



# Board of County Commissioners Agenda Request



**Requested Meeting Date:** November 24, 2015

**Title of Item:** Community Corrections Options

<input checked="" type="checkbox"/> REGULAR AGENDA <input type="checkbox"/> CONSENT AGENDA <input type="checkbox"/> INFORMATION ONLY	<b>Action Requested:</b> <input type="checkbox"/> Approve/Deny Motion <input type="checkbox"/> Adopt Resolution (attach draft)	<input checked="" type="checkbox"/> Direction Requested <input type="checkbox"/> Discussion Item <input type="checkbox"/> Hold Public Hearing* <i>*provide copy of hearing notice that was published</i>
<b>Submitted by:</b> Nathan Burkett, County Administrator		<b>Department:</b> Administration
<b>Presenter (Name and Title):</b>		<b>Estimated Time Needed:</b> 30 Min
<b>Summary of Issue:</b> <p>Crow Wing County's withdrawal has caused an opportunity for Aitkin County to consider options related to delivery of probation services. There are 3 delivery systems for probation, the basics of which will be presented to the Board.</p> <p>The County Administrator recommends that Aitkin County seek to continue as a CCA, either as a joint powers with Morrison or other counties, or as a stand-alone (dependent upon legislative action).</p> <p>Administration recommends preparing in such a manner that we expect either through a joint powers or through CCA legislation that we have a "stand alone" Aitkin County Probation department. This means we will establish all necessary support and structures, strive for legislative changes, and maintain a fall back position to engage in a joint powers.</p> <p>Administration is seeking direction from the County Board on the following matters:</p> <ol style="list-style-type: none"> <li>1. what is the preferred delivery system for Aitkin County (CCA, CPO or DOC)?</li> <li>2. Does the aitkin county board support seeking a change to legislation to allow Aitkin County to proceed as a CPA independently?</li> <li>3. Does the County Board support the processes to determine and establish the delivery systems for probation in Aitkin County after July 1, 2016.</li> </ol>		
<b>Alternatives, Options, Effects on Others/Comments:</b>		
<b>Recommended Action/Motion:</b> Support addition to AMC legislative platform removal of language requiring a minimum 30,000 population to deliver probation services as a Community Corrections Act County. Support requesting special legislation to allow Aitkin County to continue as a CCA County, regardless of population.		
<b>Financial Impact:</b> <i>Is there a cost associated with this request?</i> <input type="checkbox"/> Yes <input type="checkbox"/> No <i>What is the total cost, with tax and shipping? \$</i> <i>Is this budgeted?</i> <input type="checkbox"/> Yes <input type="checkbox"/> No <i>Please Explain:</i>		

Legally binding agreements must have County Attorney approval prior to submission.



# Minnesota Probation Delivery – The County's Role

**Ryan Erdmann**  
Public Safety Analyst  
&  
MACCAC Director

February 2015



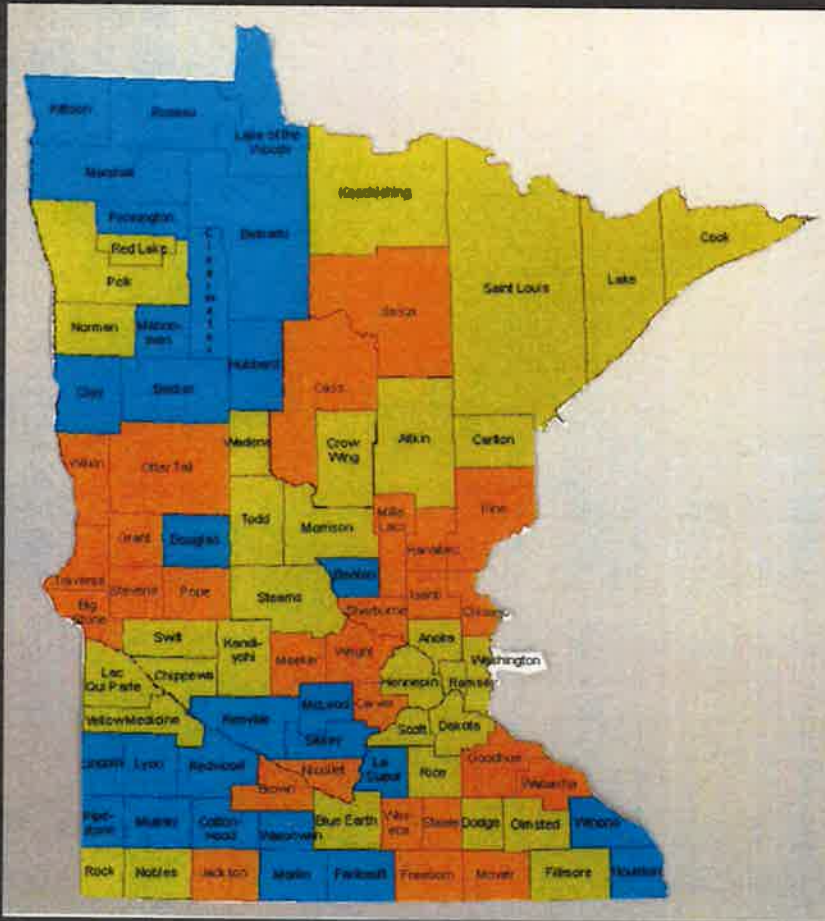



# Three Delivery Systems


- **Department of Corrections (DOC) Contract**
- **Community Corrections Act (CCA)**
- **County Probation Officer (CPO)**



# Three Delivery Systems



 CCA - M.S. Chapter 401

 CPO - M.S. 244.19

 DOC Contract - M.S. 244.20



# DOC Field Services

- **DOC Contract**
  - In 28 counties, the DOC provides misdemeanor & juvenile supervision under contract with the county.
  - DOC also supervises the felons in these counties, this is not part of the contract.
- **Other DOC Services**
  - 27 CPO counties, adult felon supervision
  - 75 counties, Intensive supervised release (ISR) supervision
  - 82 counties, CIP supervision



# Funding in DOC Counties

- **DOC Contract**
  - The state, through CPO reimbursement, provides for a portion of the counties costs for this contract.
- **Other DOC Services**
  - Felony supervision and intensive supervised release is paid for by the state.



# Community Corrections Act (CCA)

- **Community Corrections Act (CCA)**
  - The Community Corrections Act of 1973 allows counties to provide all community supervision services in the county
    - Community Supervision is probation and supervised release
    - CCA jurisdictions supervise adults and juveniles at all offense levels
  - There are 32 counties organized in 17 jurisdictions participating in CCA (33 counties with the addition of Sherburne on July 1, 2015).
  - Statute requires that counties have a population of at least 30,000 or be part of joint powers entity with a combined population of at least 30,000 in order to participate in CCA.



# Funding in CCA Counties

- **CCA Subsidy**
  - Formula driven funding stream is the primary source of state support for CCA counties.
  - Available funds for this are determined by the legislature and have been nearly flat for over a decade.
  - Components of the formula include case filings (felony, gross misdemeanor, and juvenile), population (ages 10-24), convicted felons not sent to prison, and adjusted net tax capacity.
  - The formula used 3 year averages and the data is updated every other year.
- **Other Revenue Sources**
  - Additional state grants for Caseload/Workload Reduction, Felony Supervision and Enhanced Sex Offender Supervision.





# County Probation Officer (CPO)

- **County Probation Officer (CPO)**
  - MN Statutes 244.19 authorizes counties to supervise juveniles, adult misdemeanor and adult gross misdemeanor offender on behalf of the court.
  - Court services staff are employed by the county, but are under the supervision of the local judge.
  - There are 27 counties organized as CPO Counties (26 after the Sherburne County transition).



# Funding in CPO Counties

- **CPO Reimbursement**
  - Statute provides that the state will reimburse 50% of probation officer salaries for those employed by CPO counties.
  - Funding level is determined by the legislature and statute directs that the reimbursement be pro-rated if the funding is not sufficient for full reimbursement.
  - Currently state funds cover roughly 30% of costs for those employees.
- **Other Revenue Sources**
  - CPO counties also receive a caseload/workload reduction grant.



# Who Decides?

- **County Board Authority**
  - County Boards have the authority to choose which probation delivery system model to choose based on local needs.
  - Other stakeholders like judges, county attorney, etc. should be included in any discussion of change, but the decision ultimately rests with the Board.
- **Transition**
  - No Board action is required on an ongoing basis if there is no change planned.
  - If a county wishes to transition to a different model, the decision must be made in July of an even numbered year, with transition occurring on July 1 of the subsequent year.



# For More Information

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