

PROPOSAL TO AMEND THE MINIMUM SALARY SCHEDULE FOR INDIANA PROBATION OFFICERS

ADDENDUM #1

Probation Officers Professional Association of Indiana

October 12, 2022



Fiscal Impact Examples

Three counties of varying size and structure provided information on the potential fiscal impact after applying all of the recommended adjustments to the minimum salary schedule for probation officers. The results and county/department profiles are provided below.

County #1

| | |
|--------------------------|--|
| Population | 125,000-150,000 |
| Department services | Adult probation, juvenile probation, court alcohol and drug program, problems solving courts (4), pretrial services, and community corrections |
| Total probation officers | 55-60 |
| Total estimated impact | \$400,000-\$425,000 |

County #2

| | |
|--------------------------|---|
| Population | 175,000-200,000 |
| Department services | Adult probation, juvenile probation, court alcohol and drug program, problem solving court (1), pretrial services, and home detention |
| Total probation officers | 25-30 |
| Total estimated impact | \$200,000-\$225,000 |

County #3

| | |
|--------------------------|--|
| Population | 25,000-50,000 |
| Department services | Adult probation, juvenile probation, court alcohol and drug program, problem solving courts (3), and community corrections |
| Total probation officers | 15-20 |
| Total estimated impact | \$75,000-\$100,000 |



Potential Opportunities to Address Fiscal Impact

State Aid for Probation Services

A pathway for state funded probation services exists under Indiana Code 11-13-2.¹ This statute establishes a program of state financial aid to be used for the support of court probation services. The financial aid program described, if funded, would be administered by the judicial conference of Indiana. Funds appropriated would be distributed by the conference to make grants to Indiana probation departments for the following purposes:

- ❖ Salaries for existing or new probation officer positions.
- ❖ Maintenance or establishment of administrative support services to probation officers.
- ❖ Development and implementation of incentives and sanctions, policies, programs, and services to address compliance with community supervision following the schedule adopted by the judicial conference of Indiana under IC 11-13-1-8.
- ❖ Development and use of evidence based services, programs, and practices that reduce probationers' risk for recidivism.
- ❖ Establishment of a coordinated system of community supervision to improve the efficiency and coordination of offender services within a county.

According to the final report of the Interim Study Committee on Probation Services and Indigent Counsel issued in 1985, state aid for probation services has not been funded by the Indiana General Assembly since 1965.²

State Funding for Chief Probation Officers

In 2013, funding for chief probation officers was introduced in HB 1001 under the Judiciary's requested budget.³ The total amount of funding requested was \$5,244,000. The request appeared in the same section with local judicial and county prosecutor salaries. Language in the bill required that funding for chief probation officers' salaries may be used to pay the minimum salary of no more than one chief probation officer per county. This request was removed prior to final passage of the bill and has not appeared in any budget requests from the Judiciary since 2013.

Community Corrections Financial Aid

An additional pathway to pay for probation officer salaries embedded in Indiana Code 11-12-2-4.⁴ Funding in this statute traditionally paid for community corrections in

¹ <http://iga.in.gov/legislative/laws/2022/ic/titles/011/#11-13-2>

² <https://www.gopopai.org/1985-probation-services-and-indigent-counsel-final-rpt/>

³ <http://archive.iga.in.gov/2013/bills/PDF/HB/HB1001.2.pdf>

⁴ <http://iga.in.gov/legislative/laws/2022/ic/titles/011/#11-12-2-4>



local jurisdictions, but was expanded to permit the reimbursement for probation officer salaries after the recodification of felony offense levels in 2014. Funding under this statute is subject to appropriation by the Indiana General Assembly. The most recent appropriation totaled \$72,449,242; however, the Department of Correction has allocated more than the appropriated amount to counties in recent years due to reversions of unspent grant monies in previous years. An increase in the amount appropriated would be required.

Probation User Fees

In 2003, Senate Enrolled Act No. 506 became Public Law 277.⁵ This Act added a chapter to the Indiana Code (36-2-16.5) that requires a county, city, or town fiscal body to adopt a probation officer salary schedule that must comply with the minimum salary schedule adopted by the Judicial Conference of Indiana.

Additionally, this Act increased the amount a court may impose in probation user fees. It also created an administrative fee that must be collected before all other probation user fees. The administrative fee was created to specifically provide counties with additional revenue to supplement the salaries of probation officers in accordance with the minimum salary schedule.

Cost Avoidance

Probation officers provide an *essential public safety function*. They are responsible for the greatest proportion of the offender population in all jurisdictions across Indiana. The Indiana Office of Court Services reported that by the end of 2020 there were nearly 110,000 adults and juveniles being supervised by probation departments at a cost of over \$88M in salaries for probation officers and other staff.⁶

Comparatively, the Indiana Department of Correction reported a total inmate population of 24,734 at the beginning of 2020 at a cost of over \$315M for personnel services.⁷

The most recent information located on local jail populations across Indiana comes from a survey conducted by the Indiana Sheriff's Association in 2019.⁸ This survey indicated a total jail population of over 20,000 inmates. Costs associated with operating jails in Indiana are difficult to calculate, but the Vera Institute published information in 2019 indicating a cost of over \$242M.⁹

⁵ <http://archive.iga.in.gov/2003/bills/PDF/SE/SE0506.1.pdf>

⁶ <https://www.in.gov/courts/iocs/files/rpts-ijs-2020-probation.pdf>

⁷ <https://www.in.gov/idoc/files/2020-DOC-Annual-Report.pdf>

⁸ <http://iga.in.gov/documents/a0b522c5>

⁹ <https://www.vera.org/publications/what-jails-cost-statewide/indiana>



Without probation officers providing essential public safety services to the vast majority of the offender population in Indiana, costs for incarceration will increase at both the local and state level. As reported by chief probation officers through surveys responses, current salary levels are a major factor in failing to recruit new probation officers to the profession. Since the surveys have been conducted, chiefs have reported instances of current probation officers leaving the field for higher paying jobs.

Local Tax Based Funds

Indiana Code 36-2-16.5 requires a county, city, or town fiscal body to adopt a salary schedule setting the compensation of a probation officer.¹⁰ The salary schedule must comply with the minimum compensation requirements for probation officer adopted by the judicial conference of Indiana.

In addition to traditional tax based funds, localities may be permitted to impose a local income tax for public safety. Indiana Code 6-3.6-2-14 outlines costs that can be paid from a public safety local income tax, which include expenses related to a probation department of a court.¹¹

¹⁰ <http://iga.in.gov/legislative/laws/2022/ic/titles/036/#36-2-16.5>

¹¹ <http://iga.in.gov/legislative/laws/2022/ic/titles/006/#6-3.6-2-14>

