

ORDINANCE 2017-11

AN ORDINANCE ESTABLISHING AN INFRACTION DEFERRAL AND PRETRIAL DIVERSION PROGRAMS FUND IN THE OFFICE OF THE WARRICK COUNTY PROSECUTOR

WHEREAS, the Warrick County Prosecutor's Office administers a Pretrial Diversion Program and an Infraction Deferral Program pursuant to the Indiana Code; and

WHEREAS, pursuant to Indiana Code Section 33-37-8-6, funds derived from a deferral program or a pretrial diversion program may be disbursed only by the adoption of an ordinance appropriating the funds for one (1) or more statutorily designated purposes.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF WARRICK COUNTY, INDIANA, THAT:

The Code of Ordinances of Warrick County, Indiana, is hereby amended to provide for a new SECTION 37.15 entitled "Infraction Deferral and Pretrial Diversion Programs Fund" as follows:

(A) There is hereby established a special fund to be designated as the "Infraction Deferral and Pretrial Diversion Programs Fund," in the Office of the Warrick County Prosecutor. This fund shall be a continuing, nonreverting fund, with all balances remaining therein at the end of each year. Such balances shall not lapse into the Warrick County's general fund, or ever be directly or indirectly diverted in any manner to uses other than those stated in this Section.

(B) All service fees and charges which are collected in the administration of the Warrick County Prosecutor's infraction deferral and pretrial diversion programs shall be deposited in the Infraction Deferral and Pretrial Diversion Programs Fund.

(C) The Infraction Deferral and Pretrial Diversion Programs Fund shall be administered by the Warrick County Prosecutor, and all funds deposited therein shall be appropriated and used solely for the use and benefit of the Warrick County Prosecutor's Office and the Warrick County Prosecutor not inconsistent with this Section.

(D) The funds derived from the Warrick County Prosecutor's infraction deferral program and the Warrick County Prosecutor's pretrial diversion program and deposited into the Infraction Deferral and Pretrial Diversion Programs Fund may only be disbursed for one (1) or more of the following purposes:

(1) Personnel expenses related to the operation of the program.

(2) Special training for:

(a) a prosecuting attorney;

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(b) a deputy prosecuting attorney;

(c) support staff for a prosecuting attorney or deputy prosecuting attorney;
or

(d) a law enforcement offer.

(3) Employment of a deputy prosecutor or prosecutorial support staff.

(4) Victim assistance.

(5) Electronic legal research.

(6) Office equipment, including computers, computer software, communication devices, office machinery, furnishings and office supplies.

(7) Expenses of a criminal investigation and prosecution.

(8) An activity or program operated by the prosecuting attorney that is intended to reduce or prevent criminal activity, including:

(a) substance abuse;

(b) child abuse;

(c) domestic violence;

(d) operating while intoxicated; and

(e) juvenile delinquency.

(9) The provision of evidence based mental health and addiction, intellectual disability, developmental disability, autism and co-occurring autism and mental illness forensic treatment services to reduce the risk of recidivism in a program administered or coordinated by a provider certified or licensed by the Indiana Division of Mental Health and Addiction or the Indiana Division of Disability and Rehabilitative Services of the Indiana Family and Social Services Administration with expertise in providing evidence based forensic treatment services.

(10) Any other purpose that benefits the office of the prosecuting attorney or law enforcement and that is agreed upon by Warrick County's fiscal body and the prosecuting attorney.

(E) The funds collected by the Warrick County Prosecutor's Office through its deferral and pretrial diversion programs may be used only in accordance with guidelines adopted by the prosecuting attorneys counsel under Indiana Code Section 33-39-8-5.

Passed and adopted by the Board of County Commissioners of Warrick County,
Indiana, this 8th day of May, 2017.

24th April
KB.

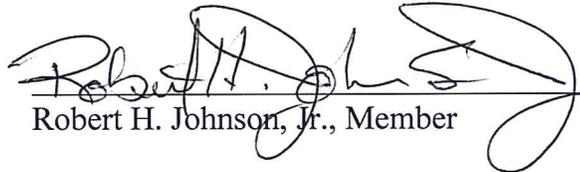
WARRICK COUNTY
BOARD OF COMMISSIONERS



Marlin Weisheit, President

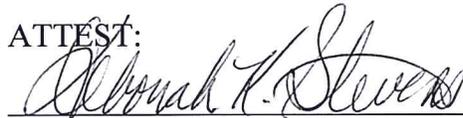


Dan Saylor, Vice President



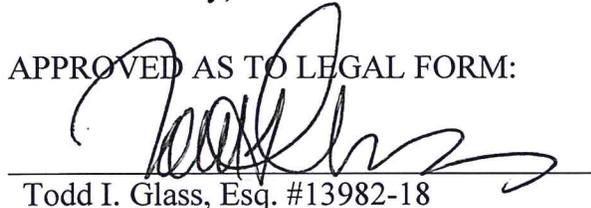
Robert H. Johnson, Jr., Member

ATTEST:



Deborah K. Stevens, Auditor
Warrick County, Indiana

APPROVED AS TO LEGAL FORM:



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