

2025 Indiana Code

Legal Update Digest

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Disclaimer

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For formatting suggestions or feedback, please contact Ellis Noto at ENoto@SpeedwayIN.Gov.

Ind. Code § 5-2-18.2-7 Written notice to law enforcement officers of duty to cooperate pertaining to enforcement of immigration [Effective July 1, 2025] [Full Statute](#)

2025 Update: In an individual is arrested for a felony or a misdemeanor crime, and there is probable cause to believe that the individual is not lawfully present in the United States, the jail or detention facility shall notify the county sheriff of the probable cause during the individual's intake process, and the county sheriff shall notify the proper authority.

- (a) Every law enforcement agency (as defined in IC 5-2-17-2) shall provide each law enforcement officer with a written notice that the law enforcement officer has a duty to cooperate with state and federal agencies and officials on matters pertaining to enforcement of state and federal laws governing immigration.

(b) If a law enforcement officer arrests an individual for a felony or a misdemeanor and there is probable cause to believe that the person is not lawfully present in the United States, the jail or detention facility shall, during the intake process at the jail or detention facility, notify the county sheriff of the probable cause to believe the person is not lawfully present in the United States

(c) A county sheriff shall report information received under subsection (b) to the proper authority in accordance with provisions of this chapter.

Ind. Code § 5-2-26.1 Towing Rotation Requirements [Effective July 1, 2025] [Full Statute](#)

2025 Update: LEA's must establish a written policy for towing rotations or enter into a contract. The policy or contract must include response time, rate structures, equipment standards, access to vehicles and personal property, and a process for suspending non-compliant towing companies. Agencies must review towing fees for reasonableness and may only use non-rotation companies in emergencies requiring specialized equipment.

Marion County Note: Residents may park on the street outside their home for up to 7 days before towing is permitted.

Sec. 1. The definitions in IC 24-14-2 apply throughout this chapter.

Sec. 2. A law enforcement agency shall do at least one (1) of the following for emergency towing:

- (1) Establish a written policy for towing rotations.
- (2) Enter into a contract.

Sec. 3. (a) This section applies to:

- (1) a written policy established after June 30, 2025; and
- (2) a contract entered into, amended, or renewed after June 30, 2025.

(b) A written policy or contract required under section 2 of this chapter must include the following, as applicable:

(1) The length of time of the contract between the towing company and the law enforcement agency, including renewal periods.

(2) Rates for all services, including standby rates. A towing company may include a standard minimum charge of one (1) hour.

(3) Rates for storage and the timing for when storage charges begin.

(4) The allowable administrative fee for each service and when the fee is applicable.

(5) Truck and equipment requirements.

(6) Availability of a towing company to respond to calls.

(7) Response time requirements.

(8) Storage lot requirements.

(9) Availability for the owner to pick up the vehicle, including after hours.

(10) Access to personal belongings in a vehicle that is in storage.

(11) Markup percentages for items or services provided by third parties.

(12) A provision that allows the law enforcement agency to suspend or remove a towing company that violates the written policy or contract.

(13) A prohibition on charging fees that are not listed under the written policy or contract.

(c) Notwithstanding IC 9-22-1-14, and in addition to the requirements under subsection (b), in the case of a contract between a towing company and a local law enforcement agency in a county containing a consolidated city, the contract must provide that a person may park a vehicle that is registered to the person's residence on the street outside the person's residence for not more than seven (7) days before the vehicle is required to be towed.

Sec. 4. A law enforcement agency may not use a towing company that charges unreasonable fees as part of its towing rotation. A law enforcement agency must perform a periodic review of a towing company's rates for reasonableness.

Sec. 5. A law enforcement agency may select a towing company outside of its towing rotation if an emergency situation requires the use of a towing company with certain equipment or capacity to adequately respond to the emergency situation.

Ind. Code § 5-2-26-4 Protocols for Notification of Property Owners After Accident [Effective July 1, 2026] [Full Statute](#)

2025 Update [New Section]: LEAs must develop a protocol, by July 1, 2026, for notifying property owners when their land, structures, or crops are damaged, or when debris is left behind after a traffic collision.

(a) On or before July 1, 2026, each law enforcement agency shall adopt and implement protocols requiring the law enforcement agency to notify a real property owner, in a time frame and in a manner prescribed by the law enforcement agency, of:

(1) damage to the owner's real property, crops, or a building, structure, or fixture attached to the owner's real property that is reported to a law enforcement officer or law enforcement agency in accordance with IC 9-26-1-1.1(a)(4)(B); and

(2) debris identified by a law enforcement officer or law enforcement agency that is left on the owner's real property that could damage farm equipment or other vehicles or property;

resulting from a motor vehicle accident.

(b) A law enforcement officer or law enforcement agency is immune from civil or criminal liability for failing to comply with protocols established under this section, unless the noncompliance constitutes gross negligence or willful or wanton misconduct.

Ind. Code § 7.1-5-1-6.5 Request of medical assistance, victim of sex offense, crime witness; prohibited from being taken into custody; immunity from criminal prosecution; actions against law enforcement officers [Effective July 1, 2025] [Full Statute](#)

2025 Update: An individual who is reasonably believed to be suffering from a health condition which is the direct result of alcohol consumption and assisted by a person who requested emergency medical assistance for the individual is immune from prosecution for certain crimes.

(a) A law enforcement officer may not take a person into custody based solely on the commission of an offense involving alcohol described in subsection (b) if the law enforcement officer, after making a reasonable determination and considering the facts and surrounding circumstances, reasonably believes that all of the following apply:

(1) The law enforcement officer has contact with the person because the person:

(A) either:

(i) requested emergency medical assistance; or

(ii) acted in concert with another person who requested emergency medical assistance;

for an individual who reasonably appeared to be in need of medical assistance;

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(B) is the victim of a reported sex offense (as defined in IC 11-8-8-5.2); or

(C) witnessed and reported what the person reasonably believed to be a crime.

(2) The person described in subdivision (1)(A), (1)(B), or (1)(C):

(A) provided:

(i) the person's full name; and

(ii) any other relevant information requested by the law enforcement officer; and

(B) in the case of a person described in subdivision (1)(A):

(i) remained at the scene with the individual who reasonably appeared to be in need of medical assistance until emergency medical assistance arrived; and

(ii) cooperated with emergency medical assistance personnel and law enforcement officers at the scene.

(b) A person who meets the criteria of subsection (a)(1) and (a)(2) is immune from criminal prosecution for an offense under:

(1) section 3 of this chapter if the offense involved a state of intoxication caused by the person's use of alcohol;

(2) section 6 of this chapter if the offense involved the person being, or becoming, intoxicated as a result of the person's use of alcohol; and

(3) IC 7.1-5-7-7.

(c) An individual reasonably believed to be suffering from a health condition which is the direct result of alcohol consumption and who is assisted by a person under subsection (a)(1)(A) is immune from criminal prosecution for an offense under:

(1) section 3 of this chapter if the offense involved a state of intoxication caused by the individual's use of alcohol;

(2) section 6 of this chapter if the offense involved the individual being, or becoming, intoxicated as a result of the individual's use of alcohol; and

(3) IC 7.1-5-7-7.

(d) A person may not initiate or maintain an action against a law enforcement officer based on the officer's compliance or failure to comply with this section.

Ind. Code § 9-18.1-3-1.1 Change of color of vehicle; requirement to amend registration [Effective January 1, 2026] [Full Statute](#)

2025 Update [New Section]: After Jan 1st, 2026, individuals who paint or wrap a vehicle in a new color must advise the BMV within 30 days after the change occurs. Ind. Code § 9-18.1-3-12 has the same verbiage for when renewing a vehicle's registration.

(a) If a person changes the color of a passenger vehicle registered under this article through the:

- (1) application of paint;
- (2) installation of a partial or full vinyl vehicle wrap; or
- (3) removal of a partial or full vinyl vehicle wrap;

then the person who registered the vehicle must apply to the bureau under [IC 9-18.1-11-9\(c\)](#) not later than thirty (30) days after the change occurs.

(b) This subsection does not apply to a person described in section 1.3 of this chapter. If a person fails to apply to the bureau as required under subsection (a), a law enforcement officer shall issue a warning advising the person that the person has thirty (30) days from the date of the warning to apply to the bureau as required under subsection (a).

Ind. Code § 9-18.1-3-11 Fraud involving a motor vehicle registration [Effective July 1, 2025] [Full Statute](#)

2025 Update [New Section]: It is unlawful for a person to knowingly or intentionally register a vehicle with the intent of allowing someone to operate it who is not entitled to a permit/license.

A person who knowingly or intentionally registers or applies to register a motor vehicle or receives a certificate of registration or proof of registration with intent to permit an individual who is not entitled to a driver's license or permit to operate the motor vehicle commits fraud involving a motor vehicle registration, a Class A misdemeanor. However, the offense is a Level 6 felony if:

- (1) the person uses a business or nonprofit organization to commit or facilitate the commission of the offense; or
- (2) the offense involves an application, certificate of registration, or proof of registration for at least two (2) motor vehicles.

Ind. Code § 9-20-9-1 "Drive away or tow away" defined; combinations of two vehicles; length limitations; exemptions [Effective July 1, 2025] [Full Statute](#)

2025 Update: Certain construction vehicles added to the use of “drive away or tow away” as it relates to the purposes of cargo or business transportation purposes.

- (a) As used in this section, "drive away or tow away" means the delivery service performed by a transport operator by which motor vehicles in transit are delivered by driving singly or in combination by the tow bar, saddle mount, or full mount methods or any lawful combination of those methods, including coupling equipment or where a truck or tractor draws or tows a semitrailer or trailer in transit.
- (b) A combination of two (2) vehicles coupled together, including load, may not exceed a total length of sixty (60) feet, except for the following:
- (1) A combination of two (2) vehicles coupled together that are especially constructed to transport other vehicles or boats. This exception includes any combination of a truck, tractor, semitrailer, and trailer if the combination is used exclusively or primarily in connection with motorsports.
 - (2) A combination of two (2) vehicles coupled together being transported in a drive away or tow away service.
 - (3) A pole trailer owned by or operated for a public utility (as defined in IC 8-1-2-1), while the pole trailer is being used in connection with the utility services of the public utility.
 - (4) Trailers used in transporting oilfield equipment or pipe for the transmission of oil or gas.
 - (5) Construction vehicles with a towbar connection used in connection with a trailer used to haul heavy equipment.

Ind. Code § 9-24-18-1 Driving Without a License [Effective July 1, 2025] [Full Statute](#)

2025 Update: Aggravating circumstances involving driving without ever having received a license added.

- (a) An individual, except an individual exempted under IC 9-24-1-7, who knowingly or intentionally operates a motor vehicle upon a highway and has never received a valid driver's license commits a Class C misdemeanor. However, the offense is a:
- (1) Class A misdemeanor if the individual has a prior unrelated conviction under this section;
 - (2) Class A misdemeanor if the operation of the motor vehicle results in bodily injury;
 - (3) Level 6 felony if the operation of the motor vehicle results in serious bodily injury; or
 - (4) Level 5 felony if the operation of the motor vehicle results in the death or catastrophic injury of another person.

Ind. Code § 9-25-11 Real Time Insurance Verification [Effective January 1, 2028] [Full Statute](#)

2025 Update [New Chapter]: Beginning on 1 January 2028, the Indiana BMV shall maintain a real-time insurance verification portal accessible by law enforcement officers.

Sec 1. (a) The bureau shall maintain a secure online insurance verification system to access information in real time from a driver's insurer for the purpose of determining a driver's compliance with this article. The secure online insurance verification system must transmit requests to insurers for verification of motor vehicle liability insurance policies via web services established by the insurers in compliance with the specifications and standards of the Insurance Industry Committee on Motor Vehicle Administration.

(b) In any circumstance in which the bureau or a law enforcement officer is required by law to determine a driver's compliance with this article, the bureau or the law enforcement officer shall use the secure online insurance verification system.

(c) If the bureau or a law enforcement officer is unable to determine a driver's compliance with this article through the secure online insurance verification system, the bureau shall determine the driver's compliance with this article using another method allowed under this article.

Sec. 2. The bureau may contract with a third party to implement this chapter.

Sec. 3. An insurer shall allow the bureau to access information regarding a driver's compliance with this article through a secure online insurance verification system.

Sec. 4. The bureau may adopt rules under IC 4-22-2 to implement this chapter.

Ind. Code § 9-30-10-17 Operating motor vehicle while privileges are forfeited for life; habitual traffic violator who causes bodily injury or death; penalties [Effective July 1, 2025] [Full Statute](#)

2025 Update: Charge elevated for driving while license is suspended for life.

(a) A person who operates a motor vehicle after the person's driving privileges are forfeited for life under section 16 of this chapter, IC9-4-13-14 (repealed April 1, 1984), or IC 9-12-3-1 (repealed July 1, 1991) or commits:

(1) a Level 6 felony, if the forfeiture occurred before July 1, 2015; or

(2) a Level 5 felony, if the forfeiture occurred after June 30, 2015.

(b) A person who is a habitual traffic violator under this chapter and commits an offense involving the person's operation of a motor vehicle, which offense causes serious bodily injury, catastrophic injury, or death commits a Level 5 felony.

(c) In addition to any criminal penalties imposed for a conviction of an offense described in subsection (a) or (b), if the new offense caused catastrophic injury or death, the bureau shall suspend the person's driving privileges for the life of the person.

(d) A person who violates subsection (b) commits a separate offense for each person whose bodily injury or death is caused by the violation of subsection (b).

Ind. Code § 10-13-3-35 Indiana data and communication system; NCIC data; restraining order information; sanction for noncompliant law enforcement agency [Effective July 1, 2025] [Full Statute](#)

2025 Update: Clarifies that certain information shall be entered into the Indiana data and communication system (IDACS) within 24 hours of the information's receipt unless otherwise provided by law.

(a) All law enforcement agencies shall enter into the Indiana data and communication system (IDACS) computer the following **information within twenty-four (24) hours of receipt or modification of the information required by IDACS, unless otherwise provided by law:**

(1) All information concerning stolen or recovered property, including the following:

(A) Motor vehicles.

(B) Firearms.

(C) Securities.

(D) Boats.

(E) License plates.

(F) Other stolen or recovered property.

(2) All information concerning fugitives charged with a crime, including information concerning extradition.

(3) All information concerning runaways, missing and unidentified persons, and missing children (as defined in IC 10-13-5-4), including information concerning the release of those persons to the custody of a parent or guardian.

(4) Information contained in a protective order, including any modifications or extensions issued by a court and filed with a law enforcement agency as required in IC 5-2-9-6(f).

(5) Information received from a court concerning a prohibited person under IC 33-24-6-15.

(b) All law enforcement agencies shall do the following **with the information described in subsection (a) within twenty-four (24) hours of receipt or modification of the information required by IDACS, unless otherwise provided by law:**

(1) Enter all information concerning missing children (as defined in IC 10-13-5-4) into the National Crime Information Center's Missing Person File.

(2) Enter all information concerning warrants issued for a person who allegedly abducted or unlawfully retained a missing child into the National Crime Information Center Wanted Person File.

(3) Enter all information concerning unidentified persons into the National Crime Information Center's Unidentified Person File.

(4) Enter all information concerning a protective order, a workplace violence restraining order, or a no contact order involving intimate partners into the National Crime Information Center's (NCIC) Protection Order File if the order qualifies under NCIC rules.

(c) If a protective order, a no contact order, or a workplace violence restraining order is removed from a depository established under IC 5-2-9, the law enforcement agency responsible for the depository shall delete the information entered under subsection (a)(4) from the HEA 1232 — Concur 3 Indiana data and communication system (IDACS) computer.

(d) Notwithstanding any other law, the department, in consultation with the institute, may determine that a law enforcement agency is ineligible to receive any law enforcement grants from the institute if the law enforcement agency fails to timely enter or modify information in accordance with the requirements set forth in this section. The law enforcement agency remains ineligible for law enforcement grants until the law enforcement agency remedies the deficiency in a manner prescribed by the department. The institute may not award a law enforcement grant to a law enforcement agency that is determined to be ineligible for a grant under this subsection until the department notifies the institute that the law enforcement agency has remedied its deficiency.

Ind. Code § 12-9.1-6 Yellow Dot Motor Vehicle Medical Information Program [Effective July 1, 2025] [Full Statute](#)

2025 Update [New Chapter]: A new program is created with the purpose of providing law enforcements officers, firefighters, and emergency medical responders with critical medical information in the event of a motor vehicle accident or emergency. Participation in the program by a driver or passenger allows a first responder to search the vehicle compartment for the folder that should be placed in the glove box.

Sec. 1. As used in this chapter, "emergency medical responder" means:

- (1) an emergency medical technician;
- (2) an emergency medical technician-paramedic;
- (3) a paramedic; and
- (4) any other emergency services provider, physician, or nurse;

on the scene of a motor vehicle accident or emergency situation involving a program participant or accompanying or attending to a program participant patient in an ambulance.

Sec. 2. As used in this chapter, "other responder" means a firefighter or law enforcement officer on the scene of a motor vehicle accident or emergency situation involving a program participant.

Sec. 3. As used in this chapter, "program" means the yellow dot motor vehicle medical information program established by section 5(a) of this chapter.

Sec. 4. As used in this chapter, "program participant" means an individual who acts in accordance with section 8 of this chapter. The term includes:

- (1) the operator of a motor vehicle; and
- (2) a passenger of a motor vehicle.

Sec. 5. (a) The yellow dot motor vehicle medical information program is established for the purpose of providing emergency medical responders with critical medical information in the event of a motor vehicle accident or emergency situation involving a program participant.

(b) The division of aging shall administer the program.

Sec. 6. (a) The division of aging shall create a standard medical information form that allows a program participant to supply the following information:

- (1) The program participant's name.
- (2) A photograph of the program participant.
- (3) The contact information for not more than two (2) emergency contacts for the program participant.
- (4) The program participant's medical information, including medical conditions, recent surgeries, allergies, and current medications.
- (5) The program participant's hospital preference.
- (6) The contact information for not more than two (2) health care providers of the program participant.
- (7) The date the program participant completed the form.

(b) The standard medical information form must include the following statements:

- (1) A statement that the program acts as a facilitator only, and that all information supplied on the medical information form is the sole responsibility of the program participant.
- (2) A statement that the program participant supplies the medical information voluntarily, and that the program participant authorizes the disclosure and use of the medical information for the purposes described in section 9(b) of this chapter.

Sec. 7. (a) The division of aging may provide for, assist in, or authorize the printing of the medical information form and assembling of a yellow dot folder containing:

- (1) the medical information form; and
- (2) a yellow dot decal with adhesive backing.

(b) The division of aging shall distribute yellow dot folders to area agencies on aging and license branches. The division of aging shall provide information on its website regarding how to obtain a yellow dot folder from an area agency on aging or license branch.

(c) The division of aging may not charge a fee to participate in the program.

Sec. 8. A program participant shall do the following:

(1) Affix the yellow dot decal on the left lower corner of the rear window of a motor vehicle other than a motorcycle or on a secure visible location on the rear of a motorcycle.

(2) Complete the medical information form, place it in the yellow dot folder, and place the yellow dot folder in the glove compartment of the motor vehicle or in the compartment attached to the motorcycle, as appropriate.

Sec. 9. (a) If a yellow dot decal is affixed to a motor vehicle that is involved in a motor vehicle accident or emergency situation, an emergency medical responder or other responder on the scene is authorized to search the vehicle compartment indicated under section 8(2) of this chapter for a yellow dot folder.

(b) An emergency medical responder or other responder may use the information contained in the yellow dot folder to:

(1) identify the program participant;

(2) ascertain whether the program participant has a medical condition that may impede communications with the emergency medical responder or other responder;

(3) communicate with the program participant's emergency contact about the location and general condition of the program participant; and

(4) consider the program participant's current medications and preexisting medical conditions when emergency medical treatment is administered for any injury the program participant suffers.

Sec. 10. (a) An emergency medical responder, other responder, emergency medical responder's employer, and other responder's employer are immune from civil liability if the emergency medical responder or other responder:

(1) is unable to make contact with the program participant's emergency contact after a good faith attempt; or

(2) disseminates or fails to disseminate any information from the yellow dot folder to other emergency medical responders, other responders, hospitals, or any health care providers that render emergency medical treatment to the program participant.

(b) A health care provider and a health care provider's employer are immune from civil and criminal liability if the health care provider relies in good faith on the information provided in a program participant's yellow dot folder.

Ind. Code § 13-30-10-7 Unlawful dumping of contaminants or solid waste [Effective July 1, 2025]
[Full Statute](#)

2025 Update [New Section]: New Section making unlawful dumping a Class C misdemeanor.

A person who knowingly, intentionally, or recklessly:

(1) deposits or causes or allows the deposit of thirty (30) square feet or more of contaminants or solid waste upon land owned or controlled by another person, except through the use of sanitary landfills, incineration, composting, garbage grinding, or another method acceptable to the board; or

(2) on two (2) or more separate occasions deposits or causes or allows the deposit of any amount of contaminants or solid waste upon land owned or controlled by another person, except through the use of sanitary landfills, incineration, composting, garbage grinding, or another method acceptable to the board;

commits a Class C misdemeanor.

Ind. Code § 31-9-2-14 “Child abuse or neglect” [Effective July 1, 2025] **[Full Statute](#)**

2025 Update: Raising or referring to a child by their biological gender does not constitute child abuse or neglect.

(a) "Child abuse or neglect", for purposes of IC 31-32-11-1, IC 31-33, IC 31-34-7-4, and IC 31-39-8-4, refers to:

(1) a child described in IC 31-34-1-1 through IC 31-34-1-5 and IC 31-34-1-8 through IC 31-34-1-11, regardless of whether the child needs care, treatment, rehabilitation, or the coercive intervention of a court; or

(2) an individual who:

(A) is at least eighteen (18) years of age but less than twenty-one (21) years of age;

(B) resides, or has previously resided, at a residential facility licensed by the department;

and

(C) is harmed or threatened with harm as a result of:

(i) a battery offense included in IC 35-42-2; or

(ii) sexual activity (as defined in IC 35-42-4-13(b)); committed by a member of the staff at the residential facility.

(b) For purposes of subsection (a), the term under subsection (a) does not refer to a child who is alleged to be a victim of a sexual offense under IC 35-42-4-3 unless the alleged offense under IC 35-42-4-3 involves the fondling or touching of the buttocks, genitals, or female breasts, regardless of whether the child needs care, treatment, rehabilitation, or the coercive intervention of a court.

(c) "Child abuse or neglect", for purposes of IC 31-34-2.3 and IC 31-42, refers to acts or omissions by a person against a child as described in IC 31-34-1-1 through IC 31-34-1-11, regardless of whether the child needs care, treatment, rehabilitation, or the coercive intervention of a court.

(d) "Child abuse or neglect" does not include raising or referring to a child in a manner consistent with the child's biological sex.

Ind. Code § 31-33-5-2 Report; exception for delegation of duty to report; notification of individual in charge [Effective July 1, 2025] [Full Statute](#)

2025 Update: Provides that an individual's duty to report suspected child abuse or neglect may only be delegated to another person if certain conditions are met, and includes members of "organizations" as individuals required to report.

~~(a) This section does not apply to an individual required to make a report under this article in the individual's capacity as a member of the staff of a hospital licensed under IC 16-21-2. An individual required to make a report under this article in the individual's capacity as a member of the staff of a hospital licensed under IC 16-21-2 is subject to section 2.5 of this chapter.~~

(a) If an individual is required to make a report under this article in the individual's capacity as a member of the staff of a medical or other public or private institution, school, facility, **organization**, or agency, the individual shall immediately make a report to:

- (1) the department; or
- (2) the ~~local~~ **appropriate** law enforcement agency.

The individual does not have discretion to decide not to report known or suspected child abuse or neglect, unless a report has already been made and documented by the individual in charge under subsection (d).

(b) An individual required to make a report of known or suspected child abuse or neglect may not delegate the duty to make the report to another individual, unless:

- (1) the individual to whom the duty is being delegated is part of the child's care team and has personally been involved in the child's care; and
- (2) the notification of suspected child abuse or neglect made to the individual described in subdivision (1) is in writing.

(c) The individual described in subsection (b)(1) shall immediately report the suspected child abuse or neglect to the appropriate law enforcement agency or the department. As soon as possible after making the report to law enforcement or the department, the individual described in subsection (b)(1) shall do the following:

- (1) Record in writing that they were notified of suspected child abuse or neglect, including the identity of the person who notified them, the date and time that they received the notification, and the date

and time that they reported the suspected child abuse or neglect to law enforcement or the department of child services.

(2) Place or cause to be placed in the child's medical file:

(A) the details included in the report to law enforcement or the department of child services, including the date and time;

(B) the condition of the child at the time the report was made, if known; and

(C) any other relevant and necessary information.

(d) After making the report, the individual required to make the report and the individual described in subsection (b)(1) shall notify the individual in charge of the institution, school, facility, organization, or agency or the designated agent of the individual in charge of the institution, school, facility, organization, or agency that the report was made

Ind. Code § 31-33-8.5 Investigation of a School, Facility, or Organization [Effective July 1, 2025]
Full Statute

2025 Update [New Chapter]: Requires that if a report of suspected child abuse or neglect alleges that a staff member, youth coach, or volunteer of an institution, school, facility, organization, or agency is the abuser, law enforcement shall investigate to determine whether the institution, school, facility, organization, or agency knew that the alleged abuse was happening and failed to report the alleged abuse.

Sec. 1. If a report made under IC 31-33-5 alleges that a staff member, youth coach, or volunteer of an institution, school, facility, organization, or agency is the abuser, the appropriate law enforcement agency shall investigate the institution, school, facility, organization, or agency to determine whether the institution, school, facility, organization, or agency knew that the alleged abuse was happening and failed to report the alleged abuse. In determining whether the institution, school, facility, organization, or agency knew that the alleged abuse was happening, law enforcement may consider the following:

(1) Whether there have been previous allegations against the staff member, youth coach, or volunteer.

(2) Whether there are disciplinary records for the staff member, youth coach, or volunteer.

(3) Whether the institution, school, facility, organization, or agency properly reported any previous:

(A) allegations against the staff member, youth coach, or volunteer; or

(B) disciplinary records involving the staff member's, youth coach's, or volunteer's inappropriate behavior with a minor.

Sec. 2. If the appropriate law enforcement agency determines that an institution, school, facility, organization, or agency knew that the alleged abuse was happening and failed to report the alleged abuse,

law enforcement shall provide the prosecuting attorney with a complete written report of the investigation.

Ind. Code § 31-34-1-17 Exception for referring to the child consistent with the child's biological sex
[Effective July 1, 2025] [Full Statute](#)

2025 Update [New Section]: A child is not a child in need of services due to a parent, guardian, or custodian referring to and raising a child consistent with the child's biological sex.

A child is not a child in need of services under any section of this chapter due to the child's parent, guardian, or custodian referring to and raising the child consistent with the child's biological sex.

Ind. Code § 32-31-12 Removal of a squatter by law enforcement [Effective July 1, 2025] [Full Statute](#)

2025 Update [New Chapter]: Provides a legal framework for the expedited removal of squatters by a law enforcement officer.

Sec. 1. This chapter applies only to the removal of a squatter.

Sec. 2. As used in this chapter, "squatter" means an individual who:

- (1) occupies the property of another person;
- (2) does not have a rental agreement, permission of the property owner, or any other property interest authorizing the individual to occupy the other person's property; and
- (3) has never had a rental agreement, permission of the property owner, or any other property interest that authorized the individual to occupy the other person's property.

The term does not include a person whose rental agreement has expired or who may have violated the rental agreement, or a person who is an invitee on the real property.

Sec. 3. (a) A property owner who discovers that a squatter is occupying the owner's property may execute an affidavit stating that the squatter:

- (1) is occupying the owner's property;
- (2) does not have a rental agreement, permission of the owner, or any other property interest authorizing the individual to occupy the owner's property; and
- (3) has never had a rental agreement, permission of the owner, or any other property interest that authorized the individual to occupy the other owner's property.

(b) An affidavit executed under this section must state that a person who makes a false statement on the affidavit is subject to the penalties of perjury.

(c) A law enforcement agency may create a form affidavit that contains all the information required under this section.

Sec. 4. (a) A property owner may provide a law enforcement agency with a copy of the affidavit described in section 3 of this chapter.

(b) Except as provided in subsection (c), not later than forty-eight (48) hours after receipt of the affidavit, the law enforcement agency shall dispatch one (1) or more law enforcement officers to remove the squatter from the owner's property.

(c) A law enforcement agency may dispatch one (1) or more law enforcement officers to remove a squatter later than forty-eight (48) hours after receipt of the affidavit for reasons of public safety. However, the law enforcement agency shall dispatch one (1) or more law enforcement officers to remove the squatter as soon as practicable.

(d) Nothing in this section shall prohibit:

(1) a property owner from executing an affidavit described in section 3 of this chapter; and

(2) a law enforcement officer from removing a squatter upon receipt of an executed affidavit under section 3 of this chapter; at the time a law enforcement officer is responding to a complaint that a squatter is occupying the owner's property.

Sec. 5. (a) Except as provided in subsection (b), a law enforcement officer dispatched to remove a squatter shall remove the squatter from the property unless the law enforcement officer discovers credible evidence that the individual is not a squatter because the individual:

(1) has a rental agreement, permission of the property owner, or any other property interest permitting the individual to occupy the property; or

(2) formerly had a rental agreement, permission of the property owner, or any other property interest that allowed the individual to occupy the property.

(b) A law enforcement officer dispatched to remove a squatter shall remove the squatter from the property unless the law enforcement officer discovers credible evidence that the individual is an invitee of:

(1) the property owner; or

(2) a person who has or formerly had a rental agreement or permission of the property owner to occupy the property.

A law enforcement officer dispatched to remove a squatter from a railroad or a railroad car may rely upon a statement from an individual working on the railroad or in the railroad car that the individual alleged to be the squatter does not have a lawful reason to be on the railroad or in the railroad car as credible evidence to remove the squatter under this subsection.

(c) In addition to removing the squatter from the property, a law enforcement officer may arrest the squatter if the law enforcement officer has probable cause to believe that the squatter has committed an offense.

Sec. 6. The provisions for the removal of a squatter under this chapter are in addition to and supplement any other legal remedies available to the property owner, including filing an action for possession or emergency possession under this article.

Sec. 7. A law enforcement agency or law enforcement officer is immune from civil liability for acting within the scope of the law enforcement agency's or law enforcement officer's duties to enforce a requirement of this chapter

Sec. 8. (a) For purposes of this section, a person is wrongfully removed from property under this chapter if the affiant knowingly makes a materially false statement on an affidavit described in section 3 of this chapter.

(b) A person wrongfully removed from property under this chapter may bring a civil cause of action against the affiant.

Ind. Code § 33-39-12 Prosecuting Attorney's Giglio List [Effective July 1, 2025] [Full Statute](#)

2025 Update [New Chapter]: Establishes the procedure for placing a law enforcement officer's name on a Giglio list, and provides notice and reconsideration procedures, as well as requirements for both prosecuting attorneys and law enforcement officers.

Sec. 1. As used in this chapter, "affected law enforcement officer" means a law enforcement officer whose name is included on a Giglio list.

Sec. 2. As used in this chapter, "Giglio designee" means the person in a law enforcement agency who is responsible for handling Giglio issues.

Sec. 3. As used in this chapter, "Giglio list" means a list of names that a prosecuting attorney maintains in order to comply with applicable law and the Indiana Rules of Criminal Procedure.

Sec. 4. (a) The Giglio designee shall notify the prosecuting attorney having jurisdiction over the area served by the law enforcement officer, if, after a criminal or internal investigation, a law enforcement officer has been found to have committed, or been criminally charged with any of the following:

- (1) An intentional act of dishonesty, including material untruthfulness in reports and testimony.
- (2) A violation of the criminal code.
- (3) An intentional act that demonstrates mishandling of evidence.
- (4) Excessive force.
- (5) Racially motivated bias, speech, or acts.

(b) If a law enforcement agency:

(1) imposes discipline for an offense described in subsection (a); or

(2) becomes aware of the imposition of discipline by another law enforcement agency for an offense described in subsection (a);

the Giglio designee shall notify the prosecuting attorney having jurisdiction over the area served by the law enforcement officer of the discipline.

(c) The Giglio designee shall disclose any potential exculpatory evidence to the prosecuting attorney, as described in subsection (a).

Sec. 5. (a) If a prosecuting attorney receives notice under section 4 of this chapter, the prosecuting attorney shall independently review the information and make a determination concerning placement of the law enforcement officer's name on a Giglio list.

(b) If the prosecuting attorney places a law enforcement officer's name on a Giglio list, the prosecuting attorney shall send written notice to the affected law enforcement officer's current employer or last known employer.

(c) The notice must include the following information:

(1) The law enforcement officer's right to request relevant materials from the prosecuting attorney.

(2) The law enforcement officer's right to provide supplemental information to the prosecuting attorney.

(3) The law enforcement officer's right to request reconsideration.

(4) Information about the reconsideration process.

(d) Upon receipt of the notice described in subsection (b), an employer shall send a copy of the written notice to the affected law enforcement officer.

Ind. Code § 35-33-4.5 Eyewitness Identification Procedures [Effective July 1, 2025] [Full Statute](#)

2025 Update [New Chapter]: Creates new statewide mandatory eyewitness identification procedures for lineups, photo arrays, and showups.

Sec. 1. As used in this chapter, "eyewitness" means a person whose identification by sight of another person may be relevant in a criminal proceeding.

Sec. 2. As used in this chapter, "facial recognition technology" means a computer application that uses biometric algorithms to analyze facial features and is used to assist in the unique personal identification of individuals in still or video images.

Sec. 3. As used in this chapter, "filler" means a person or a photograph of a person who is not suspected of the offense under investigation and is included in a lineup.

Informational Purposes Only.

Not Legal Advice.

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Sec. 4. As used in this chapter, "lineup" includes a photo lineup.

Sec. 5. As used in this chapter, "lineup investigator" means the person who conducts a lineup and who is a current employee of a law enforcement agency, regardless of the person's primary job description.

Sec. 6. As used in this chapter, "photo lineup" means a procedure in which an array of photographs is displayed to an eyewitness for the purpose of determining if the eyewitness can identify the perpetrator of a crime.

Sec. 7. (a) Except as provided in subsection (b), a lineup conducted by a law enforcement agency, or an employee of a law enforcement agency, shall be conducted in accordance with this chapter.

(b) If it is impossible or impracticable to follow the procedures set forth in this chapter, a law enforcement agency may conduct a lineup using an alternative procedure approved by the law enforcement training board.

(c) Failure to comply with any of the requirements of this chapter, or, if applicable, an alternative procedure approved by the law enforcement training board, is admissible to support a claim of eyewitness misidentification, if the evidence is not otherwise inadmissible.

Sec. 8. If facial recognition technology is used to identify a suspect, a law enforcement agency, or an employee of a law enforcement agency, may not conduct a lineup unless there is other evidence, in addition to the use of facial recognition technology, to support a belief that the suspect committed the crime under investigation.

Sec. 9. (a) Except as provided in section 7 of this chapter, a lineup must be conducted as follows:

(1) A lineup investigator shall conduct the lineup.

(2) Only one (1) suspect may be included in the lineup.

(3) No one may speak to the eyewitness concerning the suspect's position in the lineup or regarding anything that might influence the eyewitness's identification.

(4) Each filler in the lineup must generally resemble the eyewitness's description of the perpetrator.

(5) The composition of the lineup must ensure that the suspect does not unduly stand out from the fillers.

(6) The lineup must include at least five (5) fillers who resemble, as much as practicable, the eyewitness description of the perpetrator in significant features, including any unique or unusual features.

(7) If the eyewitness has previously viewed a lineup in connection with the identification of another person suspected of involvement in the offense, the files in the lineup in which the current suspect participates must be different from the fillers used in any prior lineups.

(8) If there are multiple eyewitnesses, the suspect must be placed in a different position in the lineup for each eyewitness.

Informational Purposes Only.

Not Legal Advice.

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(9) If the eyewitness make an identification during the lineup, the lineup investigator shall document any statement from the eyewitness as to the eyewitness's confidence level that the person identified in the lineup is the perpetrator.

(b) Before conducting a lineup, the lineup investigator shall instruct the eyewitness that:

- (1) the perpetrator may or may not be in the lineup;
- (2) the eyewitness is not required to make an identification;
- (3) it is as important to exclude innocent persons as it is to identify the perpetrator; and
- (4) the investigation will continue with or without an identification.

Sec. 10. If the eyewitness is presented with a photo lineup, the photograph of the suspect must be recent and, to the extent practicable, must resemble the suspect's appearance at the time of the offense. All procedures set forth in section 9 of this chapter must also be followed.

Sec. 11. (a) This section applies to an in person witness identification procedure in which, shortly after the commission of a crime:

- (1) a law enforcement officer requests that a witness observe an individual in person; and
- (2) the witness is being asked to observe the individual for the purpose of determining whether the witness can identify the individual as the perpetrator of a crime.

(b) An in-person witness identification described in subsection (a) shall be recorded by video, unless a law enforcement recording device is not available to the officer and recording is otherwise not practicable under the circumstances.

(c) Failure to comply with the requirements of this section is admissible to support a claim of eyewitness is not otherwise inadmissible.

Ind. Code § 35-33-5-8 Issue of warrant without affidavit; types of sworn testimony; procedures; perjury [Effective July 1, 2025] [Full Statute](#)

2025 Update: Specifies that a request for a warrant made orally by telephone, radio, or similar electronic means must be recorded and typed or transcribed. (Under current law, the judge is required to record the request, and the court reporter to type or transcribe it). Permits certain warrant requests to be made electronically (where current law only allows this by radio or telephone), and recorded electronically (where current law only permits the use of audio tape). Requires the prosecuting attorney and a law enforcement agency to maintain all requests for warrants and to provide them to a defendant in discovery.

(a) A judge may issue a search or arrest warrant without the affidavit required under section 2 of this chapter, if the judge receives testimony subject to the penalties for perjury of the same facts required for an affidavit:

- (1) in a nonadversarial, recorded hearing before the judge;
- (2) orally by telephone, ~~or~~ radio, **or similar electronic means;**
- (3) in writing by facsimile transmission (FAX); or
- (4) in writing by electronic mail or other electronic transmission.

(b) If a warrant is issued under subsection (a)(1), the judge shall order the court reporter to type or transcribe the testimony from the hearing for entry in the record. The judge shall then certify the transcript.

(c) After reciting the facts required for an affidavit and verifying the facts recited under penalty of perjury, an applicant for a warrant under subsection (a)(2) shall read to the judge from a warrant form on which the applicant enters the information read by the applicant to the judge. The judge may direct the applicant to modify the warrant. If the judge agrees to issue the warrant, the judge shall direct the applicant to sign the judge's name to the warrant, adding the time of the issuance of the warrant.

(d) After transmitting an affidavit, an applicant for a warrant under subsection (a)(3) or (a)(4) shall transmit to the judge a copy of a warrant form completed by the applicant. The judge may modify the transmitted warrant. If the judge agrees to issue the warrant, the judge shall sign, affix the date and time, and transmit to the applicant a duplicate of the warrant.

(e) If a warrant is issued under subsection (a)(2), ~~the judge shall record~~ the conversation **shall be recorded** on audio tape **or electronically**, ~~and order the court reporter to type or transcribe~~ The recording **shall be typed or transcribed** for entry in the record. The judge shall certify the audio tape **or electronic recording**, the transcription, and the warrant retained by the judge for entry in the record. **The prosecuting attorney and law enforcement agency shall maintain, and provide to the defendant in discovery, all relevant requests for warrants, including any relevant warrants that may have been denied by the court, and any recordings of the conversation that was transcribed.**

(f) If a warrant is issued under subsection (a)(3), the facsimile copy of the affidavit and warrant sent to the judge shall be retained as if they were the originals. If a warrant is issued under subsection (a)(4), the electronically transmitted copy of the affidavit and warrant sent to the judge shall be printed and retained as if they were the originals.

(g) The court reporter shall notify the applicant who received a warrant under subsection (a)(1) or (a)(2) when the transcription required under this section is entered in the record. The applicant shall sign the transcribed entry upon receiving notice from the court reporter.

(h) The affiant and the judge may use an electronic signature on the affidavit and warrant. An electronic signature may be indicated by "s/Affiant's Name" or "s/Judge's Name" or by any other electronic means that identifies the affiant or judge and indicates that the affiant or judge adopts the contents of the document to which the electronic signature is affixed.

Ind. Code § 35-33-5-16. Restrictions on non-law enforcement custodial questioning and exclusion of illicitly obtained statements. [Effective July 1, 2025] [Full Statute](#)

2025 Update [New Section]: Officers may not direct, encourage, or knowingly allow the questioning of a custodial suspect by a civilian if that questioning is reasonably likely to elicit an incriminating response

(a) A law enforcement officer may not:

(1) direct;

(2) encourage; or

(3) knowingly permit; a person who is not a law enforcement officer to question an individual whom a reasonable officer would believe is in custody if the questioning is reasonably likely to elicit an incriminating response.

(b) A statement obtained in violation of subsection (a) is not admissible in a criminal, child welfare, or juvenile proceeding. However, this subsection does not apply to evidence discovered as a result of the statement.

Ind. Code § 35-36-10-2 Child Sexual Abuse Material [Effective July 1, 2025] [Full Statute](#)

2025 Update: Replaces the term "child pornography" with the term "child sex abuse material" throughout the Indiana Code.

As used in this chapter, ~~"child pornography"~~ "child sex abuse material" includes:

(1) material described in IC 35-42-4-4(d); and

(2) material defined in 18 U.S.C. 2256(8).

Ind. Code § 35-41-4-2 Period of Limitations [Effective July 1, 2025] [Full Statute](#)

2025 Update: Statute of limitations for prosecution of rape as a Level 3 felony is changed from 5 to 10 years from the discovery of DNA evidence.

(n) A prosecution for rape (IC 35-42-4-1) as a Class B felony (for a crime committed before July 1, 2014) or as a Level 3 felony (for a crime committed after June 30, 2014) that would otherwise be barred under this section may be commenced not later than ~~five (5)~~ **ten (10)** years after the earlier of the date on which:

(1) the state first discovers evidence sufficient to charge the offender with the offense through DNA (deoxyribonucleic acid) analysis;

(2) the state first becomes aware of the existence of a recording (as defined in IC35-31.5-2-273) that provides evidence sufficient to charge the offender with the offense; or

(3) a person confesses to the offense

Ind. Code § 35-42-2-2 Criminal recklessness [Effective July 1, 2025] [Full Statute](#)

2025 Update: Increases the penalty for criminal recklessness from a Class B to a Class A misdemeanor, and makes pointing a firearm by a passenger in a vehicle whose driver is committing criminal recklessness a Level 6 felony under certain circumstances

(a) A person who recklessly, knowingly, or intentionally performs an act that creates a substantial risk of bodily injury to another person commits criminal recklessness. Except as provided in subsection (b), criminal recklessness is a ~~Class B misdemeanor~~ **Class A misdemeanor**.

(b) The offense of criminal recklessness as defined in subsection (a) is:

(1) a Level 6 felony if:

(A) it is committed while armed with a deadly weapon; or

(B) the person committed aggressive driving (as defined in IC 9-21-8-55) that results in serious bodily injury to another person; or

(2) a Level 5 felony if:

(A) it is committed by shooting a firearm into **an occupied motor vehicle, an** inhabited dwelling, or ~~either~~ another building or place where people are likely to ~~gather;~~ **be present;** or

(B) the person committed aggressive driving (as defined in IC9-21-8-55) that results in the death or catastrophic injury of another person.

(c) A person who:

(1) is a passenger in a vehicle whose operator has committed an offense under subsection (a) or (b);
and

(2) points a firearm at another person, a motor vehicle, a dwelling, or another building or place where people are likely to be present;

commits criminal recklessness, a Level 6 felony. It is not a defense to a prosecution under this section that the operator of the motor vehicle has not been charged with or convicted of an offense under this section.

Ind. Code § 35-43-2-2 Criminal Trespass [Effective July 1, 2025] [Full Statute](#)

2025 Update: Permits a law enforcement officer to act on behalf of a person or that person's agent for the purposes of criminal trespass.

(a) As used in this section, "authorized person" means a person authorized by an agricultural operation or a scientific research facility to act on behalf of the agricultural operation or the scientific research facility.

(b) A person who:

(1) not having a contractual interest in the property, knowingly or intentionally enters the real property of another person after having been denied entry by the other person, or that person's agent, **or a law enforcement officer acting on behalf of the other person or that person's agent;**

(2) not having a contractual interest in the property, knowingly or intentionally refuses to leave the real property of another person after having been asked to leave by the other person, or that person's agent, **or a law enforcement officer acting on behalf of the other person or that person's agent;**

(3) accompanies another person in a vehicle, with knowledge that the other person knowingly or intentionally is exerting unauthorized control over the vehicle;

Ind. Code § 35-44.1-2-3 False reporting — False informing. [Effective July 1, 2025] [Full Statute](#)

2025 Update: For the purposes of false informing/swatting, hindering a "law enforcement process" includes causing a law enforcement officer to be dispatched. Enhances the penalty for making a false report that a person is dangerous to a Level 6 felony if the offense would cause a reasonable person to feel terrorized, frightened, intimidated, or threatened.

(a) As used in this section, "consumer product" has the meaning set forth in IC 35-45-8-1.

(b) As used in this section, "misconduct" means a violation of a departmental rule or procedure of a law enforcement agency.

(c) A person who reports that:

(1) the person or another person has placed or intends to place an explosive, a destructive device, or other destructive substance in a building or transportation facility;

(2) there has been or there will be tampering with a consumer product introduced into commerce; or

(3) there has been or will be placed or introduced a weapon of mass destruction in a building or a place of assembly; knowing the report to be false, commits false reporting, a Level 6 felony.

(d) A person who:

(1) gives:

(A) a false report of the commission of a crime; or

(B) false information to a law enforcement officer that relates to the commission of a crime; knowing the report or information to be false;

(2) gives a false alarm of fire to the fire department of a governmental entity, knowing the alarm to be false;

(3) makes a false request for ambulance service to an ambulance service provider, knowing the request to be false;

(4) gives a false report concerning a missing child (as defined in IC 10-13-5-4), missing veteran at risk (as defined in IC 12-7-2-197.3), or missing endangered adult (as defined in IC 12-7-2-131.3) or gives false information to a law enforcement officer or a governmental entity that relates to a missing child, missing veteran at risk, or missing endangered adult knowing the report or information to be false;

(5) makes a complaint against a law enforcement officer to the state or municipality (as defined in IC 8-1-13-3(b)) that employs the officer:

(A) alleging the officer engaged in misconduct while performing the officer's duties; and

(B) knowing the complaint to be false;

(6) makes a false report of a missing person, knowing the report or information is false;

(7) gives a false report of actions, behavior, or conditions concerning:

(A) a septic tank soil absorption system under IC 8-1-2-125 or IC 13-26-5-2.5; or

(B) a septic tank soil absorption system constructed wetland septic system under IC 36-9-23-30.1;

knowing the report or information to be false; or

(8) makes a false report that a person is dangerous (as defined in IC 35-47-14-1) knowing the report or information to be false;

commits false informing, a Class B misdemeanor except as provided in subsection (e).

(e) The offense described in subsection (d) is:

(1) a Class A misdemeanor if it:

(A) substantially hinders any law enforcement process, including by causing the dispatch of one (1) or more law enforcement officers;

(B) results in harm to another person; or

(C) is committed under subsection (d)(8);

(2) a Level 6 felony if it:

(A) is committed under subsection (d)(8); and

(B) either:

(i) substantially hinders any law enforcement process, including by causing the dispatch of one (1) or more law enforcement officers; or

(ii) results in harm to another person; or

(iii) would cause a reasonable person to feel terrorized, frightened, intimidated, or threatened; and

(3) a Level 5 felony if it is committed under subsection (d)(8) and results in serious bodily injury or death to another person.

Ind. Code § 35-44.1-2-15 Unlawful approach on law enforcement officer prohibited [Effective July 1, 2025] [Full Statute](#)

2025 Update [New Section]: A New Section was created for unlawful encroachment that authorizes a law enforcement officer to order a person to stop approaching the law enforcement officer if the officer reasonably believes that the person's presence within 25 feet of the officer will interfere with the performance of the officer's duties. Provides that a person who knowingly or intentionally approaches within 25 feet of a law enforcement officer after being ordered to stop approaching commits unlawful encroachment on a law enforcement officer, a Class C misdemeanor.

(a) A law enforcement officer:

(1) lawfully engaged in the execution of the law enforcement officer's duties; and

(2) who reasonably believes that a person's presence within twenty-five (25) feet of the law enforcement officer will interfere with the performance of the law enforcement officer's duties; may order the person to stop approaching.

(b) A person who knowingly or intentionally approaches within twenty-five (25) feet of a law enforcement officer lawfully engaged in the execution of the law enforcement officer's duties after the law enforcement officer has ordered the person to stop approaching in accordance with subsection (a) commits unlawful encroachment on a law enforcement officer, a Class C misdemeanor.

Ind. Code § 35-44.1-3-1 Resisting Law Enforcement [Effective July 1, 2025] [Full Statute](#)

2025 Update: Increases the penalty for resisting law enforcement to a F5 and F4 under certain circumstances.

(a) A person who knowingly or intentionally:

(1) forcibly resists, obstructs, or interferes with a law enforcement officer or a person assisting the officer while the officer is lawfully engaged in the execution of the officer's duties;

(2) forcibly resists, obstructs, or interferes with the authorized service or execution of a civil or criminal process or order of a court; or

(3) flees from a law enforcement officer after the officer has, by visible or audible means, including operation of the law enforcement officer's siren or emergency lights, identified himself or herself and ordered the person to stop;

commits resisting law enforcement, a Class A misdemeanor, except as provided in subsection (c).

(b) A person who, having been denied entry by a firefighter, an emergency medical services provider, or a law enforcement officer, knowingly or intentionally enters an area that is marked off with barrier tape or other physical barriers, commits interfering with public safety, a Class B misdemeanor, except as provided in subsection (c) or (k).

(c) The offense under subsection (a) or (b) is a:

(1) Level 6 felony if ~~(A)~~ the person uses a vehicle to commit the offense; ~~or~~

(2) Level 5 felony if: ~~while committing the offense, the person:~~

(A) **while committing the offense, the person** draws or uses a deadly weapon;

(B) **while committing the offense, the person** inflicts **moderate** bodily injury on or otherwise causes moderate bodily injury to another person; or

(C) **while committing the offense, the person** operates a vehicle in a manner that creates a substantial risk of bodily injury to another person;

(3) ~~Level 5~~ **Level 4** felony if:

(A) while committing the offense, the person operates a vehicle in a manner that causes serious bodily injury to another person; or

(B) the person uses a vehicle to commit the offense and the person has a prior unrelated conviction under this section involving the use of a vehicle in the commission of the offense;

Ind. Code § 35-45-2-6 Unlawful Use of a Signal Jammer [Effective July 1, 2025] [Full Statute](#)

2025 Update [New Section]: A person who knowingly or intentionally manufactures, offers for sale, imports, markets, sells, possesses, uses, or operates a signal jammer commits unlawful use of a signal jammer, a Level 6 felony; however, the offense is a Level 5 felony if a signal jammer is used to disrupt a component of a critical infrastructure facility or the communications of a public safety agency. Devices that fall under this section may be seized under Ind. Code § 34-24-1-1.

(a) As used in this section, "signal jammer" means a device designed to intentionally block, jam, or interfere with licensed or authorized radio communication. The term includes devices that interfere with:

(1) personal communications services;

(2) police radar;

(3) GPS; and

(4) wireless networking services.

(b) A person may not do any of the following:

(1) Manufacture, offer for sale, import, market, or sell a signal jammer.

(2) Possess, use, or operate a signal jammer.

(c) A person who knowingly or intentionally violates subsection (b) commits unlawful use of a signal jammer, a Level 6 felony.

(d) However, the offense is a Level 5 felony if a signal jammer is used to disrupt:

(1) a component of a critical infrastructure facility; or

(2) the communications of a public safety agency (as defined in IC 10-10.5-1-5).

Ind. Code § 35-48-4-1 Dealing in Cocaine or Narcotic Drug [Effective July 1, 2025] [Full Statute](#)

2025 Update: Reduces the weight of Fentanyl required to charge a perpetrator with F4, F3, and F2.

(a) A person who:

(1) knowingly or intentionally:

(A) manufactures;

(B) finances the manufacture of;

(C) delivers; or

(D) finances the delivery of; cocaine or a narcotic drug, pure or adulterated, classified in schedule I or II; or

(2) possesses, with intent to:

(A) manufacture;

(B) finance the manufacture of;

(C) deliver; or

(D) finance the delivery of; cocaine or a narcotic drug, pure or adulterated, classified in schedule I or II;

commits dealing in cocaine or a narcotic drug, a Level 5 felony, except as provided in subsections (b) through (e).

(b) A person maybe convicted of an offense under subsection (a)(2) only if:

(1) there is evidence in addition to the weight of the drug that the person intended to manufacture, finance the manufacture of, deliver, or finance the delivery of the drug; or

(2) the amount of the drug involved is at least twenty-eight (28) grams.

(c) The offense is a Level 4 felony if:

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(1) the amount of the drug involved is at least one (1) gram but less than five (5) grams;

(2) the amount of the drug involved is less than one (1) gram and an enhancing circumstance applies;

(3) the drug is heroin and the amount of heroin involved, aggregated over a period of not more than ninety (90) days, is at least three (3) grams but less than seven (7) grams; or

(4) the drug is a fentanyl containing substance and the amount of fentanyl containing substance involved ~~aggregated over a period of not more than ninety (90) days, is at least one (1) gram but~~ **is less than three (3) grams: one (1) gram.**

(d) The offense is a Level 3 felony if:

(1) the amount of the drug involved is at least five (5) grams but less than ten (10) grams;

(2) the amount of the drug involved is at least one (1) gram but less than five (5) grams and an enhancing circumstance applies;

(3) the drug is heroin and the amount of heroin involved, aggregated over a period of not more than ninety (90) days, is at least seven (7) grams but less than twelve (12) grams;

(4) the drug is heroin and:

(A) the amount of heroin involved, aggregated over a period of not more than ninety (90) days, is at least three (3) grams but less than seven (7) grams; and

(B) an enhancing circumstance applies;

(5) the drug is a fentanyl containing substance and the amount of fentanyl containing substance involved, aggregated over a period of not more than ninety (90) days, is at ~~least three (3) grams~~ **one (1) gram** but less than ~~seven (7)~~ **five (5)** grams; or

(6) the drug is a fentanyl containing substance and:

(A) the amount of fentanyl containing substance involved ~~aggregated over a period of not more than ninety (90) days, is at least one (1) gram but~~ **is less than three (3) grams; one (1) gram**; and

(B) an enhancing circumstance applies.

(e) The offense is a Level 2 felony if:

(1) the amount of the drug involved is at least ten (10) grams;

(2) the amount of the drug involved is at least five (5) grams but less than ten (10) grams and an enhancing circumstance applies;

(3) the drug is heroin and the amount of heroin involved, aggregated over a period of not more than ninety (90) days, is at least twelve (12) grams;

(4) the drug is heroin and:

(A) the amount of heroin involved, aggregated over a period of not more than ninety (90) days, is at least seven (7) grams but less than twelve (12) grams; and

(B) an enhancing circumstance applies;

(5) the drug is a fentanyl containing substance and the amount of fentanyl containing substance involved, aggregated over a period of not more than ninety (90) days, is at least ~~seven (7)~~ **five (5)** grams; or

(6) the drug is a fentanyl containing substance and:

(A) the amount of fentanyl containing substance involved, aggregated over a period of not more than ninety (90) days, is at least three (3) grams one (1) gram but less than ~~seven (7)~~ **five (5)** grams; and

(B) an enhancing circumstance applies.

Ind. Code § 35-48-4-8.1 Manufacture of Paraphernalia [Effective July 1, 2025] [Full Statute](#)

2025 Update: Items marketed to detect the presence of a drug or controlled substance are now excluded from this chapter.

(a) **This section does not apply to an item marketed to detect the presence of a drug or controlled substance, including field test kits and test strips.**

(b) A person who manufactures, finances the manufacture of, or designs an instrument, a device, or other object that is intended to be used primarily for:

- (1) introducing into the human body a controlled substance;
- (2) testing the strength, effectiveness, or purity of a controlled substance; or
- (3) enhancing the effect of a controlled substance;

in violation of this chapter commits a Class A infraction for manufacturing paraphernalia.

(c) A person who:

- (1) knowingly or intentionally violates this section; and
 - (2) has a previous judgment for violation of this section;
- commits manufacture of paraphernalia, a Level 6 felony.

Ind. Code § 35-48-4-8.3 Possession of Paraphernalia [Effective July 1, 2025] [Full Statute](#)

2025 Update: Items marketed to detect the presence of a drug or controlled substance are now excluded from this chapter.

(a) This section does not apply to:

(1) a rolling paper; **or**

(2) an item marketed to detect the presence of a drug or controlled substance, including field test kits and test strips.

(b) A person who knowingly or intentionally possesses an instrument, a device, or another object that the person intends to use for:

(1) introducing into the person's body a controlled substance;

(2) testing the strength, effectiveness, or purity of a controlled substance; or

(3) enhancing the effect of a controlled substance;

commits a Class C misdemeanor. However, the offense is a Class A misdemeanor if the person has a prior unrelated judgment or conviction under this section.

Ind. Code § 36-2-13-5 County Sheriff [Effective July 1, 2025] [Full Statute](#)

2025 Update: Creates a requirement for DNA samples to be taken by the County Sheriff from felony arrestees during the booking process, with refusal of such being a Class C Misdemeanor.

(a) The sheriff shall:

(1) arrest without process persons who commit an offense within the sheriff's view, take them before a court of the county having jurisdiction, and detain them in custody until the cause of the arrest has been investigated;

(2) suppress breaches of the peace, calling the power of the county to the sheriff's aid if necessary;

(3) pursue and jail felons;

(4) execute all process directed to the sheriff by legal authority;

(5) serve all process directed to the sheriff from a court or the county executive;

(6) attend and preserve order in all courts of the county;

(7) take care of the county jail and the prisoners there;

(8) take photographs, fingerprints, and other identification data as the sheriff shall prescribe of persons taken into custody for felonies or misdemeanors; and

(9) **take DNA (deoxyribonucleic acid) samples for felonies; and**

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(10) on or before January 31 and June 30 of each year, provide to the department of correction the average daily cost of incarcerating a prisoner in the county jail as determined under the methodology developed by the department of correction under IC 11-10-13.

(b) A person who:

(1) refuses to be photographed, **as prescribed in subsection (a)(8);**

(2) refuses to be fingerprinted, **as prescribed in subsection (a)(8);**

(3) withholds ~~information,~~ **identification data, as prescribed in subsection (a)(8);**

or

(4) gives false information, **as prescribed in subsection (a)(8);** or

(5) refuses to provide a DNA (deoxyribonucleic acid) sample, as prescribed in subsection (a)(9);

~~as prescribed in subsection (a)(8);~~ commits a Class C misdemeanor.

(c) The sheriff may supervise and inspect all pawnbrokers, vendors, junkshop keepers, cartmen, expressmen, dealers in secondhand merchandise, intelligence offices, and auctions. The sheriff may authorize any deputy in writing to exercise the same powers.