

Local Government Funding

Background: Situations like inconsistent property tax assessments and inequitable appeals have put additional tax pressure on landowners as local governments are desperate for revenue sources that will fund local community needs, such as county jails.

In 2013, changes were made to the Indiana Criminal Code that reorganized felonies, as well as how long offenders served time (now 75 percent rather than 50 percent), increased sentences for some crimes against people and property, and created a more graduated sentencing approach to drug crimes, among a few other changes. In 2014, Class 6 felonies, the lowest level (least serious) felony, went back to 50 percent original credit time served and in 2015, the law changed regarding which offenders would be placed in the Department of Corrections (DOC). Under this new law, Level 6 Felony Offenders would not be sent to DOC unless they:

- Had violated a term of their release (parole, probation, community corrections),
- Were serving two Level 6 consecutive convictions, or
- Their sentence enhancements made their earliest release date more than 365 days.

One of the largest impacts of these changes is that the Level 6 felony population stayed in local communities, creating more costs associated with jail and criminal justice upkeep. With the number of sentenced felons increasing, county jail populations have grown and the lengths of stay have increased.

Jails are bursting at their corners. There is a large need for many counties to improve their jails, either with an expansion or replacement. This is inevitable as many counties are under threat of or are currently being sued by the federal government on the basis of unacceptable jail conditions.

Talking Points:

- More counties could be facing lawsuits that will force them to build/expand the jail and could potentially bankrupt local communities.
- Jail improvements are inevitable, but not the sole responsibility of certain property owners (i.e. farmers with a lot of ground) to hold the burden.
- Property taxes, if parts of a county are above the tax caps, could be raised with the burden only distributed among those who are still under the caps in order to try and raise revenues for a jail.
- There are currently a number of referendums happening due to the need to raise local revenues above circuit breaker caps and local communities are trying to find alternative solutions.

Key Message/ Ask:

Indiana Farm Bureau asks the Indiana General Assembly to correct this unfunded mandate of housing more prisoners and help local communities address jail overcrowding at the state level instead of on the backs of local property owners.

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