

HOUSE BILL No. 1369

DIGEST OF INTRODUCED BILL

Citations Affected: IC 11-12.

Synopsis: Juvenile community corrections advisory boards. Creates juvenile community corrections advisory boards (boards). Requires the department of correction to appropriate at least 10% of community corrections grants to juvenile community corrections advisory boards. Requires the boards to: (1) develop and implement innovative juvenile justice programs; (2) identify, observe, and coordinate juvenile community corrections programs in their judicial district; and (3) recommend the approval or disapproval of certain juvenile community corrections contracts. Allows the boards to apply for grants to fund innovative juvenile justice programs.

Effective: July 1, 2016.

McNamara

January 12, 2016, read first time and referred to Committee on Courts and Criminal Code.



Second Regular Session of the 119th General Assembly (2016)

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 2015 Regular Session of the General Assembly.

HOUSE BILL No. 1369



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

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

1 SECTION 1. IC 11-12-2-1, AS AMENDED BY THE TECHNICAL
2 CORRECTIONS BILL OF THE 2016 GENERAL ASSEMBLY, IS
3 AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]:
4 Sec. 1. (a) For the purpose of encouraging counties to develop a
5 coordinated local corrections-criminal justice system and providing
6 effective alternatives to imprisonment at the state level, the
7 commissioner shall, out of funds appropriated for such purposes, make
8 grants to counties for the establishment and operation of community
9 corrections programs and court supervised recidivism reduction
10 programs. Appropriations intended for this purpose may not be used by
11 the department for any other purpose. Money appropriated to the
12 department of correction for the purpose of making grants under this
13 chapter and any financial aid payments suspended under section 6 of
14 this chapter do not revert to the state general fund at the close of any
15 fiscal year, but remain available to the department of correction for its
16 use in making grants under this chapter. **At least ten percent (10%)**
17 **of funds appropriated to the department of correction for the**



1 **purposes of making grants under this chapter shall be**
2 **appropriated to juvenile community corrections advisory boards**
3 **as described in IC 11-12-2.5 for juvenile justice programs.**

4 (b) Before March 1 of each year, the department shall estimate the
5 amount of any operational cost savings that will be realized in the state
6 fiscal year ending June 30 from a reduction in the number of
7 individuals who are in the custody or made a ward of the department
8 of correction (as described in IC 11-8-1-5) that is attributable to the
9 sentencing changes made in HEA 1006-2014 as enacted in the 2014
10 session of the general assembly. The department shall make the
11 estimate under this subsection based on the best available information.
12 If the department estimates that operational cost savings described in
13 this subsection will be realized in the state fiscal year, the following
14 apply to the department:

15 (1) The department shall certify the estimated amount of
16 operational cost savings that will be realized to the budget agency
17 and to the auditor of state.

18 (2) The department may, after review by the budget committee
19 and approval by the budget agency, make additional grants as
20 provided in this chapter to counties for the establishment and
21 operation of community corrections programs and court
22 supervised recidivism reduction programs from funds
23 appropriated to the department for the department's operating
24 expenses for the state fiscal year.

25 (3) The maximum aggregate amount of additional grants and
26 transfers that may be made by the department under subdivision

27 (2) for the state fiscal year may not exceed the lesser of:

28 (A) the amount of operational cost savings certified under
29 subdivision (1); or

30 (B) eleven million dollars (\$11,000,000).

31 Notwithstanding P.L.205-2013 (HEA 1001-2013), the amount of funds
32 necessary to make any additional grants authorized and approved under
33 this subsection and for any transfers authorized and approved under
34 this subsection, and for providing the additional financial aid to courts
35 from transfers authorized and approved under this subsection, is
36 appropriated for those purposes for the state fiscal year, and the amount
37 of the department's appropriation for operating expenses for the state
38 fiscal year is reduced by a corresponding amount.

39 (c) The commissioner shall give priority in issuing community
40 corrections and court supervised recidivism reduction program grants
41 to programs that provide alternative sentencing projects for persons
42 with mental illness, addictive disorders, intellectual disabilities, and



1 developmental disabilities. Programs for addictive disorders may
2 include:

- 3 (1) addiction counseling;
4 (2) inpatient detoxification; **and**
5 (3) medication assisted treatment, including a federal Food and
6 Drug Administration approved long acting, nonaddictive
7 medication for the treatment of opioid or alcohol dependence.

8 (d) Grants awarded under this chapter:

- 9 (1) must focus on funding evidence based programs, including
10 programs that address cognitive behavior, that have as a primary
11 goal the purpose of reforming offenders; and
12 (2) may be used for technology based programs, including an
13 electronic monitoring program.

14 (e) Before the tenth day of each month, the department shall
15 compile the following information with respect to the previous month:

- 16 (1) The number of persons committed to the department.
17 (2) The number of persons:
18 (A) confined in a department facility;
19 (B) participating in a community corrections program; and
20 (C) confined in a local jail under contract with or on behalf of
21 the department.
22 (3) For each facility operated by the department:
23 (A) the number of beds in each facility;
24 (B) the number of inmates housed in the facility;
25 (C) the highest felony classification of each inmate housed in
26 the facility; and
27 (D) a list of all felonies for which persons housed in the
28 facility have been sentenced.

29 (f) The department shall:

- 30 (1) quarterly submit a report to the budget committee; and
31 (2) monthly submit a report to the justice reinvestment advisory
32 council (as established in IC 33-38-9.5-2);

33 of the information compiled by the department under subsection (e).
34 The report to the budget committee must be submitted in a form
35 approved by the budget committee, and the report to the advisory
36 council must be in a form approved by the advisory council.

37 SECTION 2. IC 11-12-2-2, AS AMENDED BY P.L.44-2009,
38 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
39 JULY 1, 2016]: Sec. 2. (a) To qualify for financial aid under this
40 chapter, a county must:

- 41 (1) establish a community corrections advisory board; **and**
42 (2) **participate in a juvenile community corrections advisory**



1 **board as described in IC 11-12-2.5;**
 2 by resolution of the county executive or, in a county having a
 3 consolidated city, by the city-county council.

4 **(b)** A community corrections advisory board consists of:

- 5 (1) the county sheriff or the sheriff's designee;
 6 (2) the prosecuting attorney or the prosecuting attorney's
 7 designee;
 8 (3) the director of the county office of the division of family
 9 resources or the director's designee;
 10 (4) the executive of the most populous municipality in the county
 11 or the executive's designee;
 12 (5) two (2) judges having criminal jurisdiction, if available,
 13 appointed by the circuit court judge or the judges' designees;
 14 (6) one (1) judge having juvenile jurisdiction, appointed by the
 15 circuit court judge;
 16 (7) one (1) public defender or the public defender's designee, if
 17 available, or one (1) attorney with a substantial criminal defense
 18 practice appointed by the county executive or, in a county having
 19 a consolidated city, by the city-county council;
 20 (8) one (1) victim, or victim advocate if available, appointed by
 21 the county executive or, in a county having a consolidated city, by
 22 the city-county council;
 23 (9) one (1) ex-offender, if available, appointed by the county
 24 executive or, in a county having a consolidated city, by the
 25 city-county council; and
 26 (10) the following members appointed by the county executive or,
 27 in a county having a consolidated city, by the city-county council:
 28 (A) One (1) member of the county fiscal body or the member's
 29 designee.
 30 (B) One (1) probation officer.
 31 (C) One (1) educational administrator.
 32 (D) One (1) representative of a private correctional agency, if
 33 such an agency exists in the county.
 34 (E) One (1) mental health administrator, or, if there is none
 35 available in the county, one (1) psychiatrist, psychologist, or
 36 physician.
 37 (F) Four (4) lay persons, at least one (1) of whom must be a
 38 member of a minority race if a racial minority resides in the
 39 county and a member of that minority is willing to serve.

40 ~~(b)~~ **(c)** Designees of officials designated under subsection ~~(a)(1)~~
 41 **(b)(1)** through ~~(a)(7)~~ **(b)(7)** and ~~(a)(10)(A)~~ **(b)(10)(A)** serve at the
 42 pleasure of the designating official.



1 ~~(c)~~ **(d)** Members of the **community corrections** advisory board
 2 appointed by the county executive or, in a county having a consolidated
 3 city, by the city-county council, shall be appointed for a term of four (4)
 4 years. The criminal defense attorney, the ex-offender, and the victim or
 5 victim advocate shall be appointed for a term of four (4) years. Other
 6 members serve only while holding the office or position held at the
 7 time of appointment. The circuit court judge may fill the position of the
 8 judge having juvenile court jurisdiction by self appointment if the
 9 circuit court judge is otherwise qualified. A vacancy occurring before
 10 the expiration of the term of office shall be filled in the same manner
 11 as original appointments for the unexpired term. Members may be
 12 reappointed.

13 ~~(d)~~ **(e)** Two (2) or more counties, by resolution of their county
 14 executives or, in a county having a consolidated city, by the city-county
 15 council, may combine to apply for financial aid under this chapter. If
 16 counties so combine, the counties may establish one (1) community
 17 corrections advisory board to serve these counties. This board must
 18 contain the representation prescribed in subsection ~~(a)~~, **(b)**, but the
 19 members may come from the participating counties as determined by
 20 agreement of the county executives or, in a county having a
 21 consolidated city, by the city-county council.

22 ~~(e)~~ **(f)** The members of the community corrections advisory board
 23 shall, within thirty (30) days after the last initial appointment is made,
 24 meet and elect one (1) member as chairman and another as vice
 25 chairman and appoint a secretary-treasurer who need not be a member.
 26 A majority of the members of a community corrections advisory board
 27 may provide for a number of members that is:

- 28 (1) less than a majority of the members; and
- 29 (2) at least six (6);

30 to constitute a quorum for purposes of transacting business. The
 31 affirmative votes of at least five (5) members, but not less than a
 32 majority of the members present, are required for the board to take
 33 action. A vacancy in the membership does not impair the right of a
 34 quorum to transact business.

35 ~~(f)~~ **(g)** The county executive and county fiscal body shall provide
 36 necessary assistance and appropriations to the community corrections
 37 advisory board established for that county. Appropriations required
 38 under this subsection are limited to amounts received from the
 39 following sources:

- 40 (1) Department grants.
- 41 (2) User fees.
- 42 (3) Other funds as contained within an approved plan.



1 Additional funds may be appropriated as determined by the county
2 executive and county fiscal body.

3 SECTION 3. IC 11-12-2.5 IS ADDED TO THE INDIANA CODE
4 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
5 JULY 1, 2016]:

6 **Chapter 2.5. State Grants to Counties for Juvenile Community**
7 **Corrections**

8 **Sec. 1. (a) For the purpose of encouraging counties and groups**
9 **of counties to develop coordinated juvenile local**
10 **corrections-criminal justice systems and providing effective**
11 **alternatives to imprisonment, the commissioner shall, out of funds**
12 **appropriated for such purposes, make grants to juvenile**
13 **community corrections advisory boards under this chapter for**
14 **juvenile justice programs. Appropriations intended for this**
15 **purpose may not be used by the department for any other purpose.**
16 **At least ten percent (10%) of money appropriated to the**
17 **department of correction for the purpose of making grants under**
18 **IC 11-12-2 shall be appropriated to juvenile community**
19 **corrections advisory boards established under this chapter.**

20 **Sec. 2. (a) To qualify for financial aid under this chapter, a**
21 **county must participate in a juvenile community corrections**
22 **advisory board by resolution of the county executive or, in a county**
23 **having a consolidated city, by the city-county council.**

24 **(b) A juvenile community corrections advisory board shall be**
25 **established in each of the judicial districts established by Indiana**
26 **Trial Rule 81.**

27 **Sec. 3. (a) In a judicial district that consists of one (1) county,**
28 **the juvenile community corrections advisory board consists of:**

- 29 (1) the county sheriff or the sheriff's designee;
30 (2) the prosecuting attorney or the prosecuting attorney's
31 designee;
32 (3) the director of the county office of the division of family
33 resources or the director's designee;
34 (4) the executive of the most populous municipality in the
35 county or the executive's designee;
36 (5) one (1) judge having juvenile jurisdiction, appointed by the
37 circuit court judge;
38 (6) one (1) public defender or the public defender's designee,
39 if available, or one (1) attorney with a substantial juvenile law
40 practice appointed by the county executive or, in a county
41 having a consolidated city, by the city-county council; and
42 (7) the following members appointed by the county executive



1 or, in a county having a consolidated city, by the city-county
2 council:

3 (A) One (1) member of the county fiscal body or the
4 member's designee.

5 (B) One (1) probation officer.

6 (C) One (1) educational administrator.

7 (D) One (1) representative of a private correctional agency,
8 if such an agency exists in the county.

9 (E) One (1) mental health administrator, or, if there is
10 none available in the county, one (1) psychiatrist,
11 psychologist, or physician.

12 (F) Four (4) lay persons, at least one (1) of whom must be
13 a member of a minority race if a racial minority resides in
14 the county and a member of that minority is willing to
15 serve.

16 (b) Designees of officials designated under subsection (a)(1)
17 through (a)(4) and (a)(7)(A) serve at the pleasure of the designating
18 official.

19 (c) Members of the advisory board appointed by the county
20 executive or, in a county having a consolidated city, by the
21 city-county council, shall be appointed for a term of four (4) years.
22 The juvenile law attorney shall be appointed for a term of four (4)
23 years. Other members serve only while holding the office or
24 position held at the time of appointment. The circuit court judge
25 may fill the position of the judge having juvenile court jurisdiction
26 by self appointment if the circuit court judge is otherwise qualified.
27 A vacancy occurring before the expiration of the term of office
28 shall be filled in the same manner as original appointments for the
29 unexpired term. Members may be reappointed.

30 Sec. 4. (a) In a judicial district that consists of two (2) counties,
31 the juvenile community corrections advisory board consists of:

32 (1) the county sheriff or the sheriff's designee of the county
33 with the:

34 (A) larger population in even-numbered years; and

35 (B) smaller population in odd-numbered years;

36 (2) the prosecuting attorney or the prosecuting attorney's
37 designee of the county with the:

38 (A) larger population in odd-numbered years; and

39 (B) smaller population in even-numbered years;

40 (3) the director of the county office of the division of family
41 resources or the director's designee of the county with the:

42 (A) larger population in even-numbered years; and



- 1 **(B) smaller population in odd-numbered years;**
2 **(4) the executive of the most populous municipality in the**
3 **county or the executive's designee of the county with the:**
4 **(A) larger population in odd-numbered years; and**
5 **(B) smaller population in even-numbered years;**
6 **(5) one (1) judge having juvenile jurisdiction, appointed by the**
7 **circuit court judge of the county with the:**
8 **(A) larger population in even-numbered years; and**
9 **(B) smaller population in odd-numbered years;**
10 **(6) one (1) public defender or the public defender's designee,**
11 **if available, or one (1) attorney with a substantial juvenile law**
12 **practice appointed by the county executive of the county with**
13 **the:**
14 **(A) larger population in odd-numbered years; and**
15 **(B) smaller population in even-numbered years; and**
16 **(7) the following members appointed by the county executive**
17 **of the county with the larger population in even-numbered**
18 **years and the smaller population in odd-numbered years:**
19 **(A) One (1) member of the county fiscal body or the**
20 **member's designee.**
21 **(B) One (1) probation officer.**
22 **(C) One (1) educational administrator.**
23 **(D) One (1) representative of a private correctional agency,**
24 **if such an agency exists in the county.**
25 **(E) One (1) mental health administrator, or, if there is**
26 **none available in the county, one (1) psychiatrist,**
27 **psychologist, or physician.**
28 **(F) Four (4) lay persons, at least one (1) of whom must be**
29 **a member of a minority race if a racial minority resides in**
30 **the county and a member of that minority is willing to**
31 **serve.**
32 **(b) Designees of officials designated under subsection (a)(1)**
33 **through (a)(4) and (a)(7)(A) serve at the pleasure of the designating**
34 **official.**
35 **(c) The term of each member of a board described in this section**
36 **is one (1) year.**
37 **Sec. 5. (a) In a judicial district that consists of three (3) counties,**
38 **the juvenile community corrections advisory board consists of:**
39 **(1) the county sheriff or the sheriff's designee of:**
40 **(A) the county having the largest population, starting July**
41 **1, 2016, and beginning each July 1 every three (3) years**
42 **after July 1, 2016;**



- 1 (B) the county having the second largest population,
 2 starting July 1, 2017, and beginning each July 1 every
 3 three (3) years after July 1, 2017; and
 4 (C) the county having the smallest population, starting
 5 July 1, 2018, and beginning each July 1 every three (3)
 6 years after July 1, 2018;
- 7 (2) the prosecuting attorney or the prosecuting attorney's
 8 designee of:
- 9 (A) the county having the second largest population,
 10 starting July 1, 2016, and beginning each July 1 every
 11 three (3) years after July 1, 2016;
 12 (B) the county having the smallest population, starting July
 13 1, 2017, and beginning each July 1 every three (3) years
 14 after July 1, 2017; and
 15 (C) the county having the largest population, starting July
 16 1, 2018, and beginning each July 1 every three (3) years
 17 after July 1, 2018;
- 18 (3) the director of the county office of the division of family
 19 resources or the director's designee of:
- 20 (A) the county having the smallest population, starting
 21 July 1, 2016, and beginning each July 1 every three (3)
 22 years after July 1, 2016;
 23 (B) the county having the largest population, starting July
 24 1, 2017, and beginning each July 1 every three (3) years
 25 after July 1, 2017; and
 26 (C) the county having the second largest population,
 27 starting July 1, 2018, and beginning each July 1 every
 28 three (3) years after July 1, 2018;
- 29 (4) the executive of the most populous municipality in the
 30 county or the executive's designee of:
- 31 (A) the county having the largest population, starting July
 32 1, 2016, and beginning each July 1 every three (3) years
 33 after July 1, 2016;
 34 (B) the county having the second largest population,
 35 starting July 1, 2017, and beginning each July 1 every
 36 three (3) years after July 1, 2017; and
 37 (C) the county having the smallest population, starting
 38 July 1, 2018, and beginning each July 1 every three (3)
 39 years after July 1, 2018;
- 40 (5) one (1) judge having juvenile jurisdiction, appointed by the
 41 circuit court judge of:
- 42 (A) the county having the second largest population,



- 1 starting July 1, 2016, and beginning each July 1 every
- 2 three (3) years after July 1, 2016;
- 3 (B) the county having the smallest population, starting July
- 4 1, 2017, and beginning each July 1 every three (3) years
- 5 after July 1, 2017; and
- 6 (C) the county having the largest population, starting July
- 7 1, 2018, and beginning each July 1 every three (3) years
- 8 after July 1, 2018;
- 9 (6) one (1) public defender or the public defender's designee,
- 10 if available, or one (1) attorney with a substantial juvenile law
- 11 practice appointed by the county executive of:
- 12 (A) the county having the smallest population, starting
- 13 July 1, 2016, and beginning each July 1 every three (3)
- 14 years after July 1, 2016;
- 15 (B) the county having the largest population, starting July
- 16 1, 2017, and beginning each July 1 every three (3) years
- 17 after July 1, 2017; and
- 18 (C) the county having the second largest population,
- 19 starting July 1, 2018, and beginning each July 1 every
- 20 three (3) years after July 1, 2018; and
- 21 (7) the following members appointed by the county executive
- 22 of the county having the largest population, starting July 1,
- 23 2016, and beginning each July 1 every three (3) years after
- 24 July 1, 2016, by the county executive of the county having the
- 25 second largest population, starting July 1, 2017, and
- 26 beginning each July 1 every three (3) years after July 1, 2017,
- 27 and by the county executive of the county having the smallest
- 28 population, starting July 1, 2018, and beginning each July 1
- 29 every three (3) years after July 1, 2018:
- 30 (A) One (1) member of the county fiscal body or the
- 31 member's designee.
- 32 (B) One (1) probation officer.
- 33 (C) One (1) educational administrator.
- 34 (D) One (1) representative of a private correctional agency,
- 35 if such an agency exists in the county.
- 36 (E) One (1) mental health administrator, or, if there is
- 37 none available in the county, one (1) psychiatrist,
- 38 psychologist, or physician.
- 39 (F) Four (4) lay persons, at least one (1) of whom must be
- 40 a member of a minority race if a racial minority resides in
- 41 the county and a member of that minority is willing to
- 42 serve.



1 **(b) Designees of officials designated under subsection (a)(1)**
 2 **through (a)(4) and (a)(7)(A) serve at the pleasure of the designating**
 3 **official.**

4 **(c) The term of each member of a board described in this**
 5 **subsection is one (1) year.**

6 **Sec. 6. (a) In a judicial district that consists of four (4) counties,**
 7 **the juvenile community corrections advisory board consists of:**

8 **(1) the county sheriff or the sheriff's designee of:**

9 **(A) the county having the largest population, starting July**
 10 **1, 2016, and beginning each July 1 every four (4) years**
 11 **after July 1, 2016;**

12 **(B) the county having the second largest population,**
 13 **starting July 1, 2017, and beginning each July 1 every four**
 14 **(4) years after July 1, 2017;**

15 **(C) the county having the third largest population, starting**
 16 **July 1, 2018, and beginning each July 1 every four (4)**
 17 **years after July 1, 2018; and**

18 **(D) the county having the smallest population, starting**
 19 **July 1, 2019, and beginning each July 1 every four (4)**
 20 **years after July 1, 2019;**

21 **(2) the prosecuting attorney or the prosecuting attorney's**
 22 **designee of:**

23 **(A) the county having the second largest population,**
 24 **starting July 1, 2016, and beginning each July 1 every four**
 25 **(4) years after July 1, 2016;**

26 **(B) the county having the third largest population, starting**
 27 **July 1, 2017, and beginning each July 1 every four (4)**
 28 **years after July 1, 2017;**

29 **(C) the county having the smallest population, starting**
 30 **July 1, 2018, and beginning each July 1 every four (4)**
 31 **years after July 1, 2018; and**

32 **(D) the county having the largest population, starting July**
 33 **1, 2019, and beginning each July 1 every four (4) years**
 34 **after July 1, 2019;**

35 **(3) the director of the county office of the division of family**
 36 **resources or the director's designee of:**

37 **(A) the county having the third largest population, starting**
 38 **July 1, 2016, and beginning each July 1 every four (4)**
 39 **years after July 1, 2016;**

40 **(B) the county having the smallest population, starting July**
 41 **1, 2017, and beginning each July 1 every four (4) years**
 42 **after July 1, 2017;**



- 1 (C) the county having the largest population, starting July
2 1, 2018, and beginning each July 1 every four (4) years
3 after July 1, 2018; and
4 (D) the county having the second largest population,
5 starting July 1, 2019, and beginning each July 1 every four
6 (4) years after July 1, 2019;
7 (4) the executive of the most populous municipality in the
8 county or the executive's designee of:
9 (A) the county having the smallest population, starting
10 July 1, 2016, and beginning each July 1 every four (4)
11 years after July 1, 2016;
12 (B) the county having the largest population, starting July
13 1, 2017, and beginning each July 1 every four (4) years
14 after July 1, 2017;
15 (C) the county having the second largest population,
16 starting July 1, 2018, and beginning each July 1 every four
17 (4) years after July 1, 2018; and
18 (D) the county having the third largest population, starting
19 July 1, 2019, and beginning each July 1 every four (4)
20 years after July 1, 2019;
21 (5) one (1) judge having juvenile jurisdiction, appointed by the
22 circuit court judge of:
23 (A) the county having the largest population, starting July
24 1, 2016, and beginning each July 1 every four (4) years
25 after July 1, 2016;
26 (B) the county having the second largest population,
27 starting July 1, 2017, and beginning each July 1 every four
28 (4) years after July 1, 2017;
29 (C) the county having the third largest population, starting
30 July 1, 2018, and beginning each July 1 every four (4)
31 years after July 1, 2018; and
32 (D) the county having the smallest population, starting
33 July 1, 2019, and beginning each July 1 every four (4)
34 years after July 1, 2019;
35 (6) one (1) public defender or the public defender's designee,
36 if available, or one (1) attorney with a substantial juvenile law
37 practice appointed by the county executive of:
38 (A) the county having the second largest population,
39 starting July 1, 2016, and beginning each July 1 every four
40 (4) years after July 1, 2016;
41 (B) the county having the third largest population, starting
42 July 1, 2017, and beginning each July 1 every four (4)



- 1 years after July 1, 2017;
- 2 **(C) the county having the smallest population, starting**
- 3 **July 1, 2018, and beginning each July 1 every four (4)**
- 4 **years after July 1, 2018; and**
- 5 **(D) the county having the largest population, starting July**
- 6 **1, 2019, and beginning each July 1 every four (4) years**
- 7 **after July 1, 2019; and**
- 8 **(7) the following members appointed by the county executive**
- 9 **of the county having the largest population, starting July 1,**
- 10 **2016, and beginning each July 1 every four (4) years after**
- 11 **July 1, 2016, by the county executive of the county having the**
- 12 **second largest population, starting July 1, 2017, and**
- 13 **beginning each July 1 every four (4) years after July 1, 2017,**
- 14 **and by the county executive of the county having the third**
- 15 **largest population, starting July 1, 2018, and beginning each**
- 16 **July 1 every four (4) years after July 1, 2018, and by the**
- 17 **county executive of the county having the smallest population,**
- 18 **starting July 1, 2019, and every four (4) years after July 1,**
- 19 **2019:**
- 20 **(A) One (1) member of the county fiscal body or the**
- 21 **member's designee.**
- 22 **(B) One (1) probation officer.**
- 23 **(C) One (1) educational administrator.**
- 24 **(D) One (1) representative of a private correctional agency,**
- 25 **if such an agency exists in the county.**
- 26 **(E) One (1) mental health administrator, or, if there is**
- 27 **none available in the county, one (1) psychiatrist,**
- 28 **psychologist, or physician.**
- 29 **(F) Four (4) lay persons, at least one (1) of whom must be**
- 30 **a member of a minority race if a racial minority resides in**
- 31 **the county and a member of that minority is willing to**
- 32 **serve.**
- 33 **(b) Designees of officials designated under subsection (a)(1)**
- 34 **through (a)(4) and (a)(7)(A) serve at the pleasure of the designating**
- 35 **official.**
- 36 **(c) The term of each member of a board described in this section**
- 37 **is one (1) year.**
- 38 **Sec. 7. (a) In a judicial district that consists of five (5) counties,**
- 39 **the juvenile community corrections advisory board consists of:**
- 40 **(1) the county sheriff or the sheriff's designee of:**
- 41 **(A) the county having the largest population, starting July**
- 42 **1, 2016, and beginning each July 1 every five (5) years after**



- 1 **July 1, 2016;**
 2 **(B) the county having the second largest population,**
 3 **starting July 1, 2017, and beginning each July 1 every five**
 4 **(5) years after July 1, 2017;**
 5 **(C) the county having the third largest population, starting**
 6 **July 1, 2018, and beginning each July 1 every five (5) years**
 7 **after July 1, 2018;**
 8 **(D) the county having the fourth largest population,**
 9 **starting July 1, 2019, and beginning each July 1 every five**
 10 **(5) years after July 1, 2019; and**
 11 **(E) the county having the smallest population, starting July**
 12 **1, 2020, and beginning each July 1 every five (5) years after**
 13 **July 1, 2020;**
 14 **(2) the prosecuting attorney or the prosecuting attorney's**
 15 **designee of:**
 16 **(A) the county having the second largest population,**
 17 **starting July 1, 2016, and beginning each July 1 every five**
 18 **(5) years after July 1, 2016;**
 19 **(B) the county having the third largest population, starting**
 20 **July 1, 2017, and beginning each July 1 every five (5) years**
 21 **after July 1, 2017;**
 22 **(C) the county having the fourth largest population,**
 23 **starting July 1, 2018, and beginning each July 1 every five**
 24 **(5) years after July 1, 2018;**
 25 **(D) the county having the smallest population, starting**
 26 **July 1, 2019, and beginning each July 1 every five (5) years**
 27 **after July 1, 2019; and**
 28 **(E) the county having the largest population, starting July**
 29 **1, 2020, and beginning each July 1 every five (5) years after**
 30 **July 1, 2020;**
 31 **(3) the director of the county office of the division of family**
 32 **resources or the director's designee of:**
 33 **(A) the county having the third largest population, starting**
 34 **July 1, 2016, and beginning each July 1 every five (5) years**
 35 **after July 1, 2016;**
 36 **(B) the county having the fourth largest population,**
 37 **starting July 1, 2017, and beginning each July 1 every five**
 38 **(5) years after July 1, 2017;**
 39 **(C) the county having the smallest population, starting**
 40 **July 1, 2018, and beginning each July 1 every five (5) years**
 41 **after July 1, 2018;**
 42 **(D) the county having the largest population, starting July**



- 1 **1, 2019, and beginning each July 1 every five (5) years after**
 2 **July 1, 2019; and**
 3 **(E) the county having the second largest population,**
 4 **starting July 1, 2020, and beginning each July 1 every five**
 5 **(5) years after July 1, 2020;**
 6 **(4) the executive of the most populous municipality in the**
 7 **county or the executive's designee of:**
 8 **(A) the county having the fourth largest population,**
 9 **starting July 1, 2016, and beginning each July 1 every five**
 10 **(5) years after July 1, 2016;**
 11 **(B) the county having the smallest population, starting July**
 12 **1, 2017, and beginning each July 1 every five (5) years after**
 13 **July 1, 2017;**
 14 **(C) the county having the largest population, starting July**
 15 **1, 2018, and beginning each July 1 every five (5) years after**
 16 **July 1, 2018;**
 17 **(D) the county having the second largest population,**
 18 **starting July 1, 2019, and beginning each July 1 every five**
 19 **(5) years after July 1, 2019; and**
 20 **(E) the county having the third largest population, starting**
 21 **July 1, 2020, and beginning each July 1 every five (5) years**
 22 **after July 1, 2020;**
 23 **(5) one (1) judge having juvenile jurisdiction, appointed by the**
 24 **circuit court judge of:**
 25 **(A) the county having the smallest population, starting**
 26 **July 1, 2016, and beginning each July 1 every five (5) years**
 27 **after July 1, 2016;**
 28 **(B) the county having the largest population, starting July**
 29 **1, 2017, and beginning each July 1 every five (5) years after**
 30 **July 1, 2017;**
 31 **(C) the county having the second largest population,**
 32 **starting July 1, 2018, and beginning each July 1 every five**
 33 **(5) years after July 1, 2018;**
 34 **(D) the county having the third largest population, starting**
 35 **July 1, 2019, and beginning each July 1 every five (5) years**
 36 **after July 1, 2019; and**
 37 **(E) the county having the fourth largest population,**
 38 **starting July 1, 2020, and beginning each July 1 every five**
 39 **(5) years after July 1, 2020;**
 40 **(6) one (1) public defender or the public defender's designee,**
 41 **if available, or one (1) attorney with a substantial juvenile law**
 42 **practice appointed by the county executive of:**



- 1 (A) the county having the largest population, starting July
 2 1, 2016, and beginning each July 1 every five (5) years after
 3 July 1, 2016;
- 4 (B) the county having the second largest population,
 5 starting July 1, 2017, and beginning each July 1 every five
 6 (5) years after July 1, 2017;
- 7 (C) the county having the third largest population, starting
 8 July 1, 2018, and beginning each July 1 every five (5) years
 9 after July 1, 2018;
- 10 (D) the county having the fourth largest population,
 11 starting July 1, 2019, and beginning each July 1 every five
 12 (5) years after July 1, 2019; and
- 13 (E) the county having the smallest population, starting July
 14 1, 2020, and beginning each July 1 every five (5) years after
 15 July 1, 2020; and
- 16 (7) the following members appointed by the county executive
 17 of the county having the largest population, starting July 1,
 18 2016, and beginning each July 1 every five (5) years after July
 19 1, 2016, by the county executive of the county having the
 20 second largest population, starting July 1, 2017, and
 21 beginning each July 1 every five (5) years after July 1, 2017,
 22 and by the county executive of the county having the third
 23 largest population, starting July 1, 2018, and beginning each
 24 July 1 every five (5) years after July 1, 2018, and by the
 25 county executive of the county having the fourth largest
 26 population, starting July 1, 2019, and every five (5) years after
 27 July 1, 2019, and by the county executive of the county having
 28 the smallest population, starting July 1, 2020, and every five
 29 years after July 1, 2020:
- 30 (A) One (1) member of the county fiscal body or the
 31 member's designee.
- 32 (B) One (1) probation officer.
- 33 (C) One (1) educational administrator.
- 34 (D) One (1) representative of a private correctional agency,
 35 if such an agency exists in the county.
- 36 (E) One (1) mental health administrator, or, if there is
 37 none available in the county, one (1) psychiatrist,
 38 psychologist, or physician.
- 39 (F) Four (4) lay persons, at least one (1) of whom must be
 40 a member of a minority race if a racial minority resides in
 41 the county and a member of that minority is willing to
 42 serve.



1 **(b) Designees of officials designated under subsection (a)(1)**
 2 **through (a)(4) and (a)(7)(A) serve at the pleasure of the designating**
 3 **official.**

4 **(c) The term of each member of a board described in this section**
 5 **is one (1) year.**

6 **Sec. 8. (a) In a judicial district that consists of seven (7) counties,**
 7 **the juvenile community corrections advisory board consists of:**

8 **(1) the county sheriff or the sheriff's designee of:**

9 **(A) the county having the largest population, starting July**
 10 **1, 2016, and beginning each July 1 every seven (7) years**
 11 **after July 1, 2016;**

12 **(B) the county having the second largest population,**
 13 **starting July 1, 2017, and beginning each July 1 every**
 14 **seven (7) years after July 1, 2017;**

15 **(C) the county having the third largest population, starting**
 16 **July 1, 2018, and beginning each July 1 every seven (7)**
 17 **years after July 1, 2018;**

18 **(D) the county having the fourth largest population,**
 19 **starting July 1, 2019, and beginning each July 1 every**
 20 **seven (7) years after July 1, 2019;**

21 **(E) the county having the fifth largest population, starting**
 22 **July 1, 2020, and beginning each July 1 every seven (7)**
 23 **years after July 1, 2020;**

24 **(F) the county having the sixth largest population, starting**
 25 **July 1, 2021, and beginning each July 1 every seven (7)**
 26 **years after July 1, 2021; and**

27 **(G) the county having the smallest population, starting**
 28 **July 1, 2022, and beginning each July 1 every seven (7)**
 29 **years after July 1, 2022;**

30 **(2) the prosecuting attorney or the prosecuting attorney's**
 31 **designee of:**

32 **(A) the county having the second largest population,**
 33 **starting July 1, 2016, and beginning each July 1 every**
 34 **seven (7) years after July 1, 2016;**

35 **(B) the county having the third largest population, starting**
 36 **July 1, 2017, and beginning each July 1 every seven (7)**
 37 **years after July 1, 2017;**

38 **(C) the county having the fourth largest population,**
 39 **starting July 1, 2018, and beginning each July 1 every**
 40 **seven (7) years after July 1, 2018;**

41 **(D) the county having the fifth largest population, starting**
 42 **July 1, 2019, and beginning each July 1 every seven (7)**



- 1 years after July 1, 2019;
 2 (E) the county having the sixth largest population, starting
 3 July 1, 2020, and beginning each July 1 every seven (7)
 4 years after July 1, 2020;
 5 (F) the county having the smallest population, starting July
 6 1, 2021, and beginning each July 1 every seven (7) years
 7 after July 1, 2021; and
 8 (G) the county having the largest population, starting July
 9 1, 2022, and beginning each July 1 every seven (7) years
 10 after July 1, 2022;
 11 (3) the director of the county office of the division of family
 12 resources or the director's designee of:
 13 (A) the county having the third largest population, starting
 14 July 1, 2016, and beginning each July 1 every seven (7)
 15 years after July 1, 2016;
 16 (B) the county having the fourth largest population,
 17 starting July 1, 2017, and beginning each July 1 every
 18 seven (7) years after July 1, 2017;
 19 (C) the county having the fifth largest population, starting
 20 July 1, 2018, and beginning each July 1 every seven (7)
 21 years after July 1, 2018;
 22 (D) the county having the sixth largest population, starting
 23 July 1, 2019, and beginning each July 1 every seven (7)
 24 years after July 1, 2019;
 25 (E) the county having the smallest population, starting July
 26 1, 2020, and beginning each July 1 every seven (7) years
 27 after July 1, 2020;
 28 (F) the county having the largest population, starting July
 29 1, 2021, and beginning each July 1 every seven (7) years
 30 after July 1, 2021; and
 31 (G) the county having the second largest population,
 32 starting July 1, 2022, and beginning each July 1 every
 33 seven (7) years after July 1, 2022;
 34 (4) the executive of the most populous municipality in the
 35 county or the executive's designee of:
 36 (A) the county having the fourth largest population,
 37 starting July 1, 2016, and beginning each July 1 every
 38 seven (7) years after July 1, 2016;
 39 (B) the county having the fifth largest population, starting
 40 July 1, 2017, and beginning each July 1 every seven (7)
 41 years after July 1, 2017;
 42 (C) the county having the sixth largest population, starting



- 1 **July 1, 2018, and beginning each July 1 every seven (7)**
2 **years after July 1, 2018;**
3 **(D) the county having the smallest population, starting**
4 **July 1, 2019, and beginning each July 1 every seven (7)**
5 **years after July 1, 2019;**
6 **(E) the county having the largest population, starting July**
7 **1, 2020, and beginning each July 1 every seven (7) years**
8 **after July 1, 2020;**
9 **(F) the county having the second largest population,**
10 **starting July 1, 2021, and beginning each July 1 every**
11 **seven (7) years after July 1, 2021; and**
12 **(G) the county having the third largest population, starting**
13 **July 1, 2022, and beginning each July 1 every seven (7)**
14 **years after July 1, 2022;**
15 **(5) one (1) judge having juvenile jurisdiction, appointed by the**
16 **circuit court judge of:**
17 **(A) the county having the fifth largest population, starting**
18 **July 1, 2016, and beginning each July 1 every seven (7)**
19 **years after July 1, 2016;**
20 **(B) the county having the sixth largest population, starting**
21 **July 1, 2017, and beginning each July 1 every seven (7)**
22 **years after July 1, 2017;**
23 **(C) the county having the smallest population, starting**
24 **July 1, 2018, and beginning each July 1 every seven (7)**
25 **years after July 1, 2018;**
26 **(D) the county having the largest population, starting July**
27 **1, 2019, and beginning each July 1 every seven (7) years**
28 **after July 1, 2019;**
29 **(E) the county having the second largest population,**
30 **starting July 1, 2020, and beginning each July 1 every**
31 **seven (7) years after July 1, 2020;**
32 **(F) the county having the third largest population, starting**
33 **July 1, 2021, and beginning each July 1 every seven (7)**
34 **years after July 1, 2021; and**
35 **(G) the county having the fourth largest population,**
36 **starting July 1, 2022, and beginning each July 1 every**
37 **seven (7) years after July 1, 2022;**
38 **(6) one (1) public defender or the public defender's designee,**
39 **if available, or one (1) attorney with a substantial juvenile law**
40 **practice appointed by the county executive of:**
41 **(A) the county having the sixth largest population, starting**
42 **July 1, 2016, and beginning each July 1 every seven (7)**



- 1 years after July 1, 2016;
- 2 **(B) the county having the smallest population, starting July**
- 3 **1, 2017, and beginning each July 1 every seven (7) years**
- 4 **after July 1, 2017;**
- 5 **(C) the county having the largest population, starting July**
- 6 **1, 2018, and beginning each July 1 every seven (7) years**
- 7 **after July 1, 2018;**
- 8 **(D) the county having the second largest population,**
- 9 **starting July 1, 2019, and beginning each July 1 every**
- 10 **seven (7) years after July 1, 2019;**
- 11 **(E) the county having the third largest population, starting**
- 12 **July 1, 2020, and beginning each July 1 every seven (7)**
- 13 **years after July 1, 2020;**
- 14 **(F) the county having the fourth largest population,**
- 15 **starting July 1, 2021, and beginning each July 1 every**
- 16 **seven (7) years after July 1, 2021; and**
- 17 **(G) the county having the fifth largest population, starting**
- 18 **July 1, 2022, and beginning each July 1 every seven (7)**
- 19 **years after July 1, 2022; and**
- 20 **(7) the following members appointed by the county executive**
- 21 **of the county having the largest population, starting July 1,**
- 22 **2016, and beginning each July 1 every seven (7) years after**
- 23 **July 1, 2016, the county having the second largest population,**
- 24 **starting July 1, 2017, and beginning each July 1 every seven**
- 25 **(7) years after July 1, 2017, the county having the third**
- 26 **largest population, starting July 1, 2018, and beginning each**
- 27 **July 1 every seven (7) years after July 1, 2018, the county**
- 28 **having the fourth largest population, starting July 1, 2019,**
- 29 **and beginning each July 1 every seven (7) years after July 1,**
- 30 **2019, the county have the fifth largest population, starting**
- 31 **July 1, 2020, and beginning each July 1 every seven (7) years**
- 32 **after July 1, 2020, the county having the sixth largest**
- 33 **population, starting July 1, 2021, and beginning each July 1**
- 34 **every seven (7) years after July 1, 2021, and the county having**
- 35 **the smallest population, starting July 1, 2022, and beginning**
- 36 **each July 1 every seven (7) years after July 1, 2022:**
- 37 **(A) One (1) member of the county fiscal body or the**
- 38 **member's designee.**
- 39 **(B) One (1) probation officer.**
- 40 **(C) One (1) educational administrator.**
- 41 **(D) One (1) representative of a private correctional agency,**
- 42 **if such an agency exists in the county.**



1 (E) One (1) mental health administrator, or, if there is
 2 none available in the county, one (1) psychiatrist,
 3 psychologist, or physician.

4 (F) Four (4) lay persons, at least one (1) of whom must be
 5 a member of a minority race if a racial minority resides in
 6 the county and a member of that minority is willing to
 7 serve.

8 (b) Designees of officials designated under subsection (a)(1)
 9 through (a)(4) and (a)(7)(A) serve at the pleasure of the designating
 10 official.

11 (c) The term of each member of a board described in this section
 12 is one (1) year.

13 Sec. 9. The members of a juvenile community corrections
 14 advisory board shall, within thirty (30) days after the last initial
 15 appointment is made, meet and elect one (1) member as chairman
 16 and another as vice chairman and appoint a secretary-treasurer
 17 who need not be a member. A majority of the members of a
 18 community corrections advisory board may provide for a number
 19 of members that is:

20 (1) less than a majority of the members; and

21 (2) at least six (6);

22 to constitute a quorum for purposes of transacting business. The
 23 affirmative votes of at least five (5) members, but not less than a
 24 majority of the members present, are required for the board to
 25 take action. A vacancy in the membership does not impair the right
 26 of a quorum to transact business.

27 Sec. 10. The county executives and county fiscal bodies may
 28 provide assistance and appropriations to the juvenile community
 29 corrections advisory board established for that judicial district.

30 Sec. 11. (a) Each juvenile community corrections advisory
 31 board:

32 (1) shall develop and implement innovative juvenile justice
 33 programs, including juvenile probation for the county or
 34 counties within their judicial district;

35 (2) may apply to the commissioner for grants to fund
 36 innovative juvenile justice programs for the county or
 37 counties within their judicial district;

38 (3) shall identify, observe, and coordinate juvenile community
 39 corrections programs in the county or counties within their
 40 judicial district; and

41 (4) recommend to the county executive, county executives, or,
 42 in a county having a consolidated city, to the city-county



1 council, the approval or disapproval of contracts with units of
 2 local government or nongovernmental agencies in the judicial
 3 district that desire to participate in juvenile community
 4 corrections.

5 (b) A juvenile community corrections advisory board shall do
 6 the following:

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

8 (2) Hold a regular meeting at least:

9 (A) once a month, from July 1, 2016, to June 30, 2018; and

10 (B) one (1) time every three (3) months and at other times
 11 as needed to conduct all necessary business, after June 30,
 12 2018. Dates of regular meetings shall be established at the
 13 first meeting of each year.

14 (3) Comply with the public meeting and notice requirements
 15 under IC 5-14-1.5.

16 Sec. 12. A juvenile community corrections advisory board shall
 17 appoint a director of the juvenile community corrections program,
 18 who may be a member of the advisory board. A director may be
 19 removed for cause by a majority vote of the juvenile community
 20 corrections advisory board.

21 Sec. 13. A juvenile community corrections advisory board
 22 seeking financial aid under this chapter must apply to the
 23 commissioner in a manner and form prescribed by the
 24 commissioner. If the application is for a juvenile community
 25 corrections program, the application must include a juvenile
 26 community corrections plan that has been approved by the juvenile
 27 community corrections board and each county executive or, in a
 28 county having a consolidated city, by the city-county council. If the
 29 application is for a court supervised recidivism reduction program,
 30 the application must include information required by the
 31 department. A county may not receive financial aid until its
 32 application is approved by the commissioner.

