

WELLS COUNTY ORDINANCE NO. 2011- 12

**AN ORDINANCE PROVIDING FOR USE OF FUNDS
COLLECTED BY THE PROSECUTOR'S DIVERSION AND DEFERRAL PROGRAMS**

WHEREAS, the Prosecutor's Office administers a Diversion and Deferral Program pursuant to the Indiana Code; and


WHEREAS, effective July 1, 2011 the Indiana General Assembly declared that 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.

BE IT NOW, THEREFORE, ORDAINED by the Commissioners of Wells County, State of Indiana, as follows:

SECTION 1. The funds derived from the prosecutor's deferral program and the prosecutor's pretrial diversion program 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;
 - (B) a deputy prosecuting attorney;
 - (C) support staff for a prosecuting attorney or deputy prosecuting attorney; or
 - (D) a law enforcement officer.
- (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;

"I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law" *Beth Davis*


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(D) operating while intoxicated; and

(E) juvenile delinquency.

(9) Any other purpose that benefits the office of the prosecuting attorney or law enforcement and that is agreed upon by the county fiscal body and the prosecuting attorney.

Section 2. The Funds collected by the Prosecutor's Office through its diversion and deferral programs may be used only in accordance with guidelines adopted by the prosecuting attorneys council under IC 33-39-8-5.

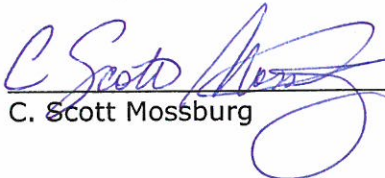
Section 3. This Ordinance shall be in full force and effect immediately.

ALL OF WHICH IS ORDAINED, ENACTED AND ADOPTED BY THE WELLS COUNTY COMMISSIONERS THIS 15th DAY OF August, 2011.

WELLS COUNTY BOARD OF COMMISSIONERS:



Kevin Woodward



C. Scott Mossburg

Paul Bonham

ATTEST:



Beth Davis
Wells County Auditor