

- 1- As it relates to many of the issues that we discussed in the previous meeting, we feel we can make good progress by working directly with Director Carter and the DOC.
- 2- We have found two instruments used by other states in determining their per diem rates that we believe may give us a better handle on the issue of what is an appropriate amount. It is based on real, detailed data using actual dollars in and out.
- 3- We have gotten responses back from all of the 91 counties who have jails as it relates to the requested jail data. That information should be available to you from the court research/technology group.
- 4- Some of the points are interesting and show that much of the intent of 1006 is working. Point 5 on page 11 re-iterates the concern often expressed by many of us and Mr. Steuerwald- people are spending too much time in county jails in a pre-trial status. If you look specifically at the amount of time the average pre-trial F6 person spends in jail, you will see that very often it is close to or even equal to their given sentence. If the people are allowed to count the pre-trial days as time served they are often released directly from jail with no billable DOC days. There is no mechanism to bill for them.
- 5- Trial rule 26, the state pre-trial initiative, and the EBDM groups have prioritized the pre-trial issue and more data will come forth as those pilots move into a risk based system, away from money bail.
- 6- Many of the F6 sentenced felons have committed F4/5 offenses. The plea process gets them convicted on F6 felonies so they serve time in the county jail instead of prison. Again, this is changing the “flavor” of the county jails and ultimately making them more staff intensive and dangerous. We were not built to be mini-prisons. Removing barriers in the entire process are key to making the changes work. This would include direct billing between the holding Sheriffs and the DOC, a stream lined process for medical and other billing processes, along with a reasonable per diem rate.
- 7- We don’t believe that locally run, regional jails are the answer and Director Luce can speak to the issues faced by Virginia where this system is the norm. We feel that that a system of state run, regional treatment options that allow LE to divert people out of the criminal justice system, would work best. Ultimately if we are able to divert many of these people out of the CJ system, we should be able to utilize the DOC more effectively under the safe keeper statutes for the seriously mentally ill criminal population that we are not equipped to care for at the local level.
- 8- To qualify the remarks made by director Luce, we are not proposing that we build regional *in-custody* treatment centers that would simply be another jail. Our thought is that Indiana should have regional facilities that prioritize treatment to keep these people OUT of the criminal justice system. We are happy to work with the key stakeholders across the state to identify how this might look, but Sheriffs should not be the largest providers of mental health and addiction services for our at risk citizens.

Presented by Hendricks County Sheriff Brett Clark

Indiana Sheriffs’ Association

September 19, 2017