. Also, Information Technology (I.T.) system needed to be updated.

What evidence-based practices are you aware of that would help serve the number of people who will be help locally under HEA 1006?
- NO ANSWER

What are the most significant issues concerning recidivism to Marion County?
- One of the most salient issues in the care of custody of Marion County offenders would be mentally ill individuals. The Marion County Jail routinely houses 600 inmates who are classified as mentally ill. The cost deriving from that care (medication, security, medical personnel) exceeds $7.5 million. Many of the mentally ill inmates are here due to the fact
that they have been off their medications. In many situations, the crime would NOT have occurred if the individual was on his/her proper medication regimes.
Anonymous Marion Superior Court Judge A

Have you sentenced any person under HEA 1006?
- Yes
- Two sentenced under HEA 1006

HEA 1006 became effective July 1, 2014. Has your court been impacted by HEA 1006?
- Yes
- Difficult to tell, so far what the impact is going to be

What has been the immediate impact of HEA 1006?
- For some reason, the cases filed in my court have increased
- Don’t know if that is due to new computer system or reaction of state to up file cases with different charges to make sure they get into major felony courts
  - Example: theft has always been a d-felony, but could have been entered as a misdemeanor through alternate misdemeanor sentencing
  - Under 1006 theft become a level 6; therefore the D-felony cases that used to flood the courts
- States ability to impose a bigger sanction has changed because of law
  - Don’t know what the prosecutors are doing exactly
  - There’s some things that they are doing with the statutes to try to get a higher charge
  - I don’t know how it will play out
  - I think more cases are coming to my court because of up filing
  - It’s a hunch: “Up filing”

Have you experienced any difficulties in being able to implement HEA 1006?
- No
- But…

If there are any difficulties, please give details.
- The new computer system brings challenges
  - Justice was an integrated system that could communicate across agencies
  - Odyssey is a silo system
- We have had to build ways to interact
  - Meets with anonymous Judge & JTAG
- Odyssey (is good) for smaller counties, using older methods of communication like note cards; they may see Odyssey as an improvement, but for Marion County it’s like going backwards
- There has been training on Odyssey; Judicial seminars training;
  - You can’t force feed people (to make them take the training)

In what ways have you responded to the impact of HEA 1006?
- Court has created new forms
• Multiple cases=multiple good time cases
  o Changed Forms for good time; she created a new form and uploaded it to Odyssey
  o Form outlines the actual days to serve; defendant signs off on it
• Done a lot of reading/research to better know the law change

In what ways have you responded to the new Odyssey Computer System?
• JTAG partnership, anonymous Judge
• Trying to prepare for the future, to be forward thinking
  o Enhancements/Habitual Offenders
  o Harder to sentence

How has your sentencing structure changed since HEA 1006?
• New sentencing chart- has the new law under glass on bench
• Filing of charges may not change because of prosecutor’s office
• Judge’s question: what is happening to misdemeanor courts with (the HEA 1006) change?

Have you used more alternative sentencing methods (i.e. diversion programs)?
• No
• Not much difference
• More overcrowding in the jail-result
  o Not sure if this is due to the summer time, an increase in crime, or HEA1006
  o Bail has been decided by someone outside of the jail (I cannot recall exactly what she was saying here)
  o The change in bail determination has leveled out some of the jail spike
  o The computer system helped to set sentencing and bond; but has changed with Odyssey

What evidence-based practices would help serve level 5 & 6 offenders, who will be held locally under HEA 1006?
• DOC: Purposeful living and therapeutic communities
• There is a large public that has no contact with the justice system
  o These folks may not know of the law change and may not want offenders in the community
• Programs: Educate people about healthcare, like how to sign up for Obama care
• Wrap around services: need funding
• Pace: increase their funding
• Community Corrections: need more funding
• Midtown services
• Transportation
  o Bus passes
• Education: model a support framework and teach people how to make the right choices
• Balance between punishment and rehabilitation
If people don’t get punished for wrongs, they won’t forgive themselves; punishment helps people not get stuck in wrong; Change will happen through modeling and rehabilitation.

**How will implementing these practices help reduce recidivism in Marion County?**
- It will teach people skills needed to lead productive lives.

**What are the most significant issues concerning recidivism to Marion County?**
- Danger to the community
  - Fear: For example, my jurors for trials are very afraid
- General public, lack of knowledge
  - 50,000 arrests in Marion County

**What services or programs should be housed or co-located in the Criminal Justice Complex to help level 5-6 offenders successfully integrate into the community?**
- Probation
- Community Correction
- PACE
- BMV
- Mental Health Screening
- Welfare/Security
- Use a Drunk tank vs. the jail; let people sleep it off and go home; provide resources for alcohol/ism education
- A one stop shop to help people who are screwed up… we are all screwed up in some way
Assessing HEA 1006 in Marion County

Anonymous Marion Superior Court Judge B

Have you sentenced any person under HEA 1006? *If no, skip to question to 5.*
- Yes

HB 1006 became effective July 1, 2014. Have you felt any impact in your local agency?
- No
- Not really it will come in a few more months
  - Felony cases take longer to resolve
  - Haven’t felt the full fall out
  - Paper work (TAKES TIME)

If any impact is felt at your agency, how?
- Perfect storm; new case management system in June
- Stay trained to use Odyssey with old law
- Law brought new changes with good time
- Different ways to compute the information; has caused challenges

Have you experienced any difficulties with how your current system is set up in terms of being able to implement HEA 1006?
- Yes or No
  - Well….

If there are any difficulties, please give details.
- Before staff spoke English into JUSTIS (computer system) speak
- Now it’s English to JUSTIS to Odyssey speak
- The challenge is learning to speak the language and transition between languages of systems
- Minute sheets have changed
- Ex: designations for items/functions have changed
- Ex: initial hearing went from 2 letter designation to 4 letter
- You got to make that switch
- “Kind of” have to use old language from old law/system
- Different sets of problems depending on how fast you can understand the language
- You have to be bilingual to deal with Odyssey
- Any ideas on impact of HEA 1006?
- “It’s all going to work out because it has too”
- There is going to be some bumps, walking into walls

Have you set up any new systems (or re-designed any existing systems) to be able to respond to the impact?
• Yes or No
  o Well…

If yes, what types of systems?
• There has been some forms proposed minute sheets from JTAG (Supreme Court officials?)
• Minute forms from 12th floor court tech. people
• Bailiffs have gotten together to create their own forms
• Editing forms handed down to them
• Ex: adding in information about informing people of their rights
• Also forms had information on them that didn’t apply
• Work it until you get it right, get others to contribute

How has your sentencing structure changed since HEA 1006? Have you used more alternative sentencing methods (i.e. diversion programs)?
• In major felony, not seen a whole lot of changes yet
• Sentencing options aren’t different than other courts
• We use DOC more (because it’s the highest level), Use community corrections often
• Eligibility Changes, based on history, record, changes
• New Code: Haven’t been told what is or isn’t eligible for community corrections; CC have two types of ineligibility
  • By statue- prohibition
  • By Advisory board- prohibition
• Can be ignored by judge
• Also minimum sentence for offense may need to be completed before Community Corrections is an option
• Sentencing range changing, also good time changing
• There is work we have to do
• Good time changed 1-for-1;
  • 1 day served = 1 day good credit=2 day served for each day
• Now it’s 3 days for 1 day
• A calculator is used for this
• Court staff have access to the calculator

What evidence-based practices are you aware of that would help serve the number of people who will be held locally under HEA 1006?
• Doesn’t like the term “evidence based practices”
  o Best practice vs. evidence based
  o We don’t use the entire concept of best practices/evidence based practices
• Example: the information required to gather: At each step something may be left out, as the information is left out/unavailable. Unless for follow it all the way through-don’t call it that. We may not have any best evidence based practices in system. I am curious to see what works; trouble is most of the information comes from the program operator. What
do you consider success, how is it gauged? Are we using the same definition for recidivism? They want to express it their way.

**How will implementing these practices help reduce recidivism in Marion County?**
- No response

**What are the most significant issues concerning recidivism to Marion County?**
- No response

**What programs (nonprofit and/or services) should be housed or co-located in the criminal justice complex (to help level 5-6 offenders successfully integrate into the community)?**
- First figure out resources needed to handle additional load: programs to help reduce recidivism for population of level 5-6 offenders. No one size fits all. Identify the issue of offender (anger, mental issues, drug issues, fraud, driving without license); determine what do we need to do with this kind of person.
- Legislature said a person that committed this act, gets this sanction
  - It’s up to county to determine how to handle/contain population
  - We can only do what we can
- Judge has to decide: is this someone I send to DOC, Community Corrections, etc.
  - Options have been curtailed (because of law), but we may not have the resources

**What services or programs should be housed or co-located in the Criminal Justice Complex to help level 5-6 offenders successfully integrate into the community?**
- THE ONE WE ARE TALKING ABOUT BUILDING, that is a huge question
  - Think about a campus
- We need to have jail, courts, crime lab, prosecutors, probation, administration offices, community corrections administrative offices, Police department, do we want work-release there? The more offices you get, the more disconnected
- They are talking about building a court and talking about other agencies
- Offices, work-release not necessary
- In regards to programs for offenders:
  - We try to let the private sector make a living-ex: drug programs. No need for us to reinvent the wheel and come up with (programs that) are out there already. We don’t really need that at the complex. There needs to be a way for people to get from facility too complex to programs.
    - Transportation need

**On Capacity:**
- Jail operation will swell
- Probation and Corrections will be overwhelmed
• One of the effects of law: it saves state money because they don’t have to build more prisons, but the cost is on the counties
  o We can’t envision the full effect; makes it challenging
• Community corrections is going to get slammed
• The jail: is almost full holding people for trial, when people have to go there to serve sentences it’s going to be worse
• Find a way to predict growth
  o When you think about the impact you might find growth may be exponential vs. geometric
• You might discover the need to have teams (in agencies like Probation)
  o A team to deal with drug issues, mentally-ill, etc.
  o Is the team concept a better design than current set up
Anonymous Marion Superior Court Judge C

Have you sentenced any person under HEA 1006? If no, skip to question to 5.

- Yes
- Sentencing more under the old law
- Consider the natural process of the court system; if someone was sentenced in July 2014 they may still be waiting for pre-trial, trial, etc.
- Most of the cases seen are higher than D felony or the crime (now the case) occurred before July
- Individuals with d felonies or levels 5-6 may get through system (of sentencing) faster; also court date depends on if people are in custody or not
  - Talk with Judges at lower levels; D –Felony and misdemeanor courts
- Under new code more people may be pleading guilty faster and she may see those cases in her court

HB 1006 became effective July 1, 2014. Have you felt any impact in your local agency?

- Yes
- Still feeling out the impact
- Judge has noticed that lawyers/defense/prosecutors have been more “creative” in how they use the law
- Although an offense may now be considered a level 5 or 6 charge, defense/prosecutors may find a way to still get the case in front of higher felony judge by finding a way to fit the offense in a higher level crime category for sentencing
- It hasn’t changed the number of people in her court; not more or less people
- Made sure to point out that: Busyness does not determine level of crime (being more busy doesn’t reflect an increase in crime) but could relate to the way police are policing (more busy courts could reflect police bringing in more offenders)
- Does more people in court mean an increase in crime or is it related to the change in law (was a question Judge stated in interview)

If any impact is felt at your agency, how?

- The impact is different for state (Supreme and criminal defense)

Have you experienced any difficulties with how your current system is set up in terms of being able to implement HEA 1006?

- Yes

If there are any difficulties, please give details.

- State’s goal (at the Indiana Supreme Court level) is to have trial courts using the same communication system (the New Odyssey) about 49 out of 92 counties are using the new system
- New system create challenges for agency staff, as they cannot access the same information as before and all agencies are not able to communicate across agencies (court cannot communicate with prosecutor’s office)
- Different information is shared in Odyssey than Justice and also there are new/different forms to use-creates challenges for staff
• Criminal justice officials and staff are now having to change their language in how they communicate the law (D-felony vs levels)
• However the old law still applies for a lot of cases, since 1006 only took effect in July
• Challenge: many changes in a short time
• New communication system happened June 6th
• New law happened July 1

Have you set up any new systems (or re-designed any existing systems) to be able to respond to the impact?
  • No

If yes, what types of systems?
  • To deal with changes in law and computer system, Court office staff have been sending out a court calendar at 7am each morning to help defense lawyers/and/public defenders know their time/day in court
  • Accessibility (of computer system is important) for parties to integrate (communication) the computer system
    ◦ In order to do so, funding will be needed

How has your sentencing structure changed since HEA 1006? Have you used more alternative sentencing methods (i.e. diversion programs)?
  • Noticed prosecutors may be faster to offer pleas with community programs like home detention; this will create a need for community corrections, as they will need more case managers to monitor caseloads; says they have a lot of equipment (my concern is that they may need more, again…funding)
  • Judge says we interview Community Corrections director
  • Judge has a “cheat sheet” with two side-by-side tables
  • Table on the left lists all the felonies, under the old law, with advisory sentencing amounts
  • Right table lists new law levels with advisory sentence amounts

What evidence-based practices are you aware of that would help serve the number of people who will be held locally under HEA 1006?
  • Talk with John, Director of Community Corrections
    ◦ John was a Probation Officer who learned about Evidence Based Practices through Probation and is working to use those practices at community corrections
    ◦ Evidence based practices are important, but numbers and recidivism rates tied to these programs are more important; why these programs are working or not?
    ◦ Education is the “bottom line”; job skills and employment are important too
    ◦ Program: Recycle-Force; Judge has found it to be highly successful in helping probationers

How will implementing these practices help reduce recidivism in Marion County?
  • (education and employment) provide “hope and the tools” to succeed
• Jobs help clients pay court fees, she finds people feel good when they can pay fees and report to the court they are working
• Job skills help boost confidence in job searches
• Mentioned the challenge in finding jobs; as even college grads are having a tough time and they have a degree not a record

What are the most significant issues concerning recidivism to Marion County?
• Programs that are evidence based and assist to reduce recidivism
• What are the numbers behind recidivism are programs really reducing crime?
• Use programs that were offered that reduced crime/recidivism

What programs (nonprofit and/or services) should be housed or co-located in the criminal justice complex (to help level 5-6 offenders successfully integrate into the community)?
• Judge laughed out loud when I mentioned the complex
• Judge has little faith in it being built; as there has been a lot of talk about the development
• Doesn’t even know if there will be enough room for courts and other agencies like probation
• Laughed said there isn’t even anywhere for us to eat
• Not that it’s important to your project
• Programs should be near facility; but also thinks programs should be housed in the communities from where offenders reside; mentioned how probation offices are set up this way, on different sides of town, because probation saw a need to do that
• Need case managers to help manage caseloads and people using programs

Other;
• Said there is a 6 month file period
  • They are not looking at impact until 6 months out; to my understanding the law may not be able to be determined until at least 6 months
• Made mention that there may need to be more D felony courts/misdemeanor/level5-6 courts
• Encouraged us to talk with Jon, Director at community Corrections
### Appendix E. Marion County Agencies

<table>
<thead>
<tr>
<th>Organization Name</th>
<th>Address</th>
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<tbody>
<tr>
<td>AA Intergroup</td>
<td>136 E. Market St., Suite 1030</td>
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<tr>
<td>Amnesty Oasis</td>
<td>9801 Fall Creek Rd., Box 314</td>
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<tr>
<td>Annie's Place</td>
<td>226 West 31st</td>
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<tr>
<td>Beacon House</td>
<td>2456 N. Bolton</td>
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<td>Bethlehem House</td>
<td>130 E. 30th St.</td>
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<tr>
<td>Brightwood Community Center</td>
<td>2410 N. Station</td>
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<tr>
<td>CAFÉ (Community Alliance Far East Side)</td>
<td>8902 E 38th St.</td>
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<tr>
<td>Center for Law and Social Policy (CLASP)</td>
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<td>Child Support Consulting of Indiana</td>
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<td>Choices, Inc.</td>
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<td>City of Indianapolis - Community Development Block Grant</td>
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<tr>
<td>City of Indianapolis - Department of Public Works</td>
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<td>Coalition for Homelessness Intervention and Prevention</td>
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<td>Community Outreach Network Services (CONS)</td>
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<td>Dove Recovery House</td>
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<td>Drug Free Marion County</td>
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<td>Emmanuel Outreach Ministries</td>
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<td>Family's First</td>
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<td>Forest Manor Multi-Service Center</td>
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<td>FSSA, Division of Family Resources</td>
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<td>Gallahue Mental Health Services</td>
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<td>Global Peace Initiatives</td>
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<td>Good News Ministries</td>
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<td>Goodwill Industries</td>
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<td>Grace Place</td>
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<td>Hawthorn Community Center</td>
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<td>HealthNet Homeless Initiative Program</td>
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<td>Holy Family Shelter</td>
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<td>Homeless &amp; Re-entry Helpers (HRH)</td>
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<td>HOPE (Helping Others Prosper Economically) Team</td>
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<td>Horizon House</td>
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<td>Independent Colleges of Indiana</td>
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<td>Indiana Workforce Development</td>
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<td>Indianapolis 10 Point Coalition</td>
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<td>Indianapolis Archdiocese</td>
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<td>Indianapolis Private Industry Council</td>
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<td>Indianapolis Tox Drop Program</td>
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<td>Indianapolis Urban League</td>
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<td>Indy Reads</td>
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<td>Indypendence Job Corps Center</td>
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<td>Jesus House</td>
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<td>John H. Boner Center Career Corner</td>
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<td>Keys to Work, Inc.</td>
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<td>Lord's Locker</td>
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<td>Management 2000</td>
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<td>Marion County Child Support Offices</td>
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<td>Marion County Leadership in Action Program (LAP)</td>
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<td>Marion County Prosecutor's Office</td>
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<td>Marion County Public Defender Agency</td>
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<td>Marion Superior Court Probation Department</td>
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<td>Midtown Community Mental Health Center</td>
<td>1001 W. 10th St.</td>
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<td>Midtown Narcotics Treatment Program</td>
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<td>Mosaic Recovery</td>
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<td>My Sister’s Place</td>
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<td>PACE</td>
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<td>Partners in Housing</td>
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<td>Pathway to Recovery</td>
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<td>Progress House</td>
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<td>Quest for Excellence</td>
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<td>State of Indiana Department of Faith Based Initiatives</td>
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<tr>
<td>The Church Federation of Greater Indianapolis</td>
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<td>Trusted Mentors</td>
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<td>United States Department of Labor - Beneficiary Choice</td>
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<td>United Way</td>
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<td>Use What You've Got Prison Ministries</td>
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<td>Voice in the Wilderness Ministries</td>
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<td>Volunteers of America of Indiana</td>
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<td>Wailing Women Win</td>
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<td>373 N. Holmes</td>
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<tr>
<td>Wheeler Mission</td>
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Appendix F. Michigan Prisoner Re-Entry Initiative’s Transitional Accountability Plan (TAP) Three Step Process

**Step 1- Prison:** The prison stage of reentry focuses on assessment, classification, communication with the parole board, and prisoner programming (Corrections, 2012). Through a collaborative process, that connects prison staff, the offender, and the community, providers help an offender develop phases for reentry. Upon being incarcerated, an offender’s needs are determined through a risk needs assessment. This assessment provides the foundation for the offender’s TAP, which outlines services and programs to address an individual’s identified needs. A case management model prepares the offender for success through a supportive approach. At each stage of the reentry process, prison staff, the parole board, and community providers act as case managers. To ensure offender success and accountability, case managers challenge the offender to take responsibility for following their individualized plan for re-entry through prosocial communication (Corrections, 2012). In other words, it is expected that prison staff and reentry partners support incarcerated individuals in being forward thinking, using the TAP as a road map for navigating prison and preparing for release.

**Step 2- Community Transition:** As an offender’s release date approaches, the reentry initiative focus shifts toward release and post-release decision-making (Corrections, 2012). At phase two, the offender’s TAP plan is evaluated to determine success in meeting plan objectives. Also, an offender’s parole eligibility is determined. A community transition team helps prepare for release by working with the offender in locating programs and services within the community. Needs related to housing, employment, health, and substance abuse are addressed. In addition, offenders are prepared for transitioning to parole and being in the community.

**Step 3- Discharge:** The duration of phase 3 is when an offender is released to parole and ends upon discharge from community supervision. The key in success upon release depends on sustaining a released individual’s network of support. Parole conditions, case management, and community engagement are key components in ensuring an individual does not reoffend. Parole Officers are given discretion in determining sanctions when violations occur. With the focus being an offender’s success and reducing recidivism, Parole Officers are given a range of options to correct unwanted behavior, not just revocation and prison (Corrections, 2012).
Appendix G. Sentencing Structure Under HEA 1006

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<tr>
<td><strong>Prior to July 1, 2014</strong></td>
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<tr>
<td><strong>Class</strong></td>
</tr>
<tr>
<td>Murder</td>
</tr>
<tr>
<td>A</td>
</tr>
<tr>
<td>2</td>
</tr>
<tr>
<td>B</td>
</tr>
<tr>
<td>4</td>
</tr>
<tr>
<td>C</td>
</tr>
<tr>
<td>D</td>
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