

APPENDIX B

**Executive Order
No. 4, 2016**

**CONSOLIDATED CITY OF INDIANAPOLIS
COUNTY OF MARION
STATE OF INDIANA**

EXECUTIVE ORDER NO. 4, 2016

WHEREAS, over the past five decades the Consolidated City of Indianapolis and Marion County (“City-County”), has experienced dynamic and persistent challenges with respect to matching the capabilities of its criminal justice facilities with the needs of its criminal justice system; and

WHEREAS, the current Marion County Jail was constructed in 1963 and opened in 1965, itself in response to chronic jail overcrowding in the previous county jail which occurred from 1930 to 1965; and

WHEREAS, the Marion County Jail quickly again became overcrowded and in 1972 individuals initiated litigation over the unconstitutional conditions of the Marion County Jail that centered on inmate overcrowding of the detention facility and the resulting deplorable living conditions, and inadequate food and medical services for inmates; and

WHEREAS, the Marion County Jail litigation persisted for 35 years and included a patchwork of court orders and compromises that ultimately led to the early release of numerous inmates; and

WHEREAS, in 2003 City-County elected leaders and stakeholders joined together to create the Criminal Justice Planning Council (“CJPC”) to study, forecast and make recommendations to the city-county council regarding both short-term and long-term needs of law enforcement and the criminal justice system;

WHEREAS, faced with the ultimate challenge to end jail overcrowding and finally resolve the related litigation, from 2006 - 2007 City-County leaders, acting on recommendations of the CJPC, enacted targeted programmatic, personnel, and facilities changes to end early releases and optimize the utility of County justice facilities – among them the creation of the Arrestee Processing Center and adding judicial officers and prosecutors; and

WHEREAS, the changes implemented in 2006 and 2007 removed logistical and programmatic inefficiencies permitting smoother and more expedited functioning of the criminal justice system, which remedied jail overcrowding and ultimately lead to the dismissal of Marion County Jail litigation in 2007; and

WHEREAS, from 2013 – 2015 the Indianapolis mayor’s administration lead an initiative to address the county’s aging and inefficient criminal justice facilities and explore constructing a consolidated criminal justice facility to address the following identified facilities problems:

- Aging, insufficient and outdated detention center facilities with rapidly increasing maintenance costs;
- Insufficient jail space and resources, especially for female and juvenile arrestees and inmates;

- Substantial burden on staffing resources needed to ensure safety of the public, law enforcement officers, judges and arrestees and inmates due to current open building configuration;
- Limited and insufficient medical facilities for arrestees and inmates, resulting in increased healthcare costs;
- Increased costs due to defending and resolving litigation arising from claims originating from allegedly inadequate medical care or supervision due to outdated facilities;
- Increased challenges and costs associated with arrestee and inmate transportation issues;
- Current courtroom and court administrative facilities are at maximum capacity with no ability to expand or improve on current footprint;
- And material inconvenience of higher level security screenings for citizens wishing to conduct non-criminal justice related business at the City County Building; and

WHEREAS, as a result of these facilities challenges, the administration and performance of criminal justice system is currently only minimally sufficient to provide the basic criminal justice needs of the community, and has little capacity for technological or systemic improvement without significant facilities upgrades; and

WHEREAS, the Criminal Justice Center initiative also identified the potential for critical operational efficiencies and significant savings of public spending if the current criminal justice facilities were replaced; and

WHEREAS, throughout the beginning of 2016 and partially as a result of legislative mandates from the State of Indiana, the number of inmates occupying the Marion County Jail has steadily risen to numbers approaching those identified as unconstitutional during the previous Marion County Jail litigation, ultimately resulting in the Marion County Sheriff declaring a “Jail Emergency” on April 28, 2016; and

WHEREAS, the Criminal Justice Planning Council has been and will continue to be fully engaged to provide recommendations to the City-County Council and the Mayor to remedy the immediate emergency crisis currently being experienced at the Marion County Jail; and

WHEREAS, notwithstanding the immediate crisis and given the foregoing history and factual circumstances, there exists two correlating medium and long-term needs for the residents of the City-County: (1) a re-envisioning and optimization of the current county criminal justice system in light of new legislative requirements and other criminal code changes, advances in communications and monitoring technologies, and current and future population growth within the City-County; and (2) the replacement of aging and inefficient criminal justice facilities in a manner that suits an optimized criminal justice system; and

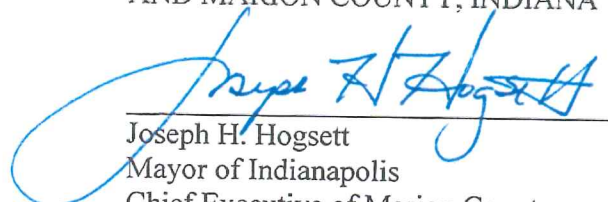
WHEREAS, Indiana Code § 36-2-2-24 requires that the Mayor as county executive of the consolidated city and county shall establish and maintain a county courthouse, county jail, and public offices for county officials and their agencies.

Now, therefore, by virtue of the authority vested in me as the Mayor of the City of Indianapolis and the Executive of the Marion County, Indiana, it is hereby ordered as follows:

1. The Mayor hereby creates and orders his staff to support the Criminal Justice Reform Task Force whose mission shall be to assess, research, examine, and ultimately report recommendations for the systemic reform and optimization of the current county criminal justice system, and – based on those recommendations – identify requirements for the location, construction, and/or renovation of county criminal justice facilities.
2. The Mayor shall appoint members of the Criminal Justice Reform Task Force from the three branches of City-County government and pertinent City-County agencies represented in the Criminal Justice Planning Council, as well as subject matter experts and members of the community at his discretion.
3. The Criminal Justice Reform Task Force shall finalize its work and report its findings and recommendations to the Criminal Justice Planning Council at the CJPC's regularly scheduled meeting in December of 2016.

Date: May 11, 2016

THE CONSOLIDATED CITY OF INDIANAPOLIS
AND MARION COUNTY, INDIANA



Joseph H. Hogsett
Mayor of Indianapolis
Chief Executive of Marion County

Approved as to form and legality by:



Andrew J. Mallon, Corporation Counsel