

## **IC 11-9**

### **ARTICLE 9. PAROLE BOARD**

#### **IC 11-9-1**

##### **Chapter 1. Organization, Powers, and Duties**

#### **IC 11-9-1-1**

##### **Parole board; establishment, membership, appointment, term, vacancy; qualifications**

Sec. 1. (a) There is established, as a division of the department, the parole board, consisting of five (5) members appointed by the governor, not more than three (3) of whom may be affiliated with the same political party. Members are appointed for a term of four (4) years. A vacancy occurring before the expiration of a term shall be filled by the governor for the remainder of the term. In the event of a temporary inability to act of any member, the governor may appoint a person qualified under this section to act in his place during the continuance of the inability. Members may be reappointed.

(b) To qualify for membership a person must:

(1) hold at least a bachelor's degree from an accredited college or university; or

(2) have at least ten (10) years of law enforcement experience; and must have the skill, training, or experience to analyze questions of law, administration, and public policy. Members shall devote full time to their duties, and are entitled to a salary to be determined by the state budget agency with the approval of the governor. The governor shall designate one (1) of the members to serve as chairman.

*As added by Acts 1979, P.L.120, SEC.2. Amended by P.L.43-2001, SEC.1; P.L.100-2012, SEC.30.*

#### **IC 11-9-1-2**

##### **Powers and duties**

Sec. 2. (a) The parole board shall:

(1) organize the division and employ personnel as are needed to properly discharge the functions of the board;

(2) make parole release and revocation decisions under IC 11-13-3 and IC 35-50-6-1;

(3) make pardon, clemency, reprieve, and remission recommendations to the governor under IC 11-9-2;

(4) collect, develop, and maintain statistical information concerning its services and decisions;

(5) keep records of its official actions and make them accessible according to law;

(6) review and approve policies created by the department under IC 11-8-2-12.4(6) that provide for a schedule of progressive parole incentives and violation sanctions, including judicial review procedures;

(7) cooperate with public and private agencies, local communities, and private groups and individuals for the

development and improvement of its services;  
(8) explain its functions to the public; and  
(9) make an annual report to the governor by September 1 of each year containing a description of its operations for the preceding fiscal year ending June 30, an evaluation of its effectiveness, any recommendations for statutory, budgetary, or other changes considered necessary to improve its effectiveness, and any other information required by law.

(b) The parole board may:

- (1) conduct inquiries, investigations, and reviews and hold hearings to properly discharge its functions;
- (2) issue subpoenas, enforceable by action in circuit and superior courts, to compel any person to appear, give sworn testimony, or produce documentary evidence relating to any matter under inquiry, investigation, hearing, or review;
- (3) administer oaths and take testimony of persons under oath;
- (4) request from any public agency assistance, services, and information that will enable it to properly discharge its functions;
- (5) enter, without notice, premises within the department's control, to confer with any committed person;
- (6) adopt, under IC 4-22-2, rules to properly discharge its functions; and
- (7) exercise any other power necessary in discharging its duties and powers.

*As added by Acts 1979, P.L.120, SEC.2. Amended by P.L.179-2014, SEC.2.*

### **IC 11-9-1-3**

#### **Inquiry, investigation, hearing, review; delegation of function; powers**

Sec. 3. (a) Whenever the parole board is conducting an inquiry, investigation, hearing, or review, that function may be delegated to one (1) or more members of the parole board.

(b) If one (1) or more member acts on behalf of the board that member or employee may exercise all the powers of the parole board except the power to render a final decision as to any matter. The members shall instead, upon completion of the inquiry, investigation, hearing, or review, file with the board the complete record of the proceedings together with his findings, conclusions, and recommended decision. The board shall, based upon the record and the findings, conclusions, and recommendations, render a final decision.

*As added by Acts 1979, P.L.120, SEC.2.*

### **IC 11-9-1-4**

#### **Continuation of rules adopted and in effect on October 1, 1980**

Sec. 4. All rules adopted by the parole board and in effect on October 1, 1980, continue in effect until altered by the parole board, according to IC 4-22-2, under rule-making authority given by

IC 11-9.

*As added by Acts 1979, P.L.120, SEC.2.*