

MONROE COUNTY COMMUNITY CORRECTIONS PROGRAM

FORENSIC DIVERSION PLAN

**Submitted by
Monroe County Community Corrections Advisory Board**

Approved January 27, 2020

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SECTION I COMMUNITY CORRECTIONS ADVISORY BOARD DUTY TO DEVELOP A FORENSIC DIVERSION PLAN

Pursuant to IC 11-12-3.7-7 (a), an advisory board shall develop a forensic diversion plan.

IC 11-12-3.7-7 Advisory board's duty to develop a plan

- (a) An advisory board shall develop a forensic diversion plan to provide an adult who:
- (1) has an intellectual disability, a developmental disability, an autism spectrum disorder, a mental illness, an addictive disorder, or a combination of those conditions; and
 - (2) has been charged with a crime that is not a violent crime;
- an opportunity, pre-conviction or post-conviction, to receive community treatment and other services addressing intellectual disabilities, developmental disabilities, autism spectrum disorders, mental health, and addictions instead of or in addition to incarceration.
- (b) The forensic diversion plan may include any combination of the following program components:
- (1) Pre-conviction diversion for adults with mental illness.
 - (2) Pre-conviction diversion for adults with addictive disorders.
 - (3) Pre-conviction diversion for adults with developmental disabilities.
 - (4) Pre-conviction diversion for adults with intellectual disabilities.
 - (5) Pre-conviction diversion for individuals with an autism spectrum disorder.
 - (6) Post-conviction diversion for adults with mental illness.
 - (7) Post-conviction diversion for adults with addictive disorders.
 - (8) Post-conviction diversion for adults with intellectual disabilities.
 - (9) Post-conviction diversion for adults with developmental disabilities.
 - (10) Post-conviction diversion for individuals with an autism spectrum disorder.
- (c) In developing a plan, the advisory board must consider the ability of existing programs and resources within the community, including:
- (1) a problem solving court established under [IC 33-23-16](#);
 - (2) a court alcohol and drug program certified under [IC 12-23-14-13](#);
 - (3) treatment providers certified by the division of mental health and addiction under [IC 12-23-1-6](#) or [IC 12-21-2-3\(5\)](#);
- and
- (4) other public and private agencies.
- (d) Development of a forensic diversion program plan under this chapter or [IC 11-12-2-3](#) does not require implementation of a forensic diversion program.
- (e) The advisory board may:
- (1) operate the program;
 - (2) contract with existing public or private agencies to operate one (1) or more components of the program; or
 - (3) take any combination of actions under subdivisions (1) or (2).
- (f) Any treatment services provided under the forensic diversion program:
- (1) for addictions must be provided by an entity that is certified by the division of mental health and addiction under [IC 12-23-1-6](#); or
 - (2) for mental health must be provided by an entity that is:
 - (A) certified by the division of mental health and addiction under [IC 12-21-2-3\(5\)](#);
 - (B) accredited by an accrediting body approved by the division of mental health and addiction; or
 - (C) licensed to provide mental health services under [IC 25](#). (2015)

SECTION II

FORENSIC DIVERSION PLAN STATUTORY REQUIREMENTS

A. FORENSIC DIVERSION PLAN DEFINITIONS

1. **"Addictive disorder" (IC 11-12-3.7-1).** As used in this chapter, "addictive disorder" means a diagnosable chronic substance use disorder of sufficient duration to meet diagnostic criteria within the most recent edition of the Diagnostic and Statistical Manual of Mental Disorders published by the American Psychiatric Association. (2004)
2. **"Advisory board" (IC 11-12-3.7-2).** As used in this chapter, "advisory board" means a:
 - (1) community corrections advisory board, if there is one in the county; or
 - (2) forensic diversion program advisory board, if there is not a community corrections advisory board in the county. (2004)
3. **"Autism spectrum disorder" (IC 11-12-3.7-2.5).** As used in this chapter, "autism spectrum disorder" has the meaning set forth in the most recent edition of the American Psychiatric Association's Diagnostic and Statistical Manual of Mental Disorders. (2015)
4. **"Developmental disability" (IC 11-12-3.7-2.8).** As used in this chapter, "developmental disability" has the meaning set forth in [IC 12-7-2-61](#). (2015)
5. **"Drug dealing offense" (IC 11-12-3.7-3).** As used in this chapter, "drug dealing offense" means one (1) or more of the following offenses:
 - (1) Dealing in cocaine or a narcotic drug ([IC 35-48-4-1](#)), unless the person received only minimal consideration as a result of the drug transaction.
 - (2) Dealing in methamphetamine ([IC 35-48-4-1.1](#)), unless the person received only minimal consideration as a result of the drug transaction.
 - (3) Dealing in a schedule I, II, III, IV, or V controlled substance ([IC 35-48-4-2](#) through [IC 35-48-4-4](#)), unless the person received only minimal consideration as a result of the drug transaction.
 - (4) Dealing in marijuana, hash oil, hashish, salvia, or a synthetic cannabinoid ([IC 35-48-4-10](#)), unless the person received only minimal consideration as a result of the drug transaction. (2011)
6. **"Forensic diversion program" (IC 11-12-3.7-4).** As used in this chapter, "forensic diversion program" means a program designed to provide an adult:
 - (1) who has an intellectual disability, an autism spectrum disorder, a mental illness, an addictive disorder, or a combination of those conditions; and
 - (2) who has been charged with a crime that is not a violent offense;an opportunity to receive community treatment addressing mental health and addiction and other services instead of or in addition to incarceration. (2015)
7. **"Mental illness" (IC 11-12-3.7-5).** As used in this chapter, "mental illness" means a psychiatric disorder that is of sufficient duration to meet diagnostic criteria within the most recent edition of the Diagnostic and Statistical Manual of Mental Disorders published by the American Psychiatric Association. (2004)

8. **"Violent offense" (IC 11-12-3.7-6).** As used in this chapter, "violent offense" means one (1) or more of the following offenses:
- (1) Murder ([IC 35-42-1-1](#)).
 - (2) Attempted murder ([IC 35-41-5-1](#)).
 - (3) Voluntary manslaughter ([IC 35-42-1-3](#)).
 - (4) Involuntary manslaughter ([IC 35-42-1-4](#)).
 - (5) Reckless homicide ([IC 35-42-1-5](#)).
 - (6) Aggravated battery ([IC 35-42-2-1.5](#)).
 - (7) Battery ([IC 35-42-2-1](#)) as a:
 - (A) Class A felony, Class B felony, or Class C felony (for a crime committed before July 1, 2014); or
 - (B) Level 2 felony, Level 3 felony, or Level 5 felony (for a crime committed after June 30, 2014).
 - (8) Kidnapping ([IC 35-42-3-2](#)).
 - (9) A sex crime listed in [IC 35-42-4-1](#) through [IC 35-42-4-8](#) that is a:
 - (A) Class A felony, Class B felony, or Class C felony (for a crime committed before July 1, 2014); or
 - (B) Level 1 felony, Level 2 felony, Level 3 felony, Level 4 felony, or Level 5 felony (for a crime committed after June 30, 2014).
 - (10) Sexual misconduct with a minor ([IC 35-42-4-9](#)) as a:
 - (A) Class A felony or Class B felony (for a crime committed before July 1, 2014); or
 - (B) Level 1 felony, Level 2 felony, or Level 4 felony (for a crime committed after June 30, 2014).
 - (11) Incest ([IC 35-46-1-3](#)).
 - (12) Robbery ([IC 35-42-5-1](#)) as a:
 - (A) Class A felony or a Class B felony (for a crime committed before July 1, 2014); or
 - (B) Level 2 felony or Level 3 felony (for a crime committed after June 30, 2014).
 - (13) Burglary ([IC 35-43-2-1](#)) as a:
 - (A) Class A felony or a Class B felony (for a crime committed before July 1, 2014); or
 - (B) Level 1 felony, Level 2 felony, Level 3 felony, or Level 4 felony (for a crime committed after June 30, 2014).
 - (14) Carjacking ([IC 35-42-5-2](#)) (repealed).
 - (15) Assisting a criminal ([IC 35-44.1-2-5](#)) as a:
 - (A) Class C felony (for a crime committed before July 1, 2014); or
 - (B) Level 5 felony (for a crime committed after June 30, 2014).
 - (16) Escape ([IC 35-44.1-3-4](#)) as a:
 - (A) Class B felony or Class C felony (for a crime committed before July 1, 2014); or
 - (B) Level 4 felony or Level 5 felony (for a crime committed after June 30, 2014).
 - (17) Trafficking with an inmate ([IC 35-44.1-3-5](#)) as a:
 - (A) Class C felony (for a crime committed before July 1, 2014); or
 - (B) Level 5 felony (for a crime committed after June 30, 2014).
 - (18) Causing death or catastrophic injury when operating a vehicle ([IC 9-30-5-5](#)).
 - (19) Criminal confinement ([IC 35-42-3-3](#)) as a:
 - (A) Class B felony (for a crime committed before July 1, 2014); or
 - (B) Level 3 felony (for a crime committed after June 30, 2014).
 - (20) Arson ([IC 35-43-1-1](#)) as a:
 - (A) Class A or Class B felony (for a crime committed before July 1, 2014); or
 - (B) Level 2, Level 3, or Level 4 felony (for a crime committed after June 30, 2014).
 - (21) Possession, use, or manufacture of a weapon of mass destruction ([IC 35-46.5-2-1](#)) (or [IC 35-47-12-1](#) before its repeal).
 - (22) Terroristic mischief ([IC 35-46.5-2-3](#)) (or [IC 35-47-12-3](#) before its repeal) as a:
 - (A) Class B felony (for a crime committed before July 1, 2014); or
 - (B) Level 4 felony (for a crime committed after June 30, 2014).
 - (23) Hijacking or disrupting an aircraft ([IC 35-47-6-1.6](#)).
 - (24) A violation of [IC 35-47.5](#) (controlled explosives) as a:
 - (A) Class A or Class B felony (for a crime committed before July 1, 2014); or
 - (B) Level 2 or Level 4 felony (for a crime committed after June 30, 2014).
 - (25) Domestic battery ([IC 35-42-2-1.3](#)) as a Level 2 felony, Level 3 felony, or Level 5 felony.
 - (26) A crime under the laws of another jurisdiction, including a military court, that is substantially similar to any of the offenses listed in this subdivision.
 - (27) Any other crimes evidencing a propensity or history of violence. (2019)

B. FORENSIC DIVERSION PLAN COMPONENTS

Pursuant to IC 11-12-3.7-7 (b), a forensic diversion plan may include any combination of the following program components:

1. Pre-conviction diversion for adults with mental illness.
2. Pre-conviction diversion for adults with addictive disorders.
3. Pre-conviction diversion for adults with developmental disabilities.
4. Pre-conviction diversion for adults with intellectual disabilities.
5. Pre-conviction diversion for individuals with an autism spectrum disorder.
6. Post-conviction diversion for adults with mental illness.
7. Post-conviction diversion for adults with addictive disorders.
8. Post-conviction diversion for adults with intellectual disabilities.
9. Post-conviction diversion for adults with developmental disabilities.
10. Post-conviction diversion for individuals with an autism spectrum disorder.

C. FORENSIC DIVERSION PLAN CONSIDERATIONS

Pursuant to IC 11-12-3.7-7 (c), in developing a plan, the advisory board must consider the ability of existing programs and resources within the community, including:

1. a problem solving court established under [IC 33-23-16](#);
2. a court alcohol and drug program certified under [IC 12-23-14-13](#);
3. treatment providers certified by the division of mental health and addiction under [IC 12-23-1-6](#) or [IC 12-21-2-3\(5\)](#); and
4. other public and private agencies.

D. FORENSIC DIVERSION PLAN IMPLEMENTATION

Pursuant to IC 11-12-3.7-7 (d), development of a forensic diversion program plan does not require implementation of a forensic diversion program.

Pursuant to IC 11-12-3.7-7 (e), the advisory board may:

1. operate the program;
2. contract with existing public or private agencies to operate one (1) or more components of the program; or
3. take any combination of actions under subdivisions (1) or (2).

E. TREATMENT SERVICES REQUIREMENTS

Pursuant to IC 11-12-3.7-7 (f), any treatment services provided under the forensic diversion program:

1. for addictions must be provided by an entity that is certified by the division of mental health and addiction under [IC 12-23-1-6](#); or
2. for mental health must be provided by an entity that is:
 - a. certified by the division of mental health and addiction under [IC 12-21-2-3\(5\)](#);
 - b. accredited by an accrediting body approved by the division of mental health and addiction; or
 - c. licensed to provide mental health services under [IC 25](#). (2015)

F. MENTAL HEALTH AND ADDICTION FORENSIC TREATMENT SERVICES (IC 11-12-3.8)

1. **"Mental health and addiction forensic treatment services" (IC 11-12-3.8-1).** As used in this chapter, "mental health and addiction forensic treatment services" means evidence based treatment and recovery wraparound support services provided to individuals who have entered the criminal justice system as a felon or with a prior felony conviction. The term includes:
 - (1) mental health and substance abuse treatment assessments;
 - (2) vocational services;
 - (3) housing assistance;
 - (4) community support services;
 - (5) care coordination; and
 - (6) transportation assistance. (2015)

2. **"Substance abuse treatment" (IC 11-12-3.8-1.5).** For purposes of this chapter, "substance abuse treatment" may include:
 - (1) addiction counseling;
 - (2) inpatient detoxification; and
 - (3) medication assisted treatment, including a federal Food and Drug Administration approved long acting, nonaddictive medication for the treatment of opioid or alcohol dependence. (2015)

3. **Eligibility (IC 11-12-3.8-2).** An individual is eligible for mental health and addiction forensic treatment services if the individual:
 - (1) is a member of a household with an annual income that does not exceed two hundred percent (200%) of the federal income poverty level;
 - (2) is a resident of Indiana;
 - (3) is at least eighteen (18) years of age; and
 - (4) has entered the criminal justice system as a felon or with a prior felony conviction. (2014)

G. REQUEST FOR TREATMENT; TOLLING OF SPEEDY TRIAL PERIOD (IC 11-12-3.7-8)

- (a) An individual may request treatment under this chapter or the court may order an evaluation of the individual to determine if the individual is an appropriate candidate for forensic diversion.
- (b) A request for treatment or an order for an evaluation under this chapter tolls the running of the speedy trial time period until the court has made a determination of eligibility for the program under this section. (2004)

I. PERIODIC PROGRESS REPORT; COURT ORDER REQUIRED FOR RELEASE FROM PROGRAM IC 11-12-3.7-9

- (a) A court shall be provided with periodic progress reports on an individual who is ordered by the court to undergo treatment in a forensic diversion program.
- (b) A participant may not be released from a forensic diversion program without a court order. The court must consider the recommendation of the forensic diversion program before ordering a participant's release. (2004)

SECTION III

PRE-CONVICTION FORENSIC DIVERSION PROGRAM

A. ELIGIBILITY FOR PRE-CONVICTION FORENSIC DIVERSION

Pursuant to IC 11-12-3.7-11 (a), a person is eligible to participate in a pre-conviction forensic diversion program only if the person meets the following criteria:

1. The person has an intellectual disability, a developmental disability, an autism spectrum disorder, a mental illness, an addictive disorder, or a combination of those conditions.
2. The person has been charged with an offense that is:
 - a. not a violent offense; and
 - b. a Class A, B, or C misdemeanor, or a Level 6 felony that may be reduced to a Class A misdemeanor in accordance with [IC 35-50-2-7](#).
3. The person does not have a conviction for a violent offense in the previous ten (10) years.
4. The court has determined that the person is an appropriate candidate to participate in a pre-conviction forensic diversion program.
5. The person has been accepted into a pre-conviction forensic diversion program. (2015)

B. ADVISEMENTS

Pursuant to IC 11-12-3.7-11 (b), before an eligible person is permitted to participate in a pre-conviction forensic diversion program, the court shall advise the person of the following:

1. Before the individual is permitted to participate in the program, the individual will be required to enter a guilty plea to the offense with which the individual has been charged.
2. The court will stay entry of the judgment of conviction during the time in which the individual is successfully participating in the program. If the individual stops successfully participating in the program, or does not successfully complete the program, the court will lift its stay, enter a judgment of conviction, and sentence the individual accordingly.
3. If the individual participates in the program, the individual may be required to remain in the program for a period not to exceed three (3) years.
4. During treatment the individual may be confined in an institution, be released for treatment in the community, receive supervised aftercare in the community, or may be required to receive a combination of these alternatives. Programs for addictive disorders may include:
 - a. addiction counseling;
 - b. inpatient detoxification;
 - c. case management;
 - d. daily living skills; and
 - e. medication assisted treatment, including a federal Food and Drug Administration approved long acting, nonaddictive medication for the treatment of opioid or alcohol dependence.
5. If the individual successfully completes the forensic diversion program, the court will waive entry of the judgment of conviction and dismiss the charges.
6. The court shall determine, after considering a report from the forensic diversion program, whether the individual is successfully participating in or has successfully completed the program.

C. GUILTY PLEA REQUIREMENT

Pursuant to IC 11-12-3.7-11 (c), before an eligible person may participate in a pre-conviction forensic diversion program, the person must plead guilty to the offense with which the person is charged.

D. COMMITMENT REQUIREMENT

Pursuant to IC 11-12-3.7-11 (d), before an eligible person may be admitted to a facility under the control of the division of mental health and addiction, the individual must be committed to the facility under IC 12-26.

E. STAY OF ENTRY OF JUDGMENT

Pursuant to IC 11-12-3.7-11 (e), after the person has pleaded guilty, the court shall stay entry of judgment of conviction and place the person in the pre-conviction forensic diversion program for not more than:

1. two (2) years, if the person has been charged with a misdemeanor; or
2. three (3) years, if the person has been charged with a felony.

F. CONSEQUENCES OF FAILURE

Pursuant to IC 11-12-3.7-11 (f) (1), if, after considering the report of the forensic diversion program, the court determines that the person has failed to successfully participate in the forensic diversion program, or failed to successfully complete the program, the court shall lift its stay, enter judgment of conviction, and sentence the person accordingly.

G. CONSEQUENCES OF SUCCESSFUL COMPLETION

Pursuant to IC 11-12-3.7-11 (f) (2), if, after considering the report of the forensic diversion program, the court determines that the person has successfully completed the forensic diversion program, the court shall waive entry of the judgment of conviction and dismiss the charges. (2015)

SECTION IV

POST-CONVICTION FORENSIC DIVERSION PROGRAM

A. ELIGIBILITY FOR POST-CONVICTION FORENSIC DIVERSION

Pursuant to IC 11-12-3.7-12 (a), a person is eligible to participate in a post-conviction forensic diversion program only if the person meets the following criteria:

1. The person has an intellectual disability, a developmental disability, an autism spectrum disorder, a mental illness, an addictive disorder, or a combination of those conditions.
2. The person has been convicted of an offense that is:
 - a. not a violent offense; and
 - b. not a drug dealing offense.
3. The person does not have a conviction for a violent offense in the previous ten (10) years.
4. The court has determined that the person is an appropriate candidate to participate in a post-conviction forensic diversion program.
5. The person has been accepted into a post-conviction forensic diversion program.

B. PROBATION REQUIREMENT

Pursuant to IC 11-12-3.7-12 (b):

If the person meets the eligibility criteria described in subsection (a) and has been convicted of an offense that may be suspended, the court may:

1. suspend all or a portion of the person's sentence;
2. place the person on probation for the suspended portion of the person's sentence; and
3. require as a condition of probation that the person successfully participate in and successfully complete the post-conviction forensic diversion program.

B. NONSUSPENDIBLE SENTENCES

Pursuant to IC 11-12-3.7-12 (c):

If the person meets the eligibility criteria described in subsection (a) and has been convicted of an offense that is nonsuspendible, the court may:

1. order the execution of the nonsuspendible sentence; and
2. stay execution of all or part of the nonsuspendible portion of the sentence pending the person's successful participation in and successful completion of the post-conviction forensic diversion program. The court shall treat the suspendible portion of a nonsuspendible sentence in accordance with subsection (b).

D. LENGTH OF POST-CONVICTION FORENSIC DIVERSION PROGRAM

Pursuant to IC 11-12-3.7-12 (d), the person may be required to participate in the post-conviction forensic diversion program for no more than:

1. two (2) years, if the person has been charged with a misdemeanor; OR
2. three (3) years, if the person has been charged with a felony.

The time periods described in this section only limit the amount of time a person may spend in the forensic diversion program and do not limit the amount of time a person may be placed on probation.

E. CONSEQUENCES OF UNSUCCESSFUL PARTICIPATION –SUSPENDIBLE OFFENSE

Pursuant to IC 11-12-3.7-12 (e), if, after considering the report of the forensic diversion program, the court determines that a person convicted of an offense that may be suspended has failed to successfully participate in the forensic diversion program, or has failed to successfully complete the program, the court may do any of the following:

1. Revoke the person's probation.
2. Order all or a portion of the person's suspended sentence to be executed.
3. Modify the person's sentence.
4. Order the person to serve all or a portion of the person's suspended sentence in:
 - a. a work release program established by the department under [IC 11-10-8](#) or [IC 11-10-10](#); or
 - b. a county work release program under [IC 11-12-5](#).

F. CONSEQUENCES OF UNSUCCESSFUL PARTICIPATION – NONSUSPENDIBLE OFFENSE

Pursuant to IC 11-12-3.7-12 (f), if, after considering the report of the forensic diversion program, the court determines that a person convicted of a nonsuspendible offense failed to successfully participate in the forensic diversion, or failed to successfully complete the program, the court may do any of the following:

1. Lift its stay of execution of the nonsuspendible portion of the sentence and remand the person to the department.
2. Order the person to serve all or a portion of the nonsuspendible portion of the sentence that is stayed in:
 - a. a work release program established by the department under [IC 11-10-8](#) or [IC 11-10-10](#); or
 - b. a county work release program under [IC 11-12-5](#).
3. Modify the person's sentence.

However, if the person failed to successfully participate in the forensic diversion program, or failed to successfully complete the program while serving the suspendible portion of a nonsuspendible sentence, the court may treat the suspendible portion of the sentence in accordance with subsection (e).

G. CONSEQUENCES OF SUCCESSFUL COMPLETION - NONSUSPENDIBLE OFFENSE

Pursuant to IC 11-12-3.7-12 (g), if, after considering the report of the forensic diversion program, the court determines that a person convicted of a nonsuspendible offense has successfully completed the program, the court shall waive execution of the nonsuspendible portion of the person's sentence.

SECTION V

LOCAL PLANNING PROCESS FOR FORENSIC DIVERSION PLAN (2006) HISTORICAL INFORMATION

A. MONROE COUNTY DEMOGRAPHICS

Monroe County is located in South Central Indiana, approximately sixty miles south of the state capital, Indianapolis, and has a population of 120,563 (2000 Census). Bloomington is the county seat and only incorporated city within Monroe County, and has a population of 69,291 (2000 Census). Bloomington is the seventh largest city in the State. Bloomington is the home of Indiana University (I.U.), a state university with an enrollment of approximately 38,903 students on the Bloomington campus for the 2003 fall semester. Ellettsville, an incorporated town with a population of 5,078, and Stinesville, with a population of 194, are the only other municipalities within Monroe County, and are located approximately eight (8) miles northwest of Bloomington in Richland and Bean Blossom Townships. The Ellettsville/Richland-Bean Blossom area of the county is geographically and culturally separate from the rest of the county, and is served by its own school corporation, the Richland-Bean Blossom Community School Corporation. The rest of the county is served by the Monroe County Community School Corporation.

Much of the northeast quadrant of the county (Benton Township) is occupied by the Morgan-Monroe State Forest; much of the southeast quadrant of the county (Polk, Salt Creek, and part of Clear Creek Townships) is occupied by the Hoosier National Forest, Lake Monroe (Indiana's largest man-made lake) and six State Recreation Areas.

Bloomington's economic base is considered to be stable. The unemployment rate for June 2004 was 2.9%. According to the Bloomington Chamber of Commerce, in 2004, the major employers in the Bloomington area were: Indiana University (6,987, the county's largest employer); Bloomington Hospital and Healthcare (2,585); Cook Group, Inc. (medical/surgical devices manufacturing, 1,734); Monroe County Community School Corporation (1,700); General Electric Corporation (refrigerator factory, 1,600); Marsh Supermarkets (800). Unfortunately, several major employers relocated to other countries, or otherwise substantially reduced the scope of their operations in the 1990s, including Otis Elevator (360 in 2004). Despite its shifting economic base, the Bloomington area continues to enjoy an influx of new residents, attracted perhaps by the opportunities offered by the University and the scenery and recreational opportunities that abound nearby.

According to the 2000 Census, the ethnic makeup of Monroe County is 87.03% [White](#), 4.24% [African American](#), 0.29% [Native American](#), 5.26% [Asian](#), 0.07% [Pacific Islander](#), 1.10% from [other races](#), and 2.01% from two or more races. 2.49% of the population is [Hispanic](#) or [Latino](#) of any race.

B. LOCAL DEMOGRAPHIC DATA RELATED TO ALCOHOL AND OTHER DRUG USE AND ABUSE

The abuse of alcohol in Monroe County has been found to be above state and national averages. Additionally, the use and abuse of other drugs in our community continues to be above state and national averages (i.e., marijuana, methcathinone/“cat”, methamphetamine/“meth” or “crank”, methadone, crack, acid in our community continues to be above state and national averages.

1. Monthly alcohol use continues to be above State averages for 9th–12th graders. (Monroe County 40% compared to State 38%). (*Indiana Prevention Resource Center - IPRC - 2003*)
2. Binge drinking continues to be above State averages for 9th – 12th graders. (Monroe County 26.5% compared to State 18%). (*IPRC 2003*)
3. 25% of college students report academic consequences of their drinking, including missing class, falling behind, doing poorly on exams or papers and receiving lower grades (*National Institute on Alcohol and Alcoholism 2002*).
4. Binge drinking rate for Indiana University students is 54% compared to the national average of 44%. (*IPRC 2003*)
5. Of people over 65, 83% take prescription medications and 50% also drink alcohol.
6. Monthly marijuana use continues to be above State averages for 9th–12th graders. (Monroe County 24% compared to State 17%). (*IPRC 2003*)
7. Tolerance for marijuana use in this community is extremely high as exhibited by the number of legalization of marijuana groups, letters to the editor, and rallies held on or near the Indiana University campus.
8. In 2003, 626 adult offenders placed on probation for impaired driving. (*Probation Report 2003*).
9. Current 10th graders in our community have the highest levels of monthly drug use, which are also higher than State averages. (*IPRC 2003*)
10. Cocaine local rates 2.6% compared to State 1.8%.
11. Crack local rates 3.1% compared to State 1.2%.
12. Methcathinone local rates 2% compared to State .07%.
13. Psychedelics (Acid) local rates 3.8% compared to State 1.8%.
14. Monroe County has had an estimated 10 drug related deaths in 2004, due to overdose or murder over a drug dispute, which far exceeds the norm for our community.

C. LOCAL GOVERNMENT

Monroe County is governed by a Board of County Commissioners and a County Council. The City of Bloomington is governed by a Mayor and City Council, while the incorporated town of Ellettsville and Stinesville are governed by a Town Board. Within the city limits, city and county governments have concurrent jurisdiction. The county is divided into eleven townships, which regulate education, tax assessments, emergency poor relief, and rural fire protection within their boundaries.

D. LOCAL COURT SYSTEM

Monroe County has one Circuit Court, the Monroe Circuit Court, which is a unified court with eight divisions. The Court has jurisdiction over every category of case that can be filed; including traffic violations, misdemeanors, and felonies. As a unified court, the system is managed as a whole through the Office of Court Services. The court operates one probation department.

E. PROBATION AND COMMUNITY CORRECTIONS

The Monroe Circuit Court Probation Department is a unified department with adult and juvenile probation under the same administrative structure with one Chief Probation Officer. The Probation Department also operates a Court Alcohol and Drug Program, a Drug Court Program, Family Preservation Program, Serious Habitual Offender Comprehensive Action Program (SHOCAP), and the Community Corrections Program. The Community Corrections Program, as a division of the Probation Department, is managed by the Monroe Circuit Court Board of Judges. The Chief Probation Officer (Linda Brady), in conjunction with the Community Corrections Director/Assistant Chief Probation Officer (Thomas A. Rhodes), is responsible for oversight of the day-to-day operations of the Community Corrections Program.

F. COMMUNITY CORRECTIONS ADVISORY BOARD

The Monroe County Community Corrections Advisory Board was established for the purpose of assisting in the coordination of the Community Corrections Program. The Monroe County Community Corrections Advisory Board was established on November 8, 1982, by resolution 82-16 of the Monroe County Board of Commissioners. In 2004, a law was enacted which requires a Community Corrections Advisory Board to develop a forensic diversion plan (IC 11-12-3.7-7 Sec. 7. (a)).

G. PLANNING PROCESS

In 2004, the Chair of the Monroe County Community Corrections Advisory Board appointed the "Forensic Diversion Plan Committee" as a sub-committee of the Advisory Board. This committee was charged with the task of formulating the local forensic diversion plan, as required by statute.

The committee's first draft of the Forensic Diversion Plan was presented to the Community Corrections Advisory Board at their January 2005 quarterly board meeting. The final Forensic Diversion Plan was adopted at the January 2006 quarterly meeting.

The Department of Correction required Community Corrections programs to submit updated Forensic Diversion Plans by the end of the year 2007. Therefore, the Chair of the Monroe County Community Corrections Advisory Board appointed a sub-committee, the "Forensic Diversion Plan Committee," to update the plan in 2007.

Members of the 2007 Forensic Diversion Plan Committee: Linda Brady (committee chair/Probation Department); Bill Wilson (Sheriff/Jail), Michael Hunt (Public Defender), Frank Stevens (Center for Behavioral Health), Larry Haywood (Victim Advocate), Chris Gaal (Prosecutor), Tom Cox (Treatment/Provider), Judge Mary Ellen Diekhoff, and Thomas Rhodes (Community Corrections Director).

H. SIGNIFICANT PROBLEMS

The Forensic Diversion Planning Committee found that there is a dearth of local statistics.