

HOUSE BILL No. 1238

DIGEST OF INTRODUCED BILL

Citations Affected: IC 10-13-2-5.

Synopsis: Criminal history data collection. Requires the criminal justice data division of the state police department to collect criminal history data in a manner consistent with the most recent revisions to the Uniform Crime Reporting Program maintained and operated by the United States Department of Justice. Urges the legislative council to assign to an appropriate study committee topics related to: (1) criminal data collection by the state police department; and (2) whether Indiana should amend its definition of "rape".

Effective: July 1, 2018.

Olthoff

January 16, 2018, read first time and referred to Committee on Courts and Criminal Code.



Second Regular Session of the 120th General Assembly (2018)

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 a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2017 Regular Session of the General Assembly.

HOUSE BILL No. 1238

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 10-13-2-5, AS AMENDED BY P.L.15-2017,
2 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2018]: Sec. 5. (a) The division, under the supervision and
4 direction of the superintendent and in accordance with the rules
5 adopted under this chapter, shall do the following:
6 (1) Collect data necessary for the accomplishment of the purposes
7 of this chapter from all persons and agencies mentioned in section
8 6 of this chapter. **Criminal history data, including data relating
9 to rape and sexual assault, must be collected in a manner
10 consistent with the most recent revisions to the Uniform
11 Crime Reporting Program maintained and operated by the
12 United States Department of Justice.**
13 (2) Prepare and distribute to all the persons and agencies the
14 forms to be used in reporting data to the division. The forms also
15 must provide for items of information needed by federal bureaus,
16 agencies, or departments engaged in the development of national
17 criminal statistics.



- 1 (3) Prescribe the form and content of records to be kept by the
 2 persons and agencies to ensure the correct reporting of data to the
 3 division.
- 4 (4) Instruct the persons and agencies in the installation,
 5 maintenance, and use of records and equipment and in the manner
 6 of reporting to the division.
- 7 (5) Tabulate, analyze, and interpret the data collected.
- 8 (6) Supply data, upon request, to federal bureaus, agencies, or
 9 departments engaged in collecting and analyzing national
 10 criminal statistics.
- 11 (7) Present the following to the governor:
- 12 (A) Not later than June 1 and December 1 of each year, a
 13 report containing the criminal statistics of the preceding six (6)
 14 months.
- 15 (B) At other times the superintendent considers necessary or
 16 the governor requests, reports on public aspects of criminal
 17 statistics in a sufficiently general distribution for public
 18 enlightenment.
- 19 (b) All laws regulating privacy or restricting use of the data apply
 20 to any data collected.
- 21 (c) The division may accept data and reports from agencies other
 22 than those required to report under this chapter if the data and reports
 23 are consistent with the purposes of this chapter.
- 24 **SECTION 2. [EFFECTIVE JULY 1, 2018] (a) The legislative**
 25 **council is urged to assign to an appropriate interim study**
 26 **committee during the 2018 interim the following topics:**
- 27 **(1) Issues related to the collection of criminal history data by**
 28 **the state police department, including issues relating to:**
- 29 **(1) revisions to the Uniform Crime Reporting Program**
 30 **maintained and operated by the United States Department**
 31 **of Justice;**
- 32 **(2) compliance by local law enforcement agencies having**
 33 **a duty to report; and**
- 34 **(3) the collection of data concerning rape and sexual**
 35 **assault crimes.**
- 36 **(2) Whether Indiana should amend its definition of "rape" to**
 37 **include sexual conduct performed without the consent of the**
 38 **victim.**
- 39 **(b) This SECTION expires January 1, 2019.**

