

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

200 W. Washington, Suite 301
Indianapolis, IN 46204
(317) 233-0696
<http://www.in.gov/legislative>

FISCAL IMPACT STATEMENT

LS 6117

BILL NUMBER: HB 1132

NOTE PREPARED: Feb 25, 2009

BILL AMENDED: Feb 23, 2009

SUBJECT: Department of Correction and Police Powers.

FIRST AUTHOR: Rep. Lawson L

FIRST SPONSOR: Sen. Wyss

BILL STATUS: As Passed House

FUNDS AFFECTED: GENERAL
 DEDICATED
 FEDERAL

IMPACT: State

Summary of Legislation: (Amended) This bill has the following provisions:

- A. Permissive Powers – The Commissioner of the Department of Correction (DOC) may appoint certain individuals as correctional police officers.
- B. Training Course – Correctional police officers would complete a pre-basic training course approved by the Indiana Law Enforcement Training Board and any other training course established by DOC in conjunction with the Training Board.
- C. Limited Police Powers – The police powers of these correctional police officers would be limited to dealing with (1) offenses committed on DOC's facilities; (2) offenses involving an offender who is committed to DOC; (3) offenses committed in the presence of an officer; or (4) offenses while assisting another law enforcement officer who has requested the correctional police officer's assistance.
- D. Correctional Peace Officer's Fund - It establishes the Correctional Peace Officer's Fund to provide monetary assistance, including tuition assistance, to a correctional employee or to a member of the family of a correctional employee. It specifies that the fund consists of: (1) grants; (2) donations; (3) employee contributions; and (4) appropriations made to the fund, and that monetary assistance may be paid from the fund to a correctional employee or to a member of the family of a correctional employee if the employee or employee's family member attends a postsecondary educational institution, the employee suffers a loss as the result of a natural disaster, or the employee is killed or injured in the line of duty.

(The introduced version of this bill was prepared for the Sentencing Policy Study Committee.)

Effective Date: July 1, 2009.

Explanation of State Expenditures: This bill should have a minimal cost impact to the Department of Correction and to the Indiana Law Enforcement Academy (ILEA). DOC plans at some point to have two correctional officers at each facility with these added powers.

Background– ILEA provides a 40-hour pre-service training program taught on-line and a course on Miranda rights that runs for one to two weeks. ILEA is currently developing DOC's curriculum to apply to the situations associated with policing powers in a correctional setting. ILEA instructors could provide the training at the Correctional Training Institute in New Castle or deliver it through a simulcast to selected correctional officers in the field. DOC anticipates officers arranging this training around their work schedule to minimize overtime. DOC anticipates that this course would occur once a year at most.

Explanation of State Revenues: (Revised) *Correctional Peace Officer's Fund* – This is a new dedicated fund that would assist correctional employees and their families if an employee is killed in the line of duty, if the employee suffers a loss as the result of a natural disaster, or if the correctional employee or a family member attend a postsecondary educational institution. The source of revenue for this fund includes grants, donations, employee contributions, and appropriations. While money is continually appropriated to carry out the purpose of this fund, this bill does not appropriate a specific amount. The State Treasurer would invest the money deposited in the fund.

Explanation of Local Expenditures:

Explanation of Local Revenues:

State Agencies Affected: DOC; ILEA, State Treasurer

Local Agencies Affected:

Information Sources: Tim Brown, DOC; Rusty Goodpaster, ILEA.

Fiscal Analyst: Mark Goodpaster, 317-232-9852.