

Mark W. Rutherford, Chairman
Indianapolis

Bernice Corley
Indianapolis
Samantha DeWester
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Hon. Mary Ellen Diekhoff
Bloomington
Hon. Kelsey B. Hanlon
Spencer
Representative Ragen Hatcher
Gary

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Public Defender Commission

David J. Hensel
Indianapolis
Senator Eric Koch
Bedford
Representative Ryan Lauer
Columbus
Hon. Steven P. Meyer
Lafayette
Senator Gregory G. Taylor
Indianapolis

www.in.gov/publicdefender • ph 317-233-6908

MEMORANDUM

TO: Governor Eric J. Holcomb
Lieutenant Governor Suzanne Crouch
Chief Justice Loretta H. Rush
All Associate Justices of the Indiana Supreme Court
Sen. Rodric Bray, Senate President Pro Tempore
Sen. Greg Taylor, Senate Minority Leader
Sen. Ryan Mishler, Chair, Senate Appropriations Committee
Sen. Eddie Melton, RMM, Senate Appropriations Committee
Rep. Todd Huston, Speaker of the House
Rep. Phil GiaQuinta, House Minority Leader
Rep. Jeff Thompson, Chair, House Ways and Means Committee
Rep. Gregory Porter, RMM, House Ways and Means Committee
All Members of the Indiana General Assembly

FROM: Mark W. Rutherford, Chairman 

DATE: December 2022

SUBJECT: **FY 2021-2022 Annual Report of the Indiana Public Defender Commission**

The Indiana Public Defender Commission's Annual Report for Fiscal Year 2021-2022 provides an overview of the purpose and use of the Public Defense Fund. In cooperation with the General Assembly and the Indiana Supreme Court, the Commission has established and revised its standards for public defense services in both death penalty and non-death penalty cases. The report contains a brief history of the Commission, its responsibilities, and its reimbursements. It also discusses some of the Commission's upcoming goals and obstacles.

The Commission is authorized by statute to reimburse all 92 counties for 50% of their defense expenditures in capital (death penalty) cases. The Public Defense Fund's participating counties may also receive reimbursement of up to 40% of their defense expenditures in non-capital felony, juvenile delinquency, and Children in Need of Services and Termination of Parental Rights (CHINS/TPR) cases if the counties comply with the Commission's standards for defense services. The Commission's standards are always available online at: www.in.gov/publicdefender. The Commission is prohibited via statute from reimbursing misdemeanor expenditures.

The Commission is pleased to report that a record 67 counties requested and received reimbursement for their non-capital public defense expenses during the fiscal year, representing over two-thirds of Indiana's population. During this time, the State of Indiana, through the Public Defense Fund, returned over \$31.4 million to the counties for these expenses, easing their budgetary burdens. The state's attorney shortage, on a per capita basis compared to the national average, is contributing to the continuing increase in county non-capital public defense expenses. The Commission also authorized over \$71,000 in death penalty reimbursement during the fiscal year.

Indiana's 92 counties are directly responsible for the majority of the more than \$100 million in tax dollars spent on public defense in Indiana each year. A large portion of these tax dollars are spent on the defense of misdemeanor cases for which the state currently provides no assistance to counties. During the upcoming 2023 Legislative Session, the Commission will seek statutory authorization to reimburse for misdemeanors.

The Commission looks forward to working with you to continue improving the quality of public defense services in Indiana. The goals of the Indiana Public Defender Commission include continued reimbursement to Indiana's counties for the public defense costs they are constitutionally obligated to incur while simultaneously ensuring effective and responsible public defense services throughout the state.

Thank you for your continued commitment to guarantee the constitutional rights of Indiana's residents. Please do not hesitate to contact us if we can provide any additional information.



Public Defender
Commission



2021-2022 Annual Report

Introduction

Long before the United States Supreme Court's historic right to counsel case of *Gideon v. Wainwright* in 1963, Indiana recognized the right to counsel in the case of *Webb v. Baird*. In 1854, the Supreme Court of Indiana recognized the right to a publicly paid attorney for persons facing incarceration who could not otherwise afford an attorney. This made Indiana the first state in the Union to recognize such a right.

The burden of providing representation in Indiana has historically fallen upon each individual county. At the same time, the right to counsel is much more than just a technical requirement—it is the right to have a competent attorney who can protect the rights of each individual citizen to the fullest extent of the law. In order to assist counties with the financial burden of providing quality representation, the Indiana General Assembly created the Indiana Public Defender Commission.

Indiana Public Defender Commission

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*Cover photo: DeKalb County Courthouse,
by Chris Flook, Ball State University*

Statutory Duties

In response to serious concerns regarding the quality of publicly appointed defense attorneys in death penalty cases, the legislature created the Indiana Public Defender Commission in 1989 (P.L. 284-1989). In 1993, the legislature realized that the funding and quality of representation in non-death penalty cases was also a concern. Accordingly, it amended the Commission's duties (P.L. 283-1993). The Commission is now authorized to reimburse counties for 50% of their public defense services in death penalty cases and up to 40% in non-death penalty cases, excluding misdemeanors.

These changes resulted in the current version of I.C. § 33-40-5-4, where the Commission is mandated to:

1. Make recommendations to the Indiana Supreme Court concerning standards for public defense services provided for defendants against whom the State has sought the death sentence under I.C. § 35-50-2-9, including the following subjects:
 - a. Determining indigency and eligibility for legal representation.
 - b. Selection and qualifications of attorneys to represent public defendants at public expense.
 - c. Determining conflicts of interest.
 - d. Investigative, clerical, and other support services necessary to provide adequate legal representation.
2. Adopt guidelines and standards for public defense services under which counties are eligible for reimbursement under I.C. § 33-40-6, including the following:
 - a. Determining indigency and the eligibility for legal representation.
 - b. The issuance and enforcement of orders requiring defendants to pay for the costs of court appointed legal representation under I.C. § 33-40-3.
 - c. The use and expenditure of funds in the county supplemental public defender services fund established by I.C. § 33-40-3-1.
 - d. Qualifications of attorneys to represent public defendants at public expense.
 - e. Minimum and maximum caseloads of public defender offices and contract attorneys.
3. Make recommendations concerning the delivery of public defense services in Indiana.
4. Make an annual report to the Governor, the General Assembly, and the Supreme Court on the operation of the Public Defense Fund.

The Commission is an eleven-member, independent, judicial branch state governing board. The membership is set by state statute and is composed of 3 members appointed by the Governor, 3 members appointed by the Chief Justice, 2 members appointed by the President Pro Tempore of the Senate, 2 members appointed by the Speaker of the House, and 1 member appointed by the Criminal Justice Institute. Members serve 4-year terms.



Mark Rutherford, *Chair*

Hamilton County

Appointed by the Governor,

Term Expires: 10.31.25

Mark Rutherford has chaired the Commission since 2007 and has served as a Gubernatorial appointment to the Commission under three separate Governors. During his time as chair, the Commission's program has grown to 67 counties with full reimbursement since 2009. Mr. Rutherford is a shareholder at the Indianapolis law firm of Thrasher, Buschmann, and Voelkel, PC, where he focuses his practice on business law, business defense, litigation, and election law. He has previously served as both a deputy prosecutor and deputy public defender in Marion County



Bernice A. N. Corley

Marion County

Appointed by the Indiana

Criminal Justice Institute,

Term Expires: 09.06.23

Bernice Corley is the Executive Director of the Indiana Public Defender Council. Prior to joining the Public Defender Council, Ms. Corley served four years as General Counsel at the Department of Education, and she also served as legal counsel for both the Indiana Senate and Indiana House of Representatives.

Ms. Corley's career includes clerking for Hon. Carr Darden. She has served the Marion County Public Defender Agency as trial counsel as well as appellate counsel.



Samantha DeWester

Marion County

Appointed by the Governor,

Term Expires: 10.31.25

Samantha DeWester is an attorney with the infrastructure consulting firm of Beam, Longest and Neff. She has previously served as Chief Counsel to the Indiana Department of Natural Resources and Assistant Commissioner for the Indiana Department of Environmental Management. She has also served as the prosecuting attorney & deputy corporation counsel for the City of Indianapolis.

Ms. DeWester recently served on the Marion County Public Defender Board and began her career as an attorney with the Marion County Public Defender Agency.



Judge Mary Ellen Diekhoff

Monroe County

Appointed by the Chief Justice,

Term Expires: 05.17.26

The Hon. Mary Ellen Diekhoff is a Judge for the Monroe Circuit Court, a position she has held since 2005. Prior to becoming a judge, she was 1st Deputy Prosecutor for Monroe County and worked as an Associate Attorney at the Harrell, Clendening and Coyne Law Firm.

Judge Diekhoff currently handles criminal cases and presides over Drug Court, Veteran's Court and Re-Entry Court. She is a member of the Monroe County Bar Association, the Indiana State Bar Association, and the Indiana Judges Association.



Judge Kelsey Hanlon

Owen County

Appointed by the Chief Justice,

Term Expires: 10.06.26

The Hon. Kelsey Hanlon has served as Judge of Owen Circuit Court II since 2015. Prior to serving as judge, she served as Owen Circuit Court Referee and Child Support Commissioner. She currently presides primarily over a civil/family docket.

Judge Hanlon volunteers for several judicial improvement projects, including: the Family First Prevention Services Act Workgroup, the Indiana Council of Juvenile & Family Court Judges, and the Civil Jury Instructions Committee.

The Hon. Ragen Hatcher has represented Indiana House District 3 in the General Assembly since 2018. She is the ranking minority member of the Courts and Criminal Code Committee. She also serves on the Commerce, Small Business and Economic Development Committee, as well as the Government and Regulatory Reform Committee.

Prior to her legislative service, Rep. Hatcher served as an at-large member of the Gary City Council and as a Lake County deputy prosecutor.

David Hensel is a partner with Hoover Hull Turner LLP. He practices primarily in the areas of complex criminal and business litigation. Mr. Hensel regularly represents attorneys, doctors, and other professionals in disciplinary and ethical matters.

Mr. Hensel has previously served as a judge of the Marion County Superior Court and as Deputy Commissioner & Chief Counsel for the Indiana Department of Environmental Management. He is a past president and board member of Indiana Community Federal Defenders, Inc.

The Hon. Eric Koch has served Senate District 44 since 2016 and served in the House of Representatives from 2002-2016. He currently serves as chair of the Senate Committee on Utilities and as ranking member of the Senate Committee on Judiciary and the Senate Committee on Commerce and Technology. He also serves as a member on the Senate Committees on Corrections and Criminal Law; Elections; and Family & Children Services.

Sen. Koch serves on the Indiana Supreme Court's Indiana Innovation Initiative and the Commercial Courts Committee. He practices law at the firm of Koch & McAuley PC.

The Hon. Ryan Lauer represents House District 59, which includes most of Bartholomew County. He is currently the Vice Chair of the House Veterans Affairs & Public Safety Committee and serves on the Children and Human Affairs Committee and the Local Government Committee.

Rep. Lauer previously served on the as a member and President of the Bartholomew County Council. He is now a technical specialist at Cummins, where he has worked for more than a decade.

The Hon. Steven Meyer is a judge of the Tippecanoe County Superior Court II, where he was first elected in 2014. He has also served as a member and President of the Lafayette City Council. While in law school, he worked as an intern for the Indiana Legislative Services Agency.

Judge Meyer was previously a shareholder and managing partner at Ball Eggleston, PC. at the time of his election to the bench. He practiced law in the Lafayette area for 30 years and served as a public defender in Tippecanoe County for 14 years.

The Hon. Greg Taylor was first elected to represent Senate District 33 in November 2008 and currently serves as the Minority Leader of the Indiana Senate. He has served as a member of the Commission on the Social Status of Black Males, the White River State Park Development Commission, the Uniform Law Commission, Code Revision Commission, and the State Fair Advisory Commission.

Leader Taylor practices law as Senior Counsel at MWH Law Group, in the firm's transactional division and specializes in municipal finance law. He is also a member of the National Association of Bond Lawyers and the Indiana State Bar Association.

Representative Ragen Hatcher

Lake County

Appointed by the Speaker of the House, Term Expires: 06.01.24



David Hensel

Marion County

Appointed by the Governor
Term Expires: 10.31.25



Senator Eric Koch

Lawrence County

Appointed by the President
Pro Tem of the Senate,
Term Expires: 07.01.24



Representative Ryan Lauer

Bartholomew County

Appointed by the Speaker of the House, Term Expires: 07.10.23



Judge Steven Meyer

Tippecanoe County

Appointed by the Chief Justice
Term Expires: 04.24.24



Senator Greg Taylor

Marion County

Appointed by the President Pro Tem of the Senate,
Term Expires: 07.01.23



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Commission Benefits to Counties

Through proactive recruitment, the Commission has achieved record participation with 67 counties approved to receive reimbursements by the end of FY '22. Further, we have four more counties currently evaluating participation in Commission reimbursement during the upcoming fiscal year. In addition to reimbursement, Indiana and its participating counties enjoy significant financial and societal benefits, such as:



Commission Participation Benefits:

- 12% lower per-capital jail population
- 20% lower rate of “Low Recidivism Risk” individuals in DOC*
- Nearly three weeks less time children are placed outside of the home in CHINS cases**
- 64 days shorter DOC commitments***

In order to maximize the savings listed above, the Commission would need statewide participation. The Commission’s top two priorities are the first steps to achieve statewide participation. The first priority is to maintain maximum reimbursement by avoiding the prorated reimbursement that happened between FY '02 - FY '09 (see page 14 for more information). The second priority of the Commission is to offer participating counties a true 40% reimbursement of their public defense expenses by returning the Commission’s ability to reimburse for misdemeanors (see page 7 for more information).

FOOTNOTES:

* “Low recidivism risk” is a category assigned via the Indiana Risk Assessment System (IRAS) indicating that the individual is less likely than other prisoners to recidivate. Correspondingly, a greater proportion of individuals in DOC facilities are in higher recidivism risk categories in Commission Counties. ** There were 12,656 children in out-of-home care in Indiana as of July 2020. If each of these children had their time in foster care cut by 20 days, this represents \$5.8 million in cost savings. *** In 2019 the DOC admitted 8,613 prisoners, with a reported per diem of \$55.92. If the savings above were realized for each of these prisoners, this is a potential \$30.8 million in savings.

Misdemeanors Matter

Why does the quality of public defense in misdemeanor cases matter and how does it improve the criminal justice system while saving the state money?

Background: There are currently 67 counties that receive a partial reimbursement from the Indiana's Public Defense Fund in exchange for following standards for the quality of public defense work set by the Indiana Public Defender Commission (Commission).

The Commission has been in existence since 1989 but the ability to reimburse for misdemeanors was removed in 1997, primarily for fiscal reasons. This change was never intended to be permanent.

Non-reimbursement has resulted in an overload of cases in many counties.

- In 2021, the average misdemeanor-only attorney worked about double the caseload that they would be allowed if misdemeanor standards were enforced. However, there are examples of full-time attorneys doing over 900 cases.
- Standards would call for NO MORE than 300 cases.
- More crimes than ever are classified as misdemeanors (HB 1006 - 2014).
- The lack of misdemeanor reimbursement is why some counties refuse to comply with Commission Standards for quality of public defense representation.

The consequences of a misdemeanor conviction can be significant, including loss of liberty, driving privileges, denial of educational loans, housing, employment opportunities or professional licenses.

- 61% of all adult criminal filings are misdemeanors.
- Access to counsel to explain these collateral consequences impacts plea agreement decisions by clients.
- Misdemeanor incarcerations are a leading cause of county jail overcrowding.
- Counsel was appointed in only 41% of misdemeanor cases.
- The high volume of misdemeanor cases in many courts can result in pressure for speedy dispositions and "assembly line justice."

Participation in the Commission's reimbursement program leads to savings in other parts of Indiana's Criminal Justice System.

- Commission Counties have a lower per-capita county jail population. This difference is especially salient given the current struggles with jail overpopulation in many counties.
- Higher quality public defense can more effectively procure alternative sentences for low-risk offenders, keeping them out of prison.
- Out-of-home placements by DCS in Commission counties are 20 days shorter than in non-commission counties.
- Individuals in Commission counties receive shorter sentences in DOC facilities.

Existing and Future Challenges to Public Defense

Indiana has an attorney shortage compared to other states.

The Commission has discovered that Indiana counties have approximately 46% of the national per-capita number of lawyers. The economic impact of so few attorneys available to practice public defense results in higher compensation to persuade attorneys to do this work. Counties are currently reporting to the Commission an inability to find counsel for their current rates of pay. As compensation increases to help equalize supply and demand (which will likely be a long-term issue), the costs submitted to the Commission will continue to increase. The Commission has recently launched a job listing site in order to provide further assistance to counties.

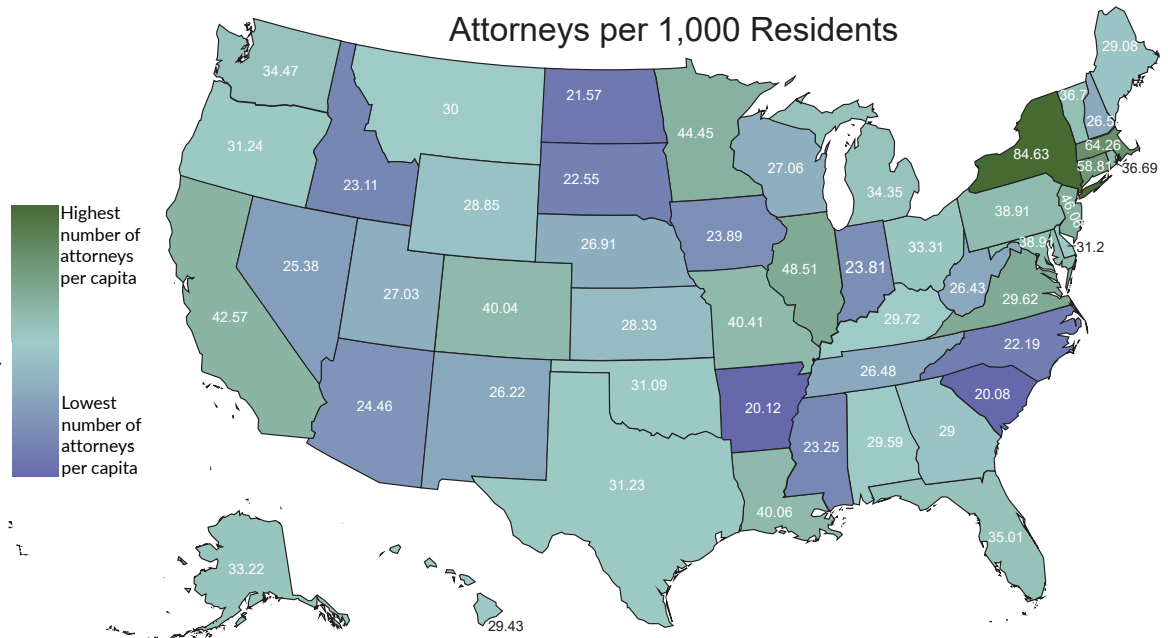
Record county participation and interest continues.

It is a victory for the Commission and the State of Indiana that participation in reimbursement has reached a record 67 counties. At the same time, record participation necessitates record reimbursements. In addition to the counties that have already joined in FY '22, multiple counties are evaluating whether to join in FY '23 or beyond.

Misdemeanor funding remains unavailable.

The primary barrier to statewide participation with Commission Standards, which would spread the benefits of Commission participation described above to the entire state, is the continued inability to provide reimbursement to counties for misdemeanor representation.

The Commission continues to review and update its standards based upon the best available information and public defense data both nationally and within Indiana. Evaluation of available county and state data repeatedly illustrates that compliance with Commission standards improves outcomes for Indiana citizens and lowers costs to other state entities such as the Department of Child Services and the Department of Corrections as well as reducing the impact on local county jails. Thus, the Commission is dedicated to maintaining and increasing participation in the Commission and compliance with its standards for public defense.



County Public Defender Board Requirements

Indiana Statute requires that counties or regions maintain County Public Defender Boards in order to receive reimbursement from the Commission, excluding counties with small populations. The primary duty of the board is to draft and monitor compliance with its initial Comprehensive Plan for Indigent Defense Services and evaluate on an ongoing basis whether the Comprehensive Plan should be amended.

The boards consist of three (3) members:

- One (1) appointment by the County Judges who exercise criminal and juvenile jurisdiction
- One (1) appointment by the Board of County Commissioners
- One (1) appointment by the Indiana Public Defender Commission (effective upon the first expiration of a current judicial appointment prior to July 1, 2019)

The statute requires that members “shall be persons who have demonstrated an

interest in high quality legal representation for indigent persons.” Certain individuals employed in the criminal justice system are excluded from membership.

Term of Service:

Three (3) years, beginning on the date of the member’s appointment to the board.

Meeting & Chair Requirements:

- The members shall, by a majority vote, elect one member to serve as a chairperson.
- The board shall meet, at least, on a quarterly basis.

West Central Indiana Public Defender Office Created

The Commission is very excited to announce that Indiana’s first regional public defender office has formed. Encouraging the regionalization of public defense services, where appropriate, has been a policy goal of the Commission for several years. It was a key recommendation of the Task Force on Public Defense, and the statute was amended in 2019 to authorize

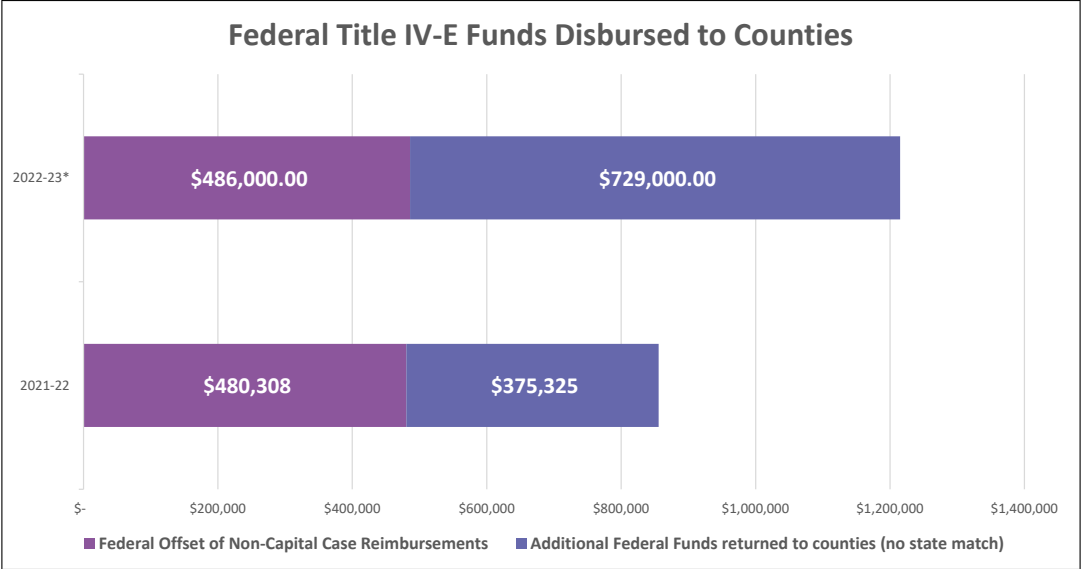


regionalization beyond county lines in a bill authored by State Senator R. Michael Young.

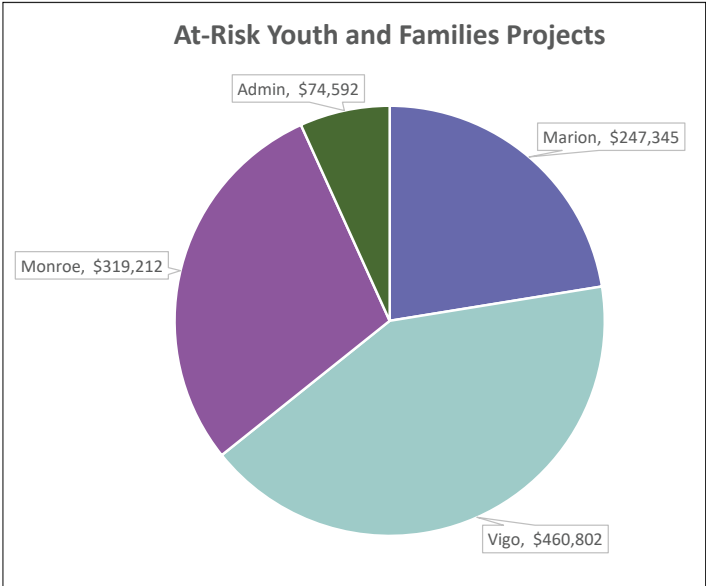
The new regional office will serve Vermillion, Parke and Fountain Counties, out of an office located in Vermillion County.

At-Risk Youth and Family and Title IV-E

The Commission is pleased to report that it has leveraged the \$2 million a year in at-risk youth and family funding to obtain significant federal Title IV-E reimbursement for its on DCS related reimbursements. The Commission has also begun, this fiscal year, providing Title IV-E reimbursement directly to counties for their DCS-related public defense expenses, regardless of whether they receive other Commission reimbursement.



Additionally, three counties began two-year pilot projects using social workers or system navigators to assist clients involved in CHINS and TPR cases or juvenile delinquency cases. The primary goals of these projects are: (1) to create long-term improvements in systems that serve at-risk youth and families involved with Indiana’s family/child welfare system, the juvenile delinquency system, or both, and/or (2) to create system improvements that proactively prevent such involvements.



Funding and Reimbursement History

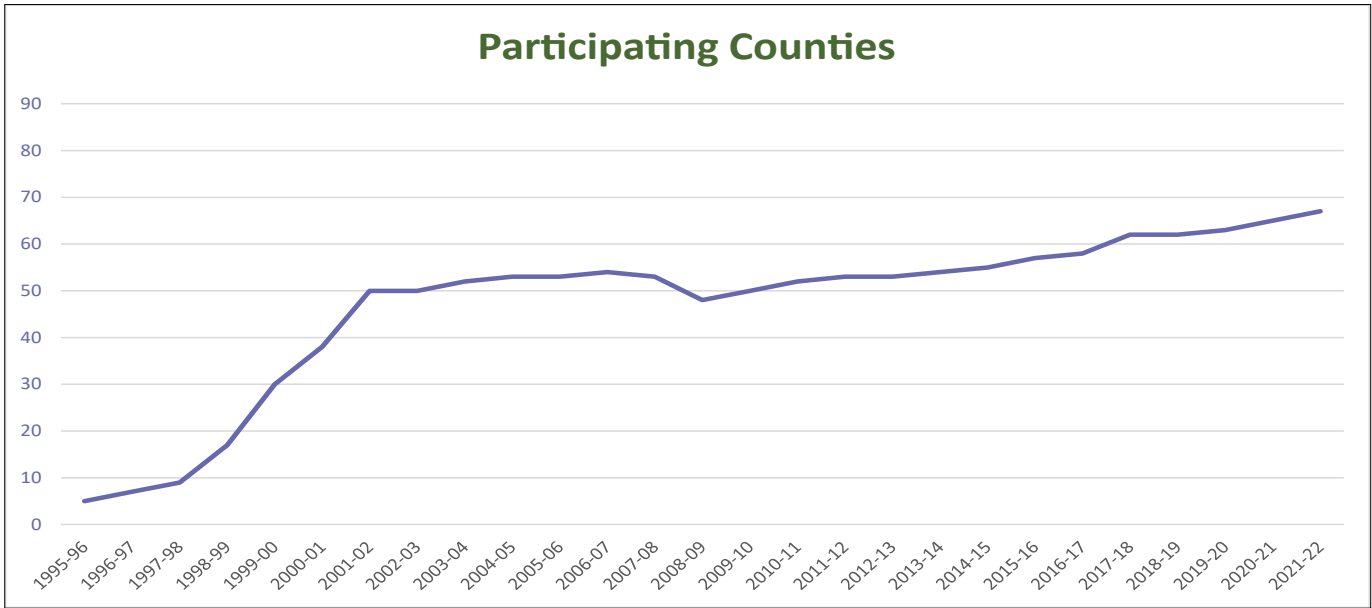
County	Capital	Non-Capital	Total Reimbursement	Non-Capital Participation
ADAMS	\$24,093.55	\$ 1,972,377.34	\$1,996,470.89	2000-Present
ALLEN	\$392,175.95	\$ 24,177,757.22	\$24,569,933.17	2000-Present
BENTON	\$0.00	\$ 444,923.18	\$444,923.18	1998-Present
BLACKFORD	\$0.00	\$ 963,133.66	\$963,133.66	2000-Present
BOONE	\$458,377.16	\$ -	\$458,377.16	
BROWN	\$0.00	\$ 498,573.51	\$498,573.51	2012-2017, 2019-Present
CARROLL	\$43,090.70	\$ 973,659.40	\$1,016,750.10	2001-Present
CASS	\$0.00	\$ 1,831,249.68	\$1,831,249.68	2013-Present
CLARK	\$539,030.42	\$ 6,283,194.06	\$6,822,224.48	1995-Present
CLINTON	\$56,199.10	\$ 474,570.32	\$530,769.42	2018-Present
CRAWFORD	\$0.00	\$ 65,738.11	\$65,738.11	2021-Present
DAVISS	\$6,150.00	\$ -	\$6,150.00	
DECATUR	\$0.00	\$ 1,324,666.96	\$1,324,666.96	1999-Present
DEKALB	\$0.00	\$ 1,543,766.02	\$1,543,766.02	2016-Present
DELAWARE	\$307,403.49	\$ 5,729,642.01	\$6,037,045.50	2011-Present
ELKHART	\$99,831.80	\$ 2,317,761.68	\$2,417,593.48	2020-Present
FAYETTE	\$0.00	\$ 2,382,457.07	\$2,382,457.07	1999-Present
FLOYD	\$404,055.07	\$ 5,224,258.04	\$5,628,313.11	1997-Present
FOUNTAIN	\$59,553.05	\$ 742,172.38	\$801,725.43	1999-Present
FULTON	\$167,001.92	\$ 1,508,649.94	\$1,675,651.86	1998-Present
GIBSON	\$40,865.05	\$ 494,919.49	\$535,784.54	2020-Present
GRANT	\$0.00	\$ 5,995,760.20	\$5,995,760.20	2003-Present
GREENE	\$28,435.81	\$ 2,680,503.96	\$2,708,939.77	2000-Present
HAMILTON	\$230,965.24	\$ -	\$230,965.24	
HANCOCK	\$2,064.00	\$ 3,353,601.97	\$3,355,665.97	1999-Present
HARRISON	\$823,472.27	\$ 298,192.45	\$1,121,664.72	2020-Present
HENDRICKS	\$0.00	\$ 2,713,532.52	\$2,713,532.52	2017-Present
HENRY	\$76,311.74	\$ 773,998.32	\$850,310.06	1999-2008
HOWARD	\$0.00	\$ 8,189,697.58	\$8,189,697.58	2004-Present
JACKSON	\$0.00	\$ 1,863,006.46	\$1,863,006.46	2015-Present
JASPER	\$47,240.91	\$ 1,576,069.51	\$1,623,310.42	1999-Present
JAY	\$0.00	\$ 2,041,749.15	\$2,041,749.15	2000-Present
JEFFERSON	\$87,054.05	\$ 1,291,084.27	\$1,378,138.32	2017-Present
JENNINGS	\$0.00	\$ 1,713,953.74	\$1,713,953.74	1999-Present
JOHNSON	\$217,557.21		\$217,557.21	
KNOX	\$54,275.54	\$ 4,229,683.66	\$4,283,959.20	1999-Present
KOSCIUSKO	\$0.00	\$ 3,650,984.71	\$3,650,984.71	2000-Present
LaGRANGE	\$0.00	\$ 852,217.82	\$852,217.82	2010-Present
LAKE	\$2,142,552.82	\$ 30,692,438.39	\$32,834,991.21	1999-Present
LaPORTE	\$59,311.47	\$ 5,218,293.54	\$5,277,605.01	1995-Present

No Commission Reimbursement: Bartholomew, Clay, Dearborn, Dubois, Franklin, Huntington, Marsha

County	Capital	Non-Capital	Total Reimbursement	Non-Capital Participation
LAWRENCE	\$0.00	\$ 3,132,339.89	\$3,132,339.89	2011-Present
MADISON	\$559,893.41	\$ 13,761,275.93	\$14,321,169.34	1998-Present
MARION	\$4,189,149.10	\$ 120,222,206.23	\$124,411,355.33	1995-Present
MARTIN	\$0.00	\$ 938,180.73	\$938,180.73	1999-Present
MIAMI	\$17,918.79	\$ 1,709,852.36	\$1,727,771.15	1995-2007,2018-Present
MONROE	\$0.00	\$ 11,157,249.41	\$11,157,249.41	2000-Present
MONTGOMERY	\$0.00	\$ 1,080,445.33	\$1,080,445.33	1995-2013
MORGAN	\$511,283.37		\$511,283.37	
NOBLE	\$0.00	\$ 3,565,551.78	\$3,565,551.78	2001-Present
OHIO	\$0.00	\$ 470,153.57	\$470,153.57	1999-Present
ORANGE	\$0.00	\$ 2,024,765.10	\$2,024,765.10	1995-Present
OWEN	\$0.00	\$ 702,136.51	\$702,136.51	2015-Present
PARKE	\$405,587.58	\$ 939,840.45	\$1,345,428.03	1996-Present
PERRY	\$0.00	\$ 1,401,606.69	\$1,401,606.69	2004-Present
PIKE	\$16,890.76	\$ 1,322,758.80	\$1,339,649.56	2001-Present
PORTER	\$83,653.84		\$83,653.84	
POSEY	\$75,447.10		\$75,447.10	
PULASKI	\$0.00	\$ 1,468,249.85	\$1,468,249.85	1999-Present
PUTNAM	\$128,306.40		\$128,306.40	
RANDOLPH	\$25,308.56		\$25,308.56	
RIPLEY	\$0.00	\$ 686,755.70	\$686,755.70	2014-Present
RUSH	\$0.00	\$ 1,694,463.50	\$1,694,463.50	2001-Present
ST. JOSEPH	\$85,691.69	\$ 11,391,645.90	\$11,477,337.59	2007-Present
SCOTT	\$0.00	\$ 1,292,121.40	\$1,292,121.40	2000-2009,2018-Present
SHELBY	\$40,347.59	\$ 3,121,517.57	\$3,161,865.16	1999-Present
SPENCER	\$348,321.01	\$ 1,282,174.78	\$1,630,495.79	1999-Present
STEUBEN	\$117,935.92	\$ 2,006,821.28	\$2,124,757.20	2001-Present
SULLIVAN	\$70,575.60	\$ 957,224.48	\$1,027,800.08	1999-Present
SWITZERLAND	\$0.00	\$ 1,175,939.85	\$1,175,939.85	1999-Present
TIPPECANOE	\$85,663.35	\$ 13,590,306.18	\$13,675,969.53	2004-Present
UNION	\$0.00	\$ 430,338.28	\$430,338.28	1999-Present
VANDEBURGH	\$852,201.82	\$ 16,719,718.61	\$17,571,920.43	2000-Present
VERMILLION	\$0.00	\$ 1,094,348.09	\$1,094,348.09	1997-Present
VIGO	\$153,767.89	\$ 12,672,232.42	\$12,826,000.31	1999-Present
WABASH	\$0.00	\$ 1,509,287.29	\$1,509,287.29	2007-Present
WARREN	\$0.00	\$ 296,127.49	\$296,127.49	1996-Present
WARRICK	\$481,596.53	\$ 300,290.51	\$781,887.04	2020-Present
WASHINGTON	\$3,877.66	\$ 3,040,021.93	\$3,043,899.59	2000-Present
WHITE	\$0.00	\$ 32,777.70	\$32,777.70	2001-2002
WHITLEY	\$0.00	\$ 213,243.89	\$213,243.89	1999-2008

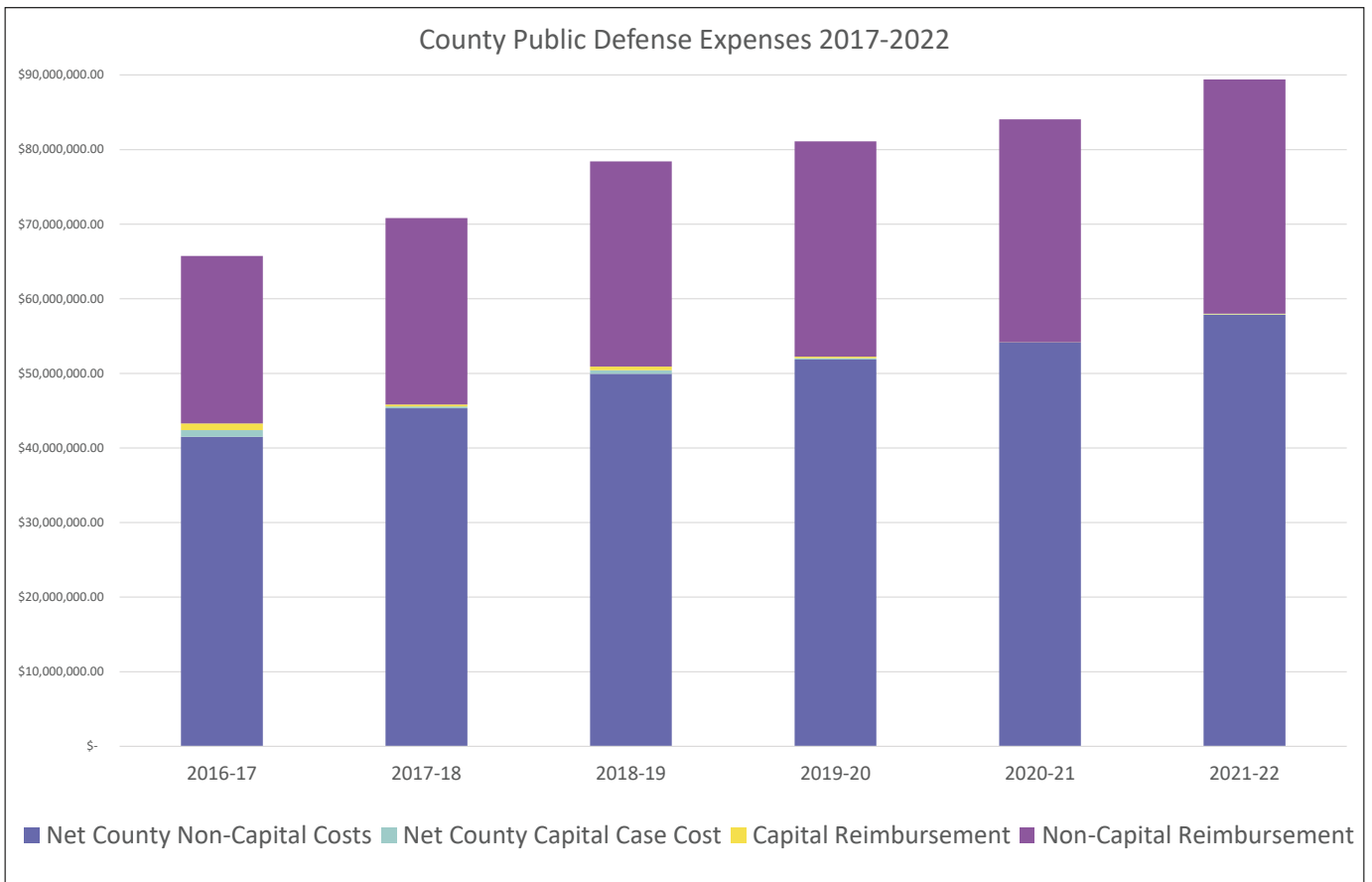
all, Newton, Starke, Tipton, Wayne, Wells

County Participation History 2000-2022



County participation in the Commission's Non-Capital Reimbursement program experienced significant growth over the last five years. In fiscal year 2022, Crawford County joined. Four additional counties were in various stages of the evaluation and admission process.

Reimbursement Trends 2015-2022



Funding and Reimbursement History

Fiscal Year	# of Counties Eligible for Reimbursement	Reimbursement Paid in Capital Cases	Reimbursement Paid in Non-Capital Cases	Total Reimbursement Paid
1989-90				\$ -
1990-91		\$ 58,550		\$ 58,550
1991-92		\$ 286,805		\$ 286,805
1992-93		\$ 484,501		\$ 484,501
1993-94		\$ 337,139		\$ 337,139
1994-95		\$ 288,465		\$ 288,465
1995-96	5	\$ 528,641	\$ 668,747	\$ 1,197,388
1996-97	7	\$ 371,046	\$ 628,841	\$ 999,887
1997-98	9	\$ 799,450	\$ 1,022,104	\$ 1,821,554
1998-99	17	\$ 526,515	\$ 2,188,701	\$ 2,715,216
1999-00	30	\$ 378,209	\$ 2,990,954	\$ 3,369,163
2000-01	38	\$ 712,054	\$ 3,669,319	\$ 4,381,373
2001-02	50	\$ 473,317	\$ 4,869,313	\$ 5,342,630
2002-03	50	\$ 413,805	\$ 5,371,364	\$ 5,785,169
2003-04	52	\$ 478,222	\$ 4,553,537	\$ 5,031,759
2004-05	53	\$ 672,381	\$ 11,026,803	\$ 11,699,184
2005-06	53	\$ 386,288	\$ 5,824,921	\$ 6,211,209
2006-07	54	\$ 844,769	\$ 12,147,454	\$ 12,992,223
2007-08	53	\$ 753,772	\$ 14,162,897	\$ 14,916,669
2008-09	48	\$ 742,251	\$ 14,325,105	\$ 15,067,356
2009-10	50	\$ 618,252	\$ 15,373,384	\$ 15,991,636
2010-11	52	\$ 370,709	\$ 15,996,714	\$ 16,367,423
2011-12	53	\$ 532,706	\$ 16,685,482	\$ 17,218,188
2012-13	53	\$ 381,459	\$ 17,546,818	\$ 17,928,277
2013-14	54	\$ 421,935	\$ 18,693,834	\$ 19,115,769
2014-15	55	\$ 268,182	\$ 19,923,237	\$ 20,191,418
2015-16	57	\$ 590,939	\$ 20,695,801	\$ 21,286,740
2016-17	58	\$ 896,287	\$ 22,435,660	\$ 23,331,946
2017-18	62	\$ 256,896	\$ 25,006,493	\$ 25,263,389
2018-19	62	\$ 481,104	\$ 27,502,636	\$ 27,983,740
2019-20	63	\$ 188,155	\$ 28,877,630	\$ 29,065,785
2020-21	65	\$ 6,138	\$ 29,888,538	\$ 29,894,676
2021-22	67	\$ 71,547	\$ 31,415,919	\$ 31,487,466
TOTALS		\$ 14,620,489	\$ 373,492,207	\$ 388,112,694

2022 Capital Case Reimbursement

COUNTY	DEFENDANT	TOTAL
Clinton	Ferrell	\$56,199.10
Marion	Dorsey	\$15,347.79
Total		\$71,546.89

2021-2022 Non-Capital Reimbursements

