

## **IC 10-13-2**

### **Chapter 2. Criminal Justice Data Division**

#### **IC 10-13-2-1**

##### **"Division"**

Sec. 1. As used in this chapter, "division" refers to the criminal justice data division established by section 2 of this chapter.

*As added by P.L.2-2003, SEC.4.*

#### **IC 10-13-2-2**

##### **Establishment**

Sec. 2. (a) The criminal justice data division is established within the department.

(b) The division is under the administrative control and jurisdiction of the superintendent.

(c) The superintendent may:

(1) staff the division with personnel necessary for its efficient operation; and

(2) adopt rules to carry out the purposes of this chapter.

*As added by P.L.2-2003, SEC.4.*

#### **IC 10-13-2-3**

##### **Storage and retrieval of criminal justice data; consultants**

Sec. 3. (a) The division shall use the most current equipment, methods, and systems for the rapid storage and retrieval of criminal justice data necessary for an effective criminal justice system within Indiana.

(b) The superintendent may hire consultants to advise the superintendent in the most efficient means of establishing, funding, and maintaining the criminal justice data system with the ultimate purpose of extending the services and benefits of the system to all governmental agencies of the state and its political subdivisions having a need for the data.

*As added by P.L.2-2003, SEC.4.*

#### **IC 10-13-2-4**

##### **Purpose**

Sec. 4. The division shall be organized and administered to fulfill the following purposes:

(1) To inform the public and responsible governmental officials as to the nature of the crime problem, its magnitude, and its trend over time.

(2) To measure the effects of prevention and deterrence programs, ranging from community action to police patrol.

(3) To find out who commits crimes by age, sex, family status, income, ethnic and residential background, and other social attributes, to find the proper focus of crime prevention programs.

- (4) To measure the workload and effectiveness of all agencies of the criminal justice system, both individually and as an integrated system.
- (5) To analyze the factors contributing to success and failure of probation, parole, and other correctional alternatives for various kinds of offenders.
- (6) To provide criminal justice agencies with comparative norms of performance.
- (7) To furnish baseline data for research.
- (8) To compute the costs of crime in terms of economic injury inflicted upon communities and individuals, as well as to assess the direct public expenditures by criminal justice agencies.
- (9) To project expected crime rates and their consequences into the future for more enlightened government planning.

*As added by P.L.2-2003, SEC.4.*

### **IC 10-13-2-5**

#### **Duties**

Sec. 5. (a) The division, under the supervision and direction of the superintendent and in accordance with the rules adopted under this chapter, shall do the following:

- (1) Collect data necessary for the accomplishment of the purposes of this chapter from all persons and agencies mentioned in section 6 of this chapter.
- (2) Prepare and distribute to all the persons and agencies the forms to be used in reporting data to the division. The forms also must provide for items of information needed by federal bureaus, agencies, or departments engaged in the development of national criminal statistics.
- (3) Prescribe the form and content of records to be kept by the persons and agencies to ensure the correct reporting of data to the division.
- (4) Instruct the persons and agencies in the installation, maintenance, and use of records and equipment and in the manner of reporting to the division.
- (5) Tabulate, analyze, and interpret the data collected.
- (6) Supply data, upon request, to federal bureaus, agencies, or departments engaged in collecting and analyzing national criminal statistics.
- (7) Present the following to the governor:
  - (A) Before July 1 of each year, a printed report containing the criminal statistics of the preceding calendar year.
  - (B) At other times the superintendent considers necessary or the governor requests, reports on public aspects of criminal statistics in a sufficiently general distribution for public enlightenment.

(b) The division may not obtain data under this chapter except that which is a public record, and all laws regulating privacy or restricting

use of the data apply to any data collected.

(c) The division may accept data and reports from agencies other than those required to report under this chapter if the data and reports are consistent with the purposes of this chapter.

*As added by P.L.2-2003, SEC.4. Amended by P.L.97-2004, SEC.41.*

#### **IC 10-13-2-6**

##### **Public officials; cooperation with division; reporting noncompliance**

Sec. 6. (a) If requested by the division, a public official or public agency dealing with crime or criminals or with delinquency or delinquents shall do the following:

- (1) Install and maintain records needed for reporting data required by the division.
- (2) Report to the division, as and when prescribed, all data requested.
- (3) Give the accredited agents of the division access to the records for the purpose of inspection.
- (4) Cooperate with the division to the end that its duties may be properly performed.

(b) An official required under this chapter to furnish reports, information, or statistics to the criminal justice data division or a person employed by the official is not liable in any action arising out of having furnished the information in a manner as may be required by this chapter or the rules adopted under this chapter.

(c) If a public official or public agency fails to comply with its duties under subsection (a), the division shall notify the Indiana criminal justice institute of the noncompliance in any manner approved by the Indiana criminal justice institute.

*As added by P.L.2-2003, SEC.4. Amended by P.L.35-2013, SEC.2.*

#### **IC 10-13-2-7**

##### **Equipment methods and systems; compatibility**

Sec. 7. As far as is practicable, the equipment methods and systems used by the criminal justice data division must be compatible with those used by similar agencies in other states and the federal government so that data necessary for interstate, national, and international criminal justice is readily available.

*As added by P.L.2-2003, SEC.4.*

#### **IC 10-13-2-8**

##### **Commission and advisory council; planning agency**

Sec. 8. In the administration of the division, the superintendent shall have the advice and assistance of the criminal justice commission and advisory council and the criminal justice planning agency.

*As added by P.L.2-2003, SEC.4.*

### **IC 10-13-2-9**

#### **Adoption of rules**

Sec. 9. (a) The superintendent shall adopt rules necessary to accomplish the purposes of this chapter.

(b) In formulating the rules, the superintendent shall have the advice and assistance of the criminal justice advisory committee established by section 10 of this chapter.

*As added by P.L.2-2003, SEC.4.*

### **IC 10-13-2-10**

#### **Criminal justice advisory committee; composition; meetings**

Sec. 10. (a) The criminal justice advisory committee is established.

(b) The committee consists of the following persons or their designated representatives:

- (1) The superintendent, who shall act as chairman.
- (2) The attorney general.
- (3) The executive director of the criminal justice planning agency.
- (4) The commissioner of corrections.
- (5) One (1) county sheriff serving in the sheriff's second or subsequent term of office.
- (6) One (1) chief of police with at least two (2) years of experience as chief.
- (7) One (1) prosecuting attorney in the prosecuting attorney's second or subsequent term of office.
- (8) One (1) judge of a court of general criminal jurisdiction.
- (9) The executive director of the law enforcement training academy.
- (10) A criminologist or forensic scientist.

(c) A member of the committee:

- (1) must be appointed by the governor on a nonpartisan basis; and
- (2) shall serve at the pleasure of the governor.

(d) A member of the committee serves without compensation except per diem as provided by law.

(e) The committee shall meet as often as is considered necessary by the superintendent to formulate or revise rules for the statewide operation of the criminal justice data division.

*As added by P.L.2-2003, SEC.4.*

### **IC 10-13-2-11**

#### **Reports and analyses**

Sec. 11. The division shall, within the limits of time and manpower, comply with all reasonable requests for periodic reports and analysis of data as may be made by any officer or agency required to report data that is necessary for the proper performance of the duties of the officer or agency.

*As added by P.L.2-2003, SEC.4.*

### **IC 10-13-2-12**

#### **Intent of chapter; violations; penalties**

Sec. 12. (a) It is the intent of the general assembly in enacting this chapter to provide information and data with reference to the total criminal justice system that will be equally beneficial to all officers, agencies, and components of the criminal justice system to better perform their respective duties for the overall improvement of criminal justice. Rules adopted under this chapter shall be drafted to express this intent.

(b) If a public official:

(1) is required by the rules to report to the division; and

(2) fails to comply with:

(A) the requests of the superintendent for information or data; or

(B) the rules governing records and systems and equipment and their maintenance;

the director of the criminal justice planning agency may deny the public official the benefits of the system until the public official complies with the rules.

(c) An official who knowingly, intentionally, or recklessly makes a false return of information to the division commits a Class A misdemeanor.

*As added by P.L.2-2003, SEC.4. Amended by P.L.115-2003, SEC.10.*

### **IC 10-13-2-13**

#### **Access to information in criminal justice information system**

Sec. 13. Subject to policies adopted by the superintendent concerning the disclosure of law enforcement records, the division shall provide access to information in any criminal justice information system that is used to locate an individual for purposes relating to law enforcement to:

(1) the child support bureau; or

(2) a prosecuting attorney, private attorney, or private entity operating under an agreement or contract described in IC 31-25-4-13.1.

*As added by P.L.80-2010, SEC.14.*