

SENATE BILL No. 212

DIGEST OF INTRODUCED BILL

Citations Affected: IC 5-2-6-3; IC 33-39-11.

Synopsis: Witness protection pilot programs. Authorizes the establishment of a three year witness protection pilot program in Marion County and in Vanderburgh County to provide protection for victims of and witnesses to crime. Appropriates \$200,000 in each of three fiscal years to the criminal justice institute to fund the pilot programs. Makes a conforming amendment.

Effective: July 1, 2023.

Breaux

January 10, 2023, read first time and referred to Committee on Judiciary.



First Regular Session of the 123rd General Assembly (2023)

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 2022 Regular Session of the General Assembly.

SENATE BILL No. 212

A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers and to make an appropriation.

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

- 1 SECTION 1. IC 5-2-6-3, AS AMENDED BY P.L.101-2022,
- 2 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 3 JULY 1, 2023]: Sec. 3. The institute is established to do the following:
- 4 (1) Evaluate state and local programs associated with:
- 5 (A) the prevention, detection, and solution of criminal
- 6 offenses;
- 7 (B) law enforcement; and
- 8 (C) the administration of criminal and juvenile justice.
- 9 (2) Participate in statewide collaborative efforts to improve all
- 10 aspects of law enforcement, juvenile justice, and criminal justice
- 11 in this state.
- 12 (3) Stimulate criminal and juvenile justice research.
- 13 (4) Develop new methods for the prevention and reduction of
- 14 crime.
- 15 (5) Prepare applications for funds under the Omnibus Act and the
- 16 Juvenile Justice Act.
- 17 (6) Administer victim and witness assistance funds.



- 1 (7) Administer the traffic safety functions assigned to the institute
2 under IC 9-27-2.
- 3 (8) Compile and analyze information and disseminate the
4 information to persons who make criminal justice decisions in this
5 state.
- 6 (9) Serve as the criminal justice statistical analysis center for this
7 state.
- 8 (10) Identify grants and other funds that can be used by the
9 department of correction to carry out its responsibilities
10 concerning sex or violent offender registration under IC 11-8-8.
- 11 (11) Administer the application and approval process for
12 designating an area of a consolidated or second class city as a
13 public safety improvement area under IC 36-8-19.5.
- 14 (12) Administer funds for the support of any sexual offense
15 services.
- 16 (13) Administer funds for the support of domestic violence
17 programs.
- 18 (14) Administer funds to support assistance to victims of human
19 sexual trafficking offenses as provided in IC 35-42-3.5-4.
- 20 (15) Administer the domestic violence prevention and treatment
21 fund under IC 5-2-6.7.
- 22 (16) Administer the family violence and victim assistance fund
23 under IC 5-2-6.8.
- 24 (17) Monitor and evaluate criminal code reform under
25 IC 5-2-6-24.
- 26 (18) Administer the ignition interlock inspection account
27 established under IC 9-30-8-7.
- 28 (19) Identify any federal, state, or local grants that can be used to
29 assist in the funding and operation of regional holding facilities
30 under IC 11-12-6.5.
- 31 (20) Coordinate with state and local criminal justice agencies for
32 the collection and transfer of data from sheriffs concerning jail:
33 (A) populations; and
34 (B) statistics;
35 for the purpose of providing jail data to the management
36 performance hub established by IC 4-3-26-8.
- 37 (21) Establish and administer the Indiana crime guns task force
38 fund under IC 36-8-25.5-8.
- 39 (22) Establish and administer:
40 (A) the juvenile diversion and community alternatives grant
41 program fund under IC 31-40-5; and
42 (B) the juvenile behavioral health competitive grant pilot



1 program fund under IC 31-40-6.

2 **(23) Provide funding and additional grants to a witness**
 3 **protection pilot program under IC 33-39-11. This subdivision**
 4 **expires July 1, 2026.**

5 SECTION 2. IC 33-39-11 IS ADDED TO THE INDIANA CODE
 6 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
 7 JULY 1, 2023]:

8 **Chapter 11. Witness Protection Pilot Programs**

9 **Sec. 1. As used in this chapter, "pilot program" means a witness**
 10 **protection pilot program established under section 2 of this**
 11 **chapter.**

12 **Sec. 2. The prosecuting attorneys of:**

- 13 **(1) Vanderburgh County; and**
 14 **(2) Marion County;**

15 **may each establish a three (3) year witness protection pilot**
 16 **program to provide protection for victims of and witnesses to**
 17 **crime, with particular emphasis on gang related crimes and crimes**
 18 **of domestic violence.**

19 **Sec. 3. A pilot program established under this chapter may be**
 20 **funded by:**

- 21 **(1) funds and other grants from the Indiana criminal justice**
 22 **institute;**
 23 **(2) gifts and donations; and**
 24 **(3) any other available source of funding.**

25 **Sec. 4. A pilot program established under this chapter may**
 26 **provide:**

- 27 **(1) physical protection;**
 28 **(2) threat intelligence gathering and analysis;**
 29 **(3) witness and victim assistance programs, in collaboration**
 30 **with appropriate community based advocacy agencies,**
 31 **including:**
 32 **(A) treatment;**
 33 **(B) counseling;**
 34 **(C) continuing education;**
 35 **(D) career counseling; and**
 36 **(E) life skills training;**
 37 **(4) relocation services, including temporary and transitional**
 38 **housing and transportation and storage of personal**
 39 **possessions;**
 40 **(5) appropriate identification documents; and**
 41 **(6) other services as necessary and approved by the**
 42 **prosecuting attorney.**



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Sec. 5. The Indiana criminal justice institute:

(1) shall provide funding to each pilot program established under this chapter from money appropriated to the institute for that purpose; and

(2) may provide additional grants to the pilot programs.

Funding provided under subdivision (1) must be equally distributed between Marion County and Vanderburgh County.

Sec. 6. This chapter expires July 1, 2026.

SECTION 3. [EFFECTIVE JULY 1, 2023] (a) The following funds are appropriated to the Indiana criminal justice institute from the state general fund for its use in funding the witness protection pilot programs established under IC 33-39-11-2, as added by this act:

(1) Two hundred thousand dollars (\$200,000) for the state fiscal year beginning July 1, 2023, and ending June 30, 2024.

(2) Two hundred thousand dollars (\$200,000) for the state fiscal year beginning July 1, 2024, and ending June 30, 2025.

(3) Two hundred thousand dollars (\$200,000) for the state fiscal year beginning July 1, 2025, and ending June 30, 2026.

(b) The appropriations described in subsection (a) must be equally distributed between the witness protection pilot program in Marion County and the witness protection pilot program in Vanderburgh County.

(c) This SECTION expires July 1, 2026.

