

# HOUSE BILL No. 1680

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 11-12-2.

**Synopsis:** Community corrections programs. Requires the commissioner of the department of correction, in issuing community corrections grants, to give priority to programs that include culturally competent diversion and re-entry programs. Requires community corrections advisory boards to: (1) ensure that community corrections programs include culturally competent diversion and re-entry programs for delinquent children; and (2) evaluate the collection and reporting of disproportionality information concerning community corrections program participants.

**Effective:** July 1, 2009.

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### Summers

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January 16, 2009, read first time and referred to Committee on Public Policy.

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First Regular Session 116th General Assembly (2009)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2008 Regular Session of the General Assembly.

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# HOUSE BILL No. 1680



A BILL FOR AN ACT to amend the Indiana Code concerning public safety.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 11-12-2-1 IS AMENDED TO READ AS  
2 FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 1. (a) For the purpose  
3 of encouraging counties to develop a coordinated local  
4 corrections-criminal justice system and providing effective alternatives  
5 to imprisonment at the state level, the commissioner shall, out of funds  
6 appropriated for such purposes, make grants to counties for the  
7 establishment and operation of community corrections programs.  
8 Appropriations intended for this purpose may not be used by the  
9 department for any other purpose. Money appropriated to the  
10 department of correction for the purpose of making grants under this  
11 chapter, and charges made against a county under section 9 **of this**  
12 **chapter**, do not revert to the state general fund at the close of any fiscal  
13 year, but remain available to the department of correction for its use in  
14 making grants under this chapter.

15 (b) The commissioner shall give priority in issuing community  
16 corrections grants to programs that:

17 (1) provide alternative sentencing projects for persons with



1 mental illness, addictive disorders, mental retardation, and  
2 developmental disabilities; or

3 **(2) provide culturally competent diversion and re-entry**  
4 **programs for delinquent children.**

5 SECTION 2. IC 11-12-2-3 IS AMENDED TO READ AS  
6 FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 3. (a) A community  
7 corrections advisory board shall:

8 (1) formulate:

9 (A) the community corrections plan and the application for  
10 financial aid required by section 4 of this chapter; and

11 (B) the forensic diversion program plan under IC 11-12-3.7;  
12 (2) observe and coordinate community corrections programs in  
13 the county;

14 (3) make an annual report to the county fiscal body, county  
15 executive, or, in a county having a consolidated city, the  
16 city-county council, containing:

17 (A) an evaluation of the effectiveness of programs receiving  
18 financial aid under this chapter;

19 **(B) an evaluation of the collection and reporting of**  
20 **disproportionality information of community corrections**  
21 **participants, including the race and ethnicity of**  
22 **participants; and**

23 (C) recommendations for improvement, modification, or  
24 discontinuance of these programs;

25 (4) ensure that programs receiving financial aid under this chapter  
26 comply with the standards adopted by the department under  
27 section 5 of this chapter; and

28 (5) recommend to the county executive or, in a county having a  
29 consolidated city, to the city-county council, the approval or  
30 disapproval of contracts with units of local government or  
31 nongovernmental agencies that desire to participate in the  
32 community corrections plan; and

33 **(6) ensure that programs include culturally competent**  
34 **diversion and re-entry programs for delinquent children.**

35 Before recommending approval of a contract, the advisory board must  
36 determine that a program is capable of meeting the standards adopted  
37 by the department under section 5 of this chapter.

38 (b) A community corrections advisory board shall do the following:

39 (1) Adopt bylaws for the conduct of its own business.

40 (2) Hold a regular meeting at least one (1) time every three (3)  
41 months and at other times as needed to conduct all necessary  
42 business. Dates of regular meetings shall be established at the first

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1 meeting of each year.  
2 (3) Comply with the public meeting and notice requirements  
3 under IC 5-14-1.5.  
4 (c) A community corrections advisory board may contain an office  
5 as designated by the county executive or, in a county having a  
6 consolidated city, by the city-county council.  
7 (d) Notwithstanding subsection (a)(4), the standards applied to a  
8 court alcohol and drug program or a drug court that provides services  
9 to a forensic diversion program under IC 11-12-3.7 must be the  
10 standards established under IC 12-23-14 or IC 12-23-14.5.

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