

S.F. No. 2380 – Supervision Standards Committee; Probation, Supervised Release and Community Corrections Provisions (A-3 delete-everything amendment)

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Overview

The bill creates a community supervision advisory committee to develop standards for probation, supervised release, and community supervision. It replaces the community corrections act funding formula with a new statewide funding formula. It authorizes Tribal governments to receive supervision funding under the new formula. Finally, it codifies certain release violation standards, makes technical changes, and deletes obsolete language.

Summary

Section 1 deletes obsolete language regarding conditional release of inmates.

Section 2 authorizes the commissioner to transfer a supervised release violator to a specialized caseload rather than revoke the inmate’s supervised release status. Deletes obsolete language.

Section 3 provides that if a county changes supervision models, their employees retain current salary and benefits. Makes county probation officer (CPO) counties eligible for inclusion in the new community corrections act funding formula created by **section 16**.

Section 4 deletes obsolete language and makes conforming changes regarding county probation officers.

Section 5 defines “probation agency” and “probation officer” for the purposes of the bill.

Section 7 reinstates current language regarding intermediate sanctions that’s deleted in **section 12**.

Section 8 authorizes supervision to be conducted over video conference technology at the discretion of the probation agent.

Section 9 deletes obsolete language regarding county probation officers.

Section 10 updates obsolete language and makes conforming changes.

Section 11 defines “CPO county” and “Tribal government” for the purposes of inclusion in the statewide funding subsidies. Deletes obsolete language.

Section 12 provides that all counties and Tribal governments are eligible for the community corrections act subsidy program. If a CPO county or Tribal government chooses to withdraw from the program and have the department of corrections provide supervision services, the probation officers displaced by the changeover shall be employed by the department at their current salary and benefit level.

Section 14 includes Tribal governments under the terms and conditions of inclusion in the community corrections act. Requires the department of corrections, in counties in which it provides supervision, to prepare comprehensive plans and present them to the local county boards.

Section 15 makes a technical change.

Section 16 deletes the community corrections act formula and replaces it with a new statewide formula, beginning in fiscal year 2024. The formula creates a base funding amount for each county, with additional funding dependent upon caseload (based on the most recent probation survey conducted by the commissioner of corrections). If in any given year, adequate funding is not provided by the legislature, the formula must be pro-rated for every county and Tribal government. Starting in fiscal year 2025, the commissioner must make a funding recommendation based upon the commissioner’s workload study and caseload data.

Section 17 makes technical changes.

Section 18 deletes obsolete language.

Section 19 makes conforming changes regarding Tribal governments and deletes obsolete language.

Sections 6, 13, 20 and 21 provide that revocation should only be used as a last resort when rehabilitation has failed and list conditions under which a release violator may be revoked.

Section 22 creates the Community Supervision Advisory Committee of 17 members. Authorizes the committee to develop statewide supervision standards, including risk and needs assessments, case-planning goals, incentives and sanctions, and performance indices.

Requires the commissioner of corrections to complete a workload study by December 1, 2024, which must be updated every six years. This study must be used to develop the capitated caseload funding going forward. The committee must review and reassess the workload study published by the commissioner and make recommendations based on their review.

By June 1, 2024, the committee, in consultation with the Minnesota Counties Computer Cooperative, must create a method to standardize data classifications across all three probation delivery systems. On February 1, 2025, the committee must report its data, analysis, and recommendations to the commissioner. The commissioner must respond within 45 days of receipt whether or not the commissioner will adopt rules based the committee's recommendations.

By December 1, 2024, the committee must develop a plan to eliminate the financial penalty incurred by a jurisdiction successfully discharging an offender before the offender's term of supervision concludes.

By June 30, 2024, the committee must submit a plan to phase out supervision fees.

By January 15, 2025, the committee must submit a report to the legislature regarding the development of supervision standards.

By January 15, 2026, the committee must submit a final report to the legislature.

The commissioner of corrections must provide the committee with an administrator, staff, office space, equipment and services.

Section 23 creates a community supervision targeted innovation account in the special revenue fund to be distributed as grants to counties and Tribal governments.

Section 24 transfers an unspecified amount from the general fund into the account.

Section 25 creates a community supervision account in the special revenue fund and transfers \$183 million in fiscal year 2024 from the department of corrections fiscal year 2024 appropriation into the account. Provides that for fiscal year 2025 and each year thereafter, the amount deposited in the account shall be the fiscal year 2024 amount multiplied by the federal price deflator for state and local government purchases.

Section 26 repeals:

- sections 244.19, subd. 6-8, relating to community corrections act funding;
- section 244.22, relating to caseload reduction grants;
- section 244.24, relating to classification of adult offenders; and
- section 244.18, relating to local correctional fees.

The section 244.18 repeal has a delayed effective date of August 1, 2025.