



Board of County Commissioners Agenda Request

7A

Agenda Item #

Requested Meeting Date: October 28, 2014

Title of Item: Legislative Positions

<input checked="" type="checkbox"/> REGULAR AGENDA <input type="checkbox"/> CONSENT AGENDA <input type="checkbox"/> INFORMATION ONLY	Action Requested: <input type="checkbox"/> Approve/Deny Motion <input type="checkbox"/> Adopt Resolution (attach draft) <i>*provide copy of hearing notice that was published</i>	<input type="checkbox"/> Direction Requested <input checked="" type="checkbox"/> Discussion Item <input type="checkbox"/> Hold Public Hearing*
Submitted by: Nathan Burkett		Department: Administration
Presenter (Name and Title): Nathan Burkett, County Administrator		Estimated Time Needed:
Summary of Issue: At Tuesday's meeting we will discuss Aitkin County's legislative positions for ACA and AMC. Attached are documents from Arrowhead Counties Association which will be discussed at their November 19th meeting, along with a document provided by Elizabeth DeRuyck, CMCC.		
Alternatives, Options, Effects on Others/Comments:		
Recommended Action/Motion:		
Financial Impact: Is there a cost associated with this request? <input type="checkbox"/> Yes <input type="checkbox"/> No What is the total cost, with tax and shipping? \$ Is this budgeted? <input type="checkbox"/> Yes <input type="checkbox"/> No <i>Please Explain:</i>		

Arrowhead Counties Association will be discussing its 2015 Legislative Agenda at its November 19 meeting. The attached TENTATIVE list will be discussed. Please bring any additional items you believe should be included in the legislative agenda to the November meeting.

For those who are unaware of how the ACA Legislative Agenda works:

1. A listing is made of issues our member counties would like to see on the ACA Legislative Agenda

2. Each ACA county ranks the top 3 issues for their county

3 = highest importance to the voting county

2 = mid-point importance to the voting county

1 = lowest importance to the voting county

3. The issues with the most points (top 5) at the end of ranking become Arrowhead Counties Association Legislative Agenda.

Thank you,

Rani Douville

Recording Secretary

**Arrowhead Counties Association
Tentative Legislative Agenda
(Discussion Item for November 19, 2014 Meeting)**

- 1. Child Protection Issues**
 - State, County, or Regional oversight
- 2. Taconite Production Tax**
 - New formula for distribution
- 3. Mining Affects Tax**
 - Combine with Road impacts for more \$\$ to fix roads near mines
- 4. Section 404 Wetlands permitting**
 - Revise and improve – streamline
- 5. WCA**
 - Major effort this year by legislature.
- 6. MPCA and Soil & Water (Environment)**
 - Septic System Funding
 - Grant Funding
 - *Additional \$\$ to counties for grants (septic systems)
- 7. Clean Water Act \$\$ for counties**
- 8. Corrections funding distribution**
 - New formula for distribution
- 9. Expand sales tax exemption to tandem trucks (county purchases)**
- 10. PILT**
 - The 5 year PILT land acquired acres valuation is coming up. Counties will need to determine whether to continue with $\frac{3}{4}$ of 1% of market value or set funding per acre.
- 11. Homestead Credit**
 - Possible formula revision – Taconite Tax deduction is made before Homestead credit is made. Range cities don't get the same Homestead deduction as the rest of the state.

REQUESTED ADDITIONS SINCE SEPTEMBER ACA MEETING

- 1. Veteran's property tax exemption**

State should pay for this program, not the counties. Counties with large numbers of veterans in their county can and have seen dramatic increases in property taxes.



Funding Reform for Corrections Field Supervision

Goal:

To SIMPLIFY and SIGNIFICANTLY INCREASE state funding for the supervision of offenders in the community on probation, parole and supervised release.

Background:

- Minnesota has an excellent probation, parole and supervised released system that relies on a state/county partnership and three delivery models. However, the system is significantly underfunded by the state.
- Statewide funding for community supervision has not kept pace at the level required to meet the core purpose of protecting public safety. State funding for this service has only increased 8% since 2004.
- Protecting the public is best accomplished by providing progressive, effective correctional practices that research has shown to reduce recidivism. This research is demanding increased attention to offender risk and needs assessment, case planning, and targeting interventions specific to client needs. To support the increased costs of this work, counties have increased their contribution by an average of 40% and in some cases the expense borne by county taxpayers has tripled.
- The state risks the safety of its citizens unless a significant investment is made to preserve this vital function.
- Additionally, the present structure for requesting and distributing funding for community supervision is broken.
- Multiple categorical sources of funds are appropriated, with different models used for distribution of the funds amongst the three delivery systems resulting in a lack of a unified voice for state funding and confusion at the legislature about how the funding streams work.
- The complexity is a contributing factor to the lack of state funding and simplification is a key to improved investment.

Probation Delivery in Minnesota – Three Delivery Systems

In Minnesota, approximately 122,000 offenders are under supervision in the community. This includes offenders on supervised release, parole, or probation (see sidebar). This compares to approximately 9,700 offenders in Minnesota prisons.

Minnesota counties have three options for providing supervision of offenders in the community. Each county board is responsible for determining which method best meets their needs and preferences. The three choices are:

Community Corrections Act – CCA (M.S. 401):

- The county is responsible for providing all community supervision services. The system is overseen by a local Corrections Advisory Board. Counties must have a minimum population of 30,000 to join the act, or they may combine under a joint powers agreement to reach the minimum population required.
- Currently, 17 jurisdictions representing 32 counties participate in the act. Sherburne County will join the act as the 33rd county in July of 2015.
- Community corrections act counties supervise approximately 75% of all offenders under supervision in the state.
- Funding is provided by a combination of state subsidy and county tax dollars.

Minnesota Department of Corrections - DOC (M.S. 241 and 244.19):

- The state Department of Corrections must provide adult felony probation and supervised release supervision in the 55 counties that do not participate in CCA. Services are provided by state employees under the direction of Department of Corrections District Supervisors, with no local control retained at the county level.
- The DOC also provides juvenile and adult misdemeanant supervision in 28 counties that choose to contract with the state for provision of that service. The counties are billed for service costs, including agent salary, fringe benefits, and support staff costs. Department of Corrections District Supervisors are responsible for employee supervision.
- The Department of Corrections also provides intensive supervised release services in counties as required by statute.
- The full cost of felony supervision is borne by the state. Counties receive reimbursement for a portion of the juvenile and adult misdemeanant agent salaries and benefits from funds appropriated by the legislature.

County Probation Officers – CPO (M.S. 244.19):

- In 27 counties, county probation officers provide supervision of juveniles and adult misdemeanants only. (The Department of Corrections provides felony supervision in these counties.) County probation officers are appointed by the county's chief judge and supervised by the county court services director. Counties are reimbursed for a portion of the director and probation officer salaries and benefits from funds appropriated by the legislature.

Types of Community Supervision

Supervised release: Community supervision for felony offenders released from prison on their court-ordered release date. In Minnesota, state law requires most offenders serve two-thirds of their sentence in prison and one-third in the community under supervision. Some offenders who require greater supervision are placed on intensive supervised release.

Probation: A community supervision sanction imposed on an offender by the court as an alternative to or in conjunction with confinement or intermediate sanctions. Offenders may be convicted of felony, gross misdemeanor, or misdemeanor offenses.

Parole: An indeterminate form of sentencing whereby offenders are released to community supervision after serving at least the minimum sentence imposed by the court. In Minnesota, only juvenile offenders and some life-sentenced inmates are eligible for parole. The commissioner of corrections is the paroling authority.

In order to achieve legislation during the 2015 session that reforms and increases funding for probation services at the local level, it will be critically important that we find a way to communicate the need for this change in a compelling manner.

To insure that our voice is heard, we must communicate a strategic, distinctive, and memorable message regarding the need for probation funding reform.

The model for funding probation supervision in Minnesota is broken, and immediate legislative intervention is needed in order to insure adequate funding for supervision of offenders statewide.

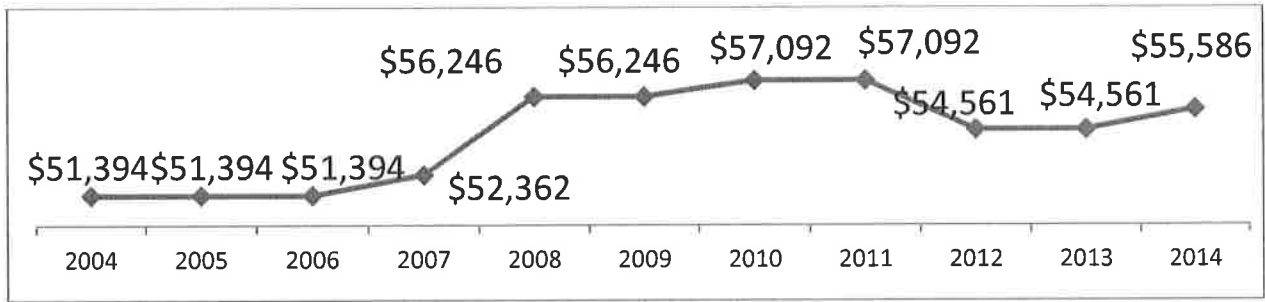
Probation funding reform was one of the top five AMC legislative priorities for 2014. In order for it to be designated a top overall priority for 2015, it must be voted as a top priority by the majority of AMC districts at their meetings. Aitkin County should support this initiative when voting.

CCA Continues to Grow; there will be 33 CCA Counties in 2015 and currently CCA counties supervise 73% of all offenders on community supervision in the State of Minnesota. However, financial incentives for CCA counties have diminished over the past ten years.

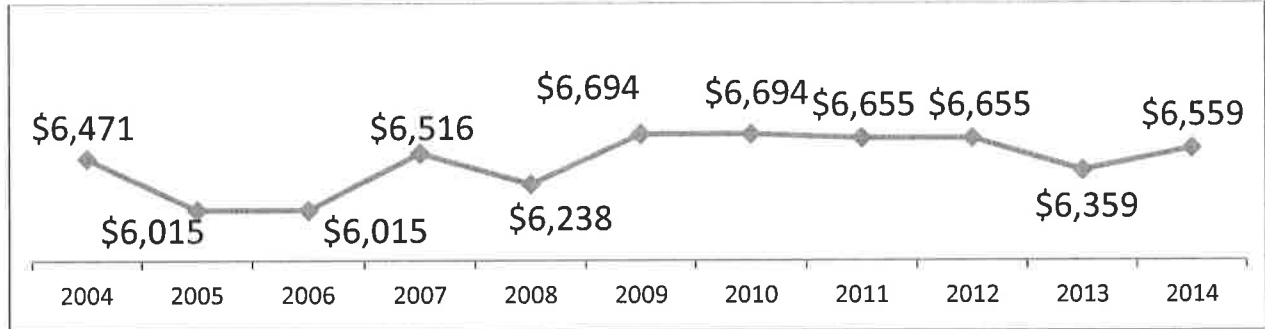
There is currently not a common method for the legislature to equitably fund changes in supervision of offenders in the community. Each delivery system is funded differently.

County Commissioners must be the leaders in conveying the need for probation funding reform at the county level to state legislators. State legislators and policy makers rely on you to tell them what is, or is not, working at the county level. The message legislators need to hear is that probation IS working, but the funding structure IS NOT working. They also need to hear that counties have reached a crisis point in their ability to fund probation services, and a significant increase in state funding is absolutely necessary to maintain this core public safety function. It is crucial that legislators and key policymakers hear the same message repeatedly from all county boards.

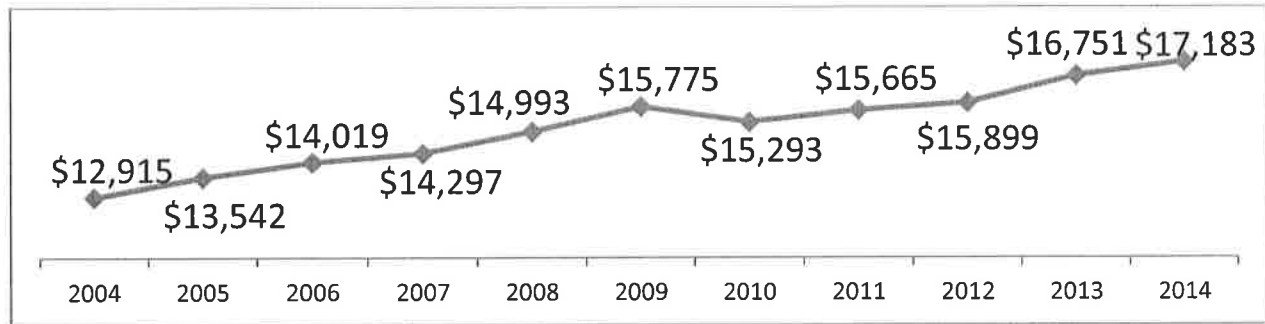
State Funding for CCA Jurisdictions:



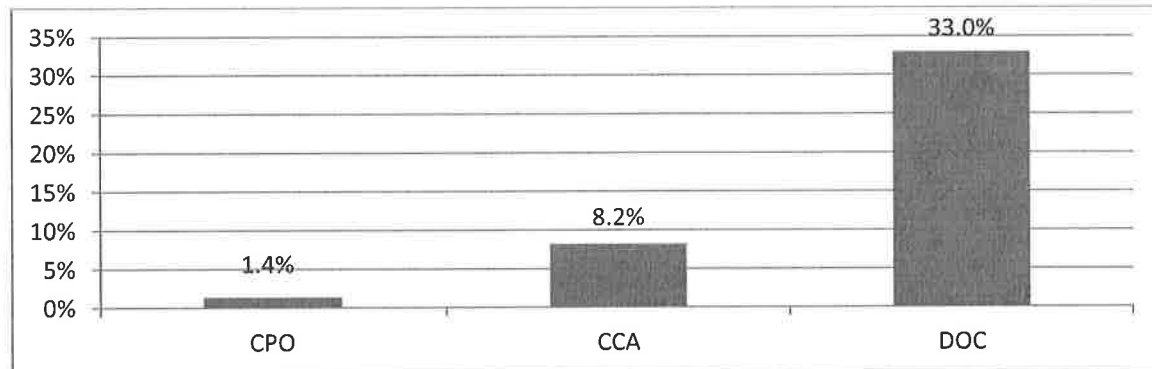
State Funding for CPO Jurisdictions:



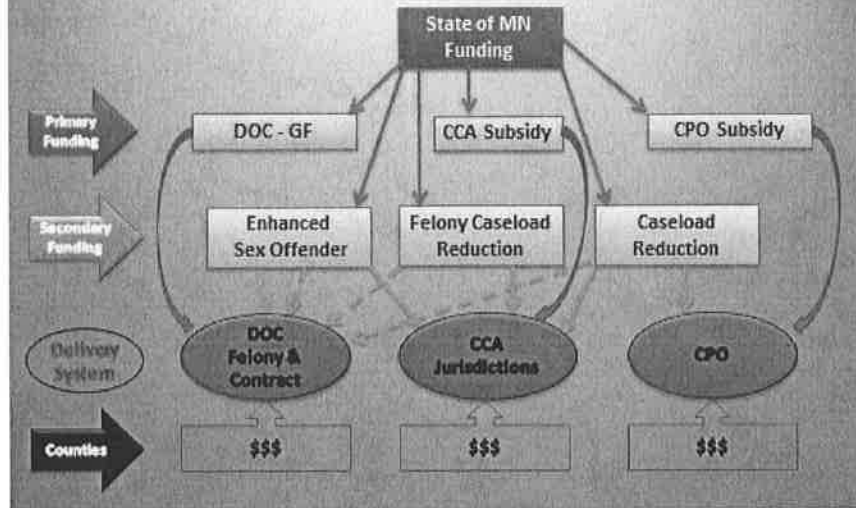
State Funding for DOC Jurisdictions:



Percent of Funding Increases for the past 10 years:



Funding Flow Chart



A New Model for Funding

