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<https://mn.gov/doc/>

AT A GLANCE

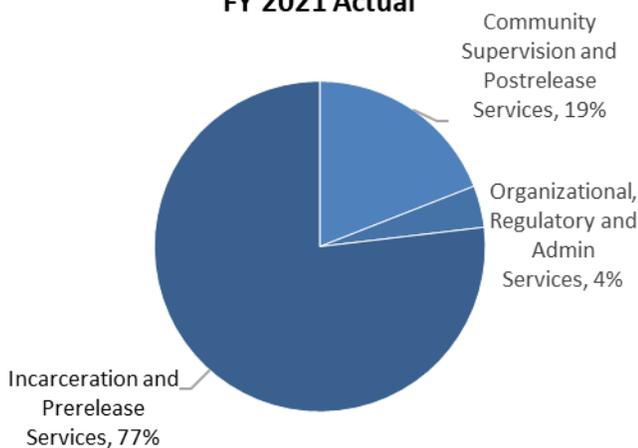
- More than 4,100 employees
- 10 prisons statewide
- Approximately 8,000 incarcerated adults and juveniles in state correctional facilities
- Approximately 95,000 persons under community supervision in Minnesota including more than 19,000 supervised by the DOC and approximately 76,000 supervised by community partners
- 76% of people released from prison do not return for a new conviction
- 95% of incarcerated persons will return to their communities upon release from prison

PURPOSE

The mission of Minnesota Department of Corrections (DOC) is to transform lives for a safer Minnesota. By successfully addressing the needs of the people served, the DOC provides the opportunity for redemption, and productive community reintegration. It is the goal of these services to advance public safety. To achieve the agency’s mission, strategies are prioritized to hold people accountable for the offenses they commit while providing them with the tools to become successful and contributing members of their communities. The DOC is committed to achieving justice through promotion of racial equity, reducing and repairing the harmful impacts of crime, and building community connectedness. The DOC serves adults and youth in the state’s correctional facilities or in the community through supervision. No matter the custody status, transformative opportunities and the path to community reintegration are prioritized by the DOC starting the first day a person begins their sentence and throughout successful completion of their sentence. As the third largest state agency, the DOC accomplishes its mission through the committed efforts of more than 4,100 employees.

BUDGET

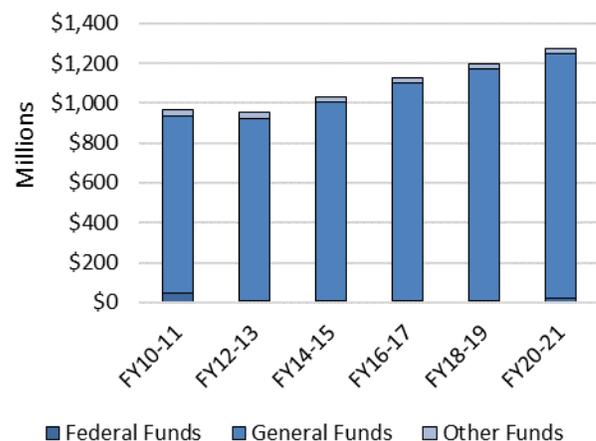
**Spending by Program
FY 2021 Actual**



Approximately 55% of spending in Community Supervision and Postrelease Services is grant/subsidy pass-through funds to county corrections agencies to provide supervision services in the community.

Source: Budget Planning & Analysis System (BPAS)

Historical Spending



Federal funds for FY10-11 include \$38 million of one-time stabilization funds legislatively appropriated to supplant the general fund budget.

Source: Consolidated Fund Statement

More than 96% of the DOC's total biennial budget comes from the general fund. Special revenue and miscellaneous agency funds represent nearly 3% of the budget and federal funds represent less than 1%.

STRATEGIES

Strategies to Achieve Mission

The DOC works to support and achieve established priorities and goals as it executes its mission of transforming lives for a safer Minnesota. The work of transforming lives is all about building connections, helping people become good neighbors when they return to their communities, and making Minnesota a great place for families and children.

The DOC implements several specific strategies including:

- Increasing the use of evidence-based practices in the rehabilitation of those who are in the department's care, including programming, treatment, education, and processes surrounding incarceration.
- Increasing the number of people released from prison who, within 30 days, obtain meaningful employment, enroll in educational programming, or actively engage in community-based treatment by 90 percent.
- Reducing the number of technical readmissions to prison by 70 percent overall, including for American Indians and Minnesotans of color, through effective use of community supervision and support services.
- Increasing the number of people in prison enrolled in full-time classroom college and enrolling people in new pathways from DOC technical training to Minnesota State sponsored associate and undergraduate degrees.
- Transforming data collection and reporting process into a strategic and performance-based model, resulting in dynamic, real-time dashboards (internal and public facing) displaying accurate and predictive key performance indicators.
- Using the Department of Administration's Equity Select program.
- Training staff and encouraging the use of Targeted Group, Economically Disadvantaged, and Veteran Owned (TG/ED/VO) vendors whenever possible.

The DOC is focused on two priorities to achieve the mission of transforming lives: (1) Improving internal organizational culture and (2) Providing consistent delivery of exceptional public services. Several strategies support these priorities.

Improved internal organizational culture:

- Aligning the organization's structure to reflect and support the mission.
- Identifying leaders within the organization and providing support needed to help them become invested in this mission and lead the organization into the future.
- Protecting staff, those who are incarcerated, and clients under supervision from harm and injury.
- Increasing retention rates of employees by improving the onboarding process, developing supervisors' capacity for encouraging professional development, and increasing pride in working for the DOC.
- Hiring people to fill critical vacancies especially among corrections officers.
- Advancing equity and inclusion across the agency by retaining at least 75 percent of newly hired employees for at least two years and achieve this retention rate for American Indians, people of color, people who have a disability, and Veterans.
- Transforming the culture of local workplaces into creating more successful, positive, and healthier experiences for others by practicing servant leadership, using performance management, and engaging employees in decision-making.

- Empowering leaders, engaging front line staff, and fostering collaboration.

Consistent delivery of exceptional public services:

- Increasing engagement of the public, particularly those impacted by our programs, in creation and revision of our programs, policies, and decisions.
 - Significantly increasing the use of evidence-based practices in the rehabilitation of those who are incarcerated, on community supervision or probation; including programming, treatment, education, and processes surrounding incarceration.
 - Increasing the number of people released from prison who, within 30 days, obtain meaningful employment, enroll in educational programming, or actively engage in community-based treatment by 90 percent.
 - Reducing the number of technical readmissions to prison by 70 percent overall, including for American Indians and Minnesotans of color, through effective use of community supervision and support services.
 - Increasing the number of people in prison enrolled in full-time classroom college by 400 percent and enrolling people in new pathways from DOC technical training to Minnesota State sponsored associate and undergraduate degrees.
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M.S. 241.01 (<https://www.revisor.mn.gov/statutes/cite/241>) provides the legal authority for the DOC.

Corrections

Agency Expenditure Overview

(Dollars in Thousands)

	Actual FY20	Actual FY21	Actual FY22	Estimate FY23	Forecast Base		Governor's Recommendation	
					FY24	FY25	FY24	FY25
<i>Expenditures by Fund</i>								
1000 - General	595,373	628,748	621,268	659,295	637,435	637,883	816,490	863,620
1251 - COVID-19 Minnesota	2,235							
2000 - Restrict Misc Special Revenue	6,625	3,909	6,179	7,537	8,058	8,182	8,058	8,182
2001 - Other Misc Special Revenue	8,723	6,164	11,327	15,928	15,133	13,290	15,652	13,505
2403 - Gift	9	4	7	19	11	11	11	11
3000 - Federal	2,469	1,645	12,077	9,417	5,405	3,718	5,405	3,718
3010 - Coronavirus Relief	4,783	12,042						
3015 - ARP-State Fiscal Recovery			1,099	4,901				
4400 - Correctional Industries	47,222	42,892	47,441	45,045	45,224	47,524	45,224	47,524
6000 - Miscellaneous Agency	3,068	3,317	3,231					
6001 - Social Welfare Agency	30,194	34,766	36,749	33,075	33,175	33,175	33,175	33,175
Total	700,700	733,486	739,379	775,217	744,441	743,783	924,015	969,735
Biennial Change				80,411		(26,372)		379,154
Biennial % Change				6		(2)		25
Governor's Change from Base								405,526
Governor's % Change from Base								27

Expenditures by Program

Incarceration and Prerelease Services	530,579	563,722	563,491	588,190	563,853	565,030	630,933	668,013
Community Supervision and Postrelease Services	138,058	139,804	140,899	147,468	143,491	143,576	217,223	221,763
Organizational, Regulatory and Admin Services	32,063	29,959	34,990	39,559	37,097	35,177	75,859	79,959
Total	700,700	733,486	739,379	775,217	744,441	743,783	924,015	969,735

Expenditures by Category

Compensation	424,469	432,492	438,600	462,928	453,841	455,488	507,035	546,580
Operating Expenses	157,871	174,266	174,438	189,685	169,341	166,986	237,012	243,137
Grants, Aids and Subsidies	115,870	119,675	122,872	120,029	118,863	118,913	177,572	177,622
Capital Outlay-Real Property	1,007	2,055	1,182	810	763	763	763	763
Other Financial Transaction	1,483	4,998	2,287	1,765	1,633	1,633	1,633	1,633
Total	700,700	733,486	739,379	775,217	744,441	743,783	924,015	969,735

Corrections

Agency Expenditure Overview

(Dollars in Thousands)

	Actual FY20	Actual FY21	Actual FY22	Estimate FY23	Forecast Base		Governor's Recommendation	
					FY24	FY25	FY24	FY25
Total Agency Expenditures	700,700	733,486	739,379	775,217	744,441	743,783	924,015	969,735
Internal Billing Expenditures	1,653	1,799	4,463	2,815	2,641	2,479	2,641	2,479
Expenditures Less Internal Billing	699,047	731,686	734,916	772,402	741,800	741,304	921,374	967,256

<u>Full-Time Equivalents</u>	4,371.50	4,249.83	4,142.14	4,510.07	4,182.94	4,085.94	4,547.94	4,538.84
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Corrections

Agency Financing by Fund

(Dollars in Thousands)

	Actual FY20	Actual FY21	Actual FY22	Estimate FY23	Forecast Base		Governor's Recommendation	
					FY24	FY25	FY24	FY25
1000 - General								
Balance Forward In		18,438	183	8,403				
Direct Appropriation	611,127	632,287	631,153	652,164	638,707	639,155	817,762	864,892
Transfers In	15,673	63,285	31,958	9,371	4,395	4,395	4,395	4,395
Transfers Out	16,621	78,113	33,212	10,643	5,667	5,667	5,667	5,667
Cancellations	28	6,966	409					
Balance Forward Out	14,777	183	8,405					
Expenditures	595,373	628,748	621,268	659,295	637,435	637,883	816,490	863,620
Biennial Change in Expenditures				56,443		(5,245)		399,547
Biennial % Change in Expenditures				5		(0)		31
Governor's Change from Base								404,792
Governor's % Change from Base								32
Full-Time Equivalents	4,064.69	4,004.70	3,930.66	4,284.31	3,960.95	3,863.95	4,325.95	4,316.85

1251 - COVID-19 Minnesota

Direct Appropriation	2,255							
Cancellations	20							
Expenditures	2,235							
Biennial Change in Expenditures				(2,235)		0		0
Biennial % Change in Expenditures								
Governor's Change from Base								0
Governor's % Change from Base								
Full-Time Equivalents	0.66	1.46						

2000 - Restrict Misc Special Revenue

Balance Forward In	5,564	6,129	7,678	7,596	7,624	7,005	7,624	7,005
Receipts	7,317	5,982	6,460	7,759	7,769	7,769	7,769	7,769
Transfers In			81					
Transfers Out	369	360	441	330	330	330	330	330
Net Loan Activity	242	(306)	0	136				
Balance Forward Out	6,129	7,535	7,598	7,624	7,005	6,262	7,005	6,262
Expenditures	6,625	3,909	6,179	7,537	8,058	8,182	8,058	8,182
Biennial Change in Expenditures				3,183		2,524		2,524
Biennial % Change in Expenditures				30		18		18

Corrections

Agency Financing by Fund

(Dollars in Thousands)

	Actual	Actual	Actual	Estimate	Forecast Base		Governor's Recommendation	
	FY20	FY21	FY22	FY23	FY24	FY25	FY24	FY25
Governor's Change from Base								0
Governor's % Change from Base								0
Full-Time Equivalents	55.96	49.78	39.39	45.49	45.49	45.49	45.49	45.49

2001 - Other Misc Special Revenue

Balance Forward In	10,937	9,323	10,458	9,636	11,486	9,387	11,486	9,387
Receipts	7,109	7,291	10,506	13,049	13,034	13,034	13,553	13,249
Internal Billing Receipts	1,651	1,807	4,457	4,127	4,127	4,127	4,127	4,127
Transfers In				4,729				
Balance Forward Out	9,322	10,451	9,637	11,486	9,387	9,131	9,387	9,131
Expenditures	8,723	6,164	11,327	15,928	15,133	13,290	15,652	13,505
Biennial Change in Expenditures				12,369		1,168		1,902
Biennial % Change in Expenditures				83		4		7
Governor's Change from Base								734
Governor's % Change from Base								3
Full-Time Equivalents	62.10	48.94	46.12	46.12	45.12	45.12	45.12	45.12

2403 - Gift

Balance Forward In	8	7	11	8				
Receipts	8	7	5	11	11	11	11	11
Balance Forward Out	7	10	8					
Expenditures	9	4	7	19	11	11	11	11
Biennial Change in Expenditures				13		(4)		(4)
Biennial % Change in Expenditures				103		(16)		(16)
Governor's Change from Base								0
Governor's % Change from Base								0

3000 - Federal

Balance Forward In	6,256	6,537	6,526	4,881	1,655	60	1,655	60
Receipts	2,749	1,635	10,432	6,191	3,810	3,712	3,810	3,712
Balance Forward Out	6,536	6,526	4,880	1,655	60	54	60	54
Expenditures	2,469	1,645	12,077	9,417	5,405	3,718	5,405	3,718
Biennial Change in Expenditures				17,380		(12,371)		(12,371)

Corrections

Agency Financing by Fund

(Dollars in Thousands)

	Actual	Actual	Actual	Estimate	Forecast Base		Governor's Recommendation	
	FY20	FY21	FY22	FY23	FY24	FY25	FY24	FY25
Biennial % Change in Expenditures				422		(58)		(58)
Governor's Change from Base								0
Governor's % Change from Base								0
Full-Time Equivalents	21.57	14.72	15.92	15.42	12.65	12.65	12.65	12.65

3010 - Coronavirus Relief

Balance Forward In		4,323						
Direct Appropriation	9,090	7,908						
Cancellations		189						
Balance Forward Out	4,307							
Expenditures	4,783	12,042						
Biennial Change in Expenditures				(16,825)		0		0
Biennial % Change in Expenditures				(100)				
Governor's Change from Base								0
Governor's % Change from Base								
Full-Time Equivalents		13.61						

3015 - ARP-State Fiscal Recovery

Balance Forward In				1				
Direct Appropriation			1,100	4,900	0	0	0	0
Balance Forward Out			1					
Expenditures			1,099	4,901				
Biennial Change in Expenditures				6,000		(6,000)		(6,000)
Biennial % Change in Expenditures						(100)		(100)
Governor's Change from Base								0
Governor's % Change from Base								
Full-Time Equivalents			0.01					

4400 - Correctional Industries

Balance Forward In	13,145	10,632	12,414	12,245	13,125	14,451	13,125	14,451
Receipts	44,634	44,668	47,273	45,925	46,550	48,550	46,550	48,550
Transfers In		2,000	1,500					
Transfers Out		2,000	1,500					

Corrections

Agency Financing by Fund

(Dollars in Thousands)

	Actual	Actual	Actual	Estimate	Forecast Base		Governor's Recommendation	
	FY20	FY21	FY22	FY23	FY24	FY25	FY24	FY25
Balance Forward Out	10,557	12,408	12,246	13,125	14,451	15,477	14,451	15,477
Expenditures	47,222	42,892	47,441	45,045	45,224	47,524	45,224	47,524
Biennial Change in Expenditures				2,372		262		262
Biennial % Change in Expenditures				3		0		0
Governor's Change from Base								0
Governor's % Change from Base								0
Full-Time Equivalents	166.52	116.62	110.04	118.73	118.73	118.73	118.73	118.73

6000 - Miscellaneous Agency

Balance Forward In	4,318	4,665	4,772	4,729				
Receipts	3,415	3,411	3,189					
Transfers Out				4,729				
Balance Forward Out	4,665	4,759	4,729					
Expenditures	3,068	3,317	3,231					
Biennial Change in Expenditures				(3,154)		(3,231)		(3,231)
Biennial % Change in Expenditures				(49)				
Governor's Change from Base								0
Governor's % Change from Base								

6001 - Social Welfare Agency

Balance Forward In	5,443	6,535	9,617	7,967	8,317	8,567	8,317	8,567
Receipts	31,285	37,846	35,098	33,425	33,425	33,425	33,425	33,425
Transfers In			51					
Transfers Out			51					
Balance Forward Out	6,535	9,615	7,966	8,317	8,567	8,817	8,567	8,817
Expenditures	30,194	34,766	36,749	33,075	33,175	33,175	33,175	33,175
Biennial Change in Expenditures				4,865		(3,474)		(3,474)
Biennial % Change in Expenditures				7		(5)		(5)
Governor's Change from Base								0
Governor's % Change from Base								0

Corrections

Agency Change Summary

(Dollars in Thousands)

	FY23	FY24	FY25	Biennium 2024-25
Direct				
Fund: 1000 - General				
FY2023 Appropriations	639,521	639,521	639,521	1,279,042
Base Adjustments				
All Other One-Time Appropriations		(1,321)	(1,321)	(2,642)
Current Law Base Change		507	955	1,462
Forecast Base	639,521	638,707	639,155	1,277,862
Change Items				
Operations Deficiency	12,643			
Maintain Current Service Levels		57,182	88,338	145,520
Prison Population Increase		4,070	5,977	10,047
Statewide Public Safety Data Infrastructure		17,500	17,500	35,000
Fully Implement Prison Rape Elimination Act Standards		1,000	1,000	2,000
Health Services		2,348	3,723	6,071
Virtual Court Coordination and Modernization		500	500	1,000
Increased Funding for Community Supervision		64,624	66,250	130,874
Clemency Review Commission		986	986	1,972
Recruitment and Retention		4,803	7,323	12,126
Transformational Education for Productive and Safer Communities		5,806	7,631	13,437
Indeterminate Sentence Release Board		40	40	80
Evidence-Based Practices Unit		1,248	2,164	3,412
Public Safety Through Stable Housing		2,130	2,130	4,260
Family Stabilization and Support		2,840	3,060	5,900
Accountability and Transparency Investments		1,529	1,529	3,058
Compensation for Program Participation		1,000	1,000	2,000
Body-worn Cameras for Corrections Officers and ISR Agents		1,000	1,000	2,000
Fugitive Apprehension Unit Special Investigations Office		999	1,865	2,864
State Corrections Safety and Security Investments		2,245	2,962	5,207
Successful Re-Entry for Public Safety		1,507	3,639	5,146
Sex Offense Specific Treatment System		2,415	2,415	4,830
Pathways from Prison to Employment		1,960	3,550	5,510
ARMER Radio System Maintenance and Upgrades		1,500	1,500	3,000
Legalizing Adult-Use Cannabis		(177)	(345)	(522)
Total Governor's Recommendations	652,164	817,762	864,892	1,682,654
Fund: 3015 - ARP-State Fiscal Recovery				
FY2023 Appropriations	4,900	4,900	4,900	9,800
Base Adjustments				
All Other One-Time Appropriations		(4,900)	(4,900)	(9,800)
Forecast Base	4,900	0	0	0

Corrections

Agency Change Summary

(Dollars in Thousands)

	FY23	FY24	FY25	Biennium 2024-25
Total Governor's Recommendations	4,900	0	0	0
<i>Dedicated</i>				
Fund: 2000 - Restrict Misc Special Revenue				
Planned Spending	7,537	8,058	8,182	16,240
Forecast Base	7,537	8,058	8,182	16,240
Total Governor's Recommendations	7,537	8,058	8,182	16,240
Fund: 2001 - Other Misc Special Revenue				
Planned Spending	15,928	15,133	13,290	28,423
Forecast Base	15,928	15,133	13,290	28,423
Change Items				
Oak Park Heights Mental Health Unit Pilot Program		519	215	734
Total Governor's Recommendations	15,928	15,652	13,505	29,157
Fund: 2403 - Gift				
Planned Spending	19	11	11	22
Forecast Base	19	11	11	22
Total Governor's Recommendations	19	11	11	22
Fund: 3000 - Federal				
Planned Spending	9,417	5,405	3,718	9,123
Forecast Base	9,417	5,405	3,718	9,123
Total Governor's Recommendations	9,417	5,405	3,718	9,123
Fund: 4400 - Correctional Industries				
Planned Spending	45,045	45,224	47,524	92,748
Forecast Base	45,045	45,224	47,524	92,748
Total Governor's Recommendations	45,045	45,224	47,524	92,748
Fund: 6001 - Social Welfare Agency				
Planned Spending	33,075	33,175	33,175	66,350
Forecast Base	33,075	33,175	33,175	66,350
Total Governor's Recommendations	33,075	33,175	33,175	66,350
<i>Revenue Change Summary</i>				
<i>Dedicated</i>				
Fund: 2000 - Restrict Misc Special Revenue				
Forecast Revenues	7,759	7,769	7,769	15,538

Corrections

Agency Change Summary

(Dollars in Thousands)

	FY23	FY24	FY25	Biennium 2024-25
Total Governor's Recommendations	7,759	7,769	7,769	15,538
Fund: 2001 - Other Misc Special Revenue				
Forecast Revenues	13,049	13,034	13,034	26,068
Change Items				
Oak Park Heights Mental Health Unit Pilot Program		519	215	734
Total Governor's Recommendations	13,049	13,553	13,249	26,802
Fund: 2403 - Gift				
Forecast Revenues	11	11	11	22
Total Governor's Recommendations	11	11	11	22
Fund: 3000 - Federal				
Forecast Revenues	6,191	3,810	3,712	7,522
Total Governor's Recommendations	6,191	3,810	3,712	7,522
Fund: 4400 - Correctional Industries				
Forecast Revenues	45,925	46,550	48,550	95,100
Total Governor's Recommendations	45,925	46,550	48,550	95,100
Fund: 6001 - Social Welfare Agency				
Forecast Revenues	33,425	33,425	33,425	66,850
Total Governor's Recommendations	33,425	33,425	33,425	66,850
Non-Dedicated				
Fund: 1000 - General				
Forecast Revenues	9,752	9,752	9,752	19,504
Total Governor's Recommendations	9,752	9,752	9,752	19,504

Corrections

FY 2024-25 Biennial Budget Change Item

Change Item Title: Operations Deficiency

Fiscal Impact (\$000s)	FY 2023	FY 2024	FY 2025	FY 2026	FY 2027
General Fund					
Expenditures	12,643	0	0	0	0
Revenues	0	0	0	0	0
Other Funds					
Expenditures	0	0	0	0	0
Revenues	0	0	0	0	0
Net Fiscal Impact = (Expenditures – Revenues)	12,643	0	0	0	0
FTEs	0	0	0	0	0

Recommendation:

The Governor recommends a one-time increase in funding to cover the Department of Correction (DOC)'s anticipated budget shortfall in FY 2023.

Rationale/Background:

DOC is experiencing increased costs due to inflationary pressures, particularly on food and utility expenses, which have increased on average by 44% and 18% respectively, compared to this time in FY 2022. Additionally, the agency is incurring increased costs for early retirement, workers' compensation, and severance payouts that have been higher than projected. With DOC facing staffing challenges, a number of recruitment and retention initiatives to keep operations at a base level of support have been established that need additional funding through the remainder of the fiscal year.

Proposal:

The Governor recommends a one-time increase to support maintaining the delivery of current services in FY 2023. This funding will cover increases in food and utility costs; overtime and insurance expenditures; employee compensation growth costs, and other operating expenditures.

Results:

This proposal is intended to allow The Department of Corrections to continue to provide current levels of service and information to the public in the current fiscal year.

Corrections

FY 2024-25 Biennial Budget Change Item

Change Item Title: Maintain Current Service Levels

Fiscal Impact (\$000s)	FY 2024	FY 2025	FY 2026	FY 2027
General Fund				
Expenditures	57,182	88,338	88,338	88,338
Revenues	0	0	0	0
Other Funds				
Expenditures	0	0	0	0
Revenues	0	0	0	0
Net Fiscal Impact = (Expenditures – Revenues)	57,182	88,338	88,338	88,338
FTEs	185	202.9	202.9	202.9

Recommendation:

The Governor recommends additional funding of \$57,182,000 in FY 2024 and \$88,338,000 in each subsequent year from the general fund to maintain the current level of service delivery at the Department of Corrections.

Rationale/Background:

Each year, the cost of doing business rises—employer-paid health care contributions, FICA, and Medicare, along with other salary and compensation-related costs increase. Other operating costs, like rent and lease, fuel and utilities, and IT and legal services also grow. This cost growth puts pressure on agency operating budgets that remain flat from year to year. Over 96 percent of the Department of Correction’s budget is reliant on the General Fund.

Agencies face challenging decisions to manage these costs within existing budgets, while maintaining the services Minnesotans expect. From year to year, agencies find ways to become more efficient with existing resources. For the Department of Corrections, the following efficiencies have been implemented to help offset rising operating costs:

- Organizational restructuring
- Reduction of leased space
- Efforts to reduce the number of revocations to incarceration

However, cost growth typically outstrips efficiencies, and without additional resources added to agency budgets, service delivery erodes.

For the Department of Corrections, operating cost pressures exist in multiple categories—increases in compensation and insurance costs at the agency, increasing costs to maintain our current staff complement in a challenging labor market, and increasing IT costs. If an operational increase is not provided, the services the Department of Corrections delivers will be impacted. Some examples of potential impacts include:

- A significant reduction in the number of FTEs may need to be implemented
- A reduction in programming proven to improve success for reentry to communities and improve recidivism rates
- Critical information technology services may need to be scaled back
- Critical infrastructure needs at correctional facilities may need to be deferred further

Proposal:

The Governor recommends increasing agency operating budgets to support maintaining the delivery of current services. For the Department of Corrections, this funding will cover increases in food, health care, and utility costs; routine maintenance and repairs; property insurance increases; expected and anticipated employee compensation growth, and other operating expenditures.

Results:

This proposal is intended to allow The Department of Corrections to continue to provide current levels of service and information to the public.

Corrections

FY 2024-25 Biennial Budget Change Item

Change Item Title: Prison Population Increase

Fiscal Impact (\$000s)	FY 2024	FY 2025	FY 2026	FY 2027
General Fund				
Expenditures	4,070	5,977	5,977	5,977
Revenues	0	0	0	0
Other Funds				
Expenditures	0	0	0	0
Revenues	0	0	0	0
Net Fiscal Impact = (Expenditures – Revenues)	4,070	5,977	5,977	5,977
FTEs	0	0	0	0

Recommendation:

The Governor recommends an ongoing increase in funding to increase base operating budgets used for expenses directly attributable to the incarceration of individuals in state correctional facilities.

Rationale/Background:

The current DOC base budget was based on a projected population of 7,894 beds. Current projections indicate an estimated average daily population of 8,686 beds in FY 2024 and 9,057 beds in FY 2025. Increases are needed to fund direct facility costs for incarcerated persons including food, linens, compensation for work programming, and other facility costs that directly support the incarcerated population. This proposal represents a direct marginal per diem cost of \$14.08 that also includes jail bed rentals as necessary. The increase is in large part due to the backlog of criminal court cases moving through the judicial system after slowing significantly during the COVID-19 pandemic.

Proposal:

The DOC proposes an increase of its operating budget due to projected increases in the prison population.

- This is an existing initiative where funding is necessary to support a higher prison population.
- Proposed increases are the result of an increased need to fund direct facility costs for incarcerated persons, due to population projections that are higher than originally anticipated.
- Increases are based on a direct marginal cost per diem of \$14.08 and an increased average daily population of 792 beds in FY 2024 and an additional 1,163 beds in FY 2025.
- The Department expects an additional 1,291 beds in FY 2026 and a slight reduction of 72 beds in FY 2027.
- This proposal assumes increases will begin immediately.

Equity and Inclusion:

DOC provides basic needs and services to a very diverse group of incarcerated persons in terms of race, ethnicity, gender, sexual orientation, disability, and veteran status.

Tribal Consultation:

Does this proposal have a substantial direct effect on one or more of the Minnesota Tribal governments?

Yes

No

Results:

This proposal is intended to allow the Department of Corrections to continue to provide current levels of service and information to the public.

Corrections

FY 2024-25 Biennial Budget Change Item

Change Item Title: Statewide Public Safety Data Infrastructure

Fiscal Impact (\$000s)	FY 2024	FY 2025	FY 2026	FY 2027
General Fund				
Expenditures	17,500	17,500	10,000	10,000
Revenues	0	0	0	0
Other Funds				
Expenditures	0	0	0	0
Revenues	0	0	0	0
Net Fiscal Impact = (Expenditures – Revenues)	17,500	17,500	10,000	10,000
FTEs - MNIT	11	11	11	11

Recommendation:

The Governor recommends an ongoing increase in funding to invest in the transformation and ongoing management of a statewide public safety information sharing infrastructure and foundation technologies.

- These funds represent a long overdue modernization investment with ongoing costs to ensure sustainability. The initiative will ensure scalability to support the increase in demand in the broader public safety community, including all state and local entities. The investment will build upon existing integrations between the DOC and criminal justice partners. These partners will be connected with data to ensure reliable and accurate information is shared in a timely manner across system providers – from corrections to law enforcement and the courts with the ultimate goal of improving victim and public safety. Implementation will occur in phases over three years.
- The technology transformation will create the capacity for the interconnected, evidence-based services in an efficient way over the long-term that will improve public safety outcomes for Minnesota communities, create more successful results for system-involved individuals, and increase the safety and well-being of corrections staff inside facilities, those providing community supervision, and law enforcement partners.
- This initiative addresses the critical need to enhance interconnectedness of statewide criminal justice systems for the corrections-involved individuals, including rehabilitation programs for those most at risk to re-offend. Through increased access to more accurate and consistent information, it will provide more effective evaluation of and support for the rehabilitation and overall public safety outcomes.
- Significantly modernized, data-driven systems at the DOC will inform decision making and strengthen facility safety and security through culture, structure, operations, and processes were identified in the 2019 OLA report on Safety and Security in State Correctional Facilities. This initiative will significantly accelerate transforming data availability, analytics, metrics, and decisions by leveraging new and sustainable infrastructures and related technologies.
- This reset in technology is essential to provide effective tools and timely information to the frontline individuals tasked with delivering the correction rehabilitation and public safety goals. It will shift the capability across the DOC environment to fully leverage near-term and next generation technologies for the evolving person-centered programs and operations.

Rationale/Background:

A modernization investment at the DOC and connecting it to broader system partners will ensure the foundational platforms upon which criminal justice integration is based has the scalability to support the massive increase in demand seen among the broader public safety community.

To address unprecedented increases in demand for information sharing, there is a pressing opportunity to broaden the scope and purpose of statewide criminal justice information sharing to address program and services needs of the at-risk individuals at the heart of the state rehabilitation programs most at risk. Beyond the critical need to link charge information with criminal history records, there is a chance to link community corrections case managers with external education providers, housing and social services and work-programs to ensure incarcerated individuals reentering society are given the best chance to succeed, reconnect with communities, and contribute positively to the neighborhoods they rejoin.

Concurrently, the siloed, legacy infrastructure, systems, and business processes exacerbate challenges in timely decision making, data sharing, and service delivery at the department of corrections and across the broader corrections ecosystem, inhibiting agility for Corrections and their partner agencies. With increased expectations of digital engagement, flexibility and responsive data reporting, monolithic systems, particularly those that are at end of life or built using antiquated program languages and tools, are unable to support the needed agility.

An investment in the key platform segments identified below will provide an accelerator for innovation, help to reduce cost through reuse of common components and help deliver new sustainable, secure capabilities with speed and agility.

Proposal:

Funding is proposed to make a foundational investment in the State's Criminal Justice information sharing platform and transformation of underlying technologies that will provide the core components necessary to ensure Minnesota remains a national leader in secure information sharing while setting an example for transformative reform and integrated person-centric rehabilitative case management.

Primary technology platforms:

- **Infrastructure** – A modernized infrastructure platform suitable to provide the foundation for enhanced video, data, and information sharing. This segment would support targeted investment to augment existing high availability/high bandwidth fiber infrastructure, secure wireless access points, scanners/sensors, and monitoring equipment to streamline operations, scalable storage solutions and cloud-based capabilities to support enhanced video-based services for learning and program delivery, data analysis, and storage.
- **Devices** – The device platform will consolidate investment and capabilities to support access for staff and offenders. Enhanced mobile devices for data capture and reporting, tablets to facilitate training and learning programs, kiosk technology to support video visits, appointments, hearings, and advanced technology devices (e.g., body worn video, drone, sensors) proven to streamline correctional operations and safety practices. Consolidated device management and monitoring technology will reduce the overall burden on securing individual devices through enterprise device management and two-factor biometric access control capabilities.
- **Applications and Apps** – The application platform will maximize investments in software solutions and mobile applications that enable key business capabilities. Targeted investment will reduce duplicative use of agency resources by providing common services. By leveraging the same capability in many solutions, resources can focus on delivering on business needs faster. Where possible, best-fit industry applications will be utilized to increase agility, responsiveness, and align to industry best-practice. The applications and apps portfolio will address the needs of the entire corrections stakeholder community through the adoption of user-centric design principles.

- **Data** – The information and data platform segment will address key information management, information sharing, and data analytic needs across the enterprise. Enhancing competencies and scope of the data platform ensures the right people getting data as necessary to make timely decisions. This segment will support targeted investment in role specific analytics and decision support dashboards, self-service data and information products, intelligent automation services to streamline redundant processes, a scalable information sharing platform, industry standard exchange packet definition and standardized information interfaces (application program interfaces - API's). Information access security tools and monitoring. Quality control and master data management capabilities.

Support for Successful Public Safety Outcomes:

An investment in the technology and processes supporting information sharing across the criminal justice landscape will have a direct impact on the broader agency goals.

- **Information Sharing & Collaboration** – Successfully connecting previously incarcerated people in the community with resources, services, and family involves complex timely communication and collaboration with multiple stakeholders. Improved information sharing, master data management and supporting case management applications can provide targeted tools streamlined to support and facilitate this key reintegration objective.
- **Connecting Programs and Case Workers** – Providing opportunities for incarcerated individuals reentering community service to connect with work opportunities, skills programs, housing, and other critical reentry services is a significant burden on correctional staff if manually linking and connecting individuals across hundreds of thousand available program and assessment applications.
- **Promoting reporting and accountability** – Providing secure connectivity and self-service for program providers and integrated stakeholders promotes self-accountability across the various agencies to proactively update relevant person-centric data, outcomes, and interactions while simultaneously automating notification triggers for appropriately linked individuals.
- **Standardizing data capture, analytic reporting** – Adoption of state-wide standards for information transfer and reporting enforces a model for standardizing data definitions, reporting and occurrence types that in-turn provides an invaluable data repository for comparative analysis and study to monitor effectiveness of programs and investment across the entire criminal justice lifecycle and broader society benefits and impact.
- **Real-time Decision Dashboards** – Enhanced data capture at source through streamlined mobile applications, sensors and devices increase timeliness and accuracy of data captured. Increased data in-turn supports more accurate data reporting and decision dashboards. Timely and accurate data can increase operational efficiency for example by improving staff scheduling and training support. Operational decision dashboards can be created to prioritize the needs of those incarcerated, escalation of risk events or improve overall transparency and reporting with the public and corrections partners and monitors.

Impact on Children and Families:

This investment is restoratively focused on learning more about the impacted person and their needs. As such, the Minnesota Department of Corrections completed a pilot project in 2021 which focused on testing a new self-reported assessment intake process. (Approximately 2100 individuals were surveyed, and the race demographic of participants represented that of the incarcerated population.) The outputs of this pilot project revealed that 73% of participants reported being a parent, and of this total, 59% lived with children before prison, 78% had contact with children since coming to prison, 27% have active orders for child support, and 18% have had their parental rights terminated

The outputs of this pilot project reveal the corrections systems' endeavors to understand more about how people identify and their needs. As such, the representative data has been the catalyst behind legislative proposals for parenting coordinators in facilities, innovative and transformative approaches to transitions

services and supports by way of bringing in family focused resource information, and exploration of evidence-based parenting programs and projects that meet these parents where they are at. More definitive data on how individuals identify as parents and their goals in parenting will impact thousands upon thousands of children.

Many government entities and community partners have public facing data sharing (aggregate data dashboards). Enhancements to MN DOC data management capabilities that would drive business decisions would align with already existing information management structures within communities. For example, the juvenile justice system falls across the county, tribal and state governments in multiple systems (education, criminal justice, and human services). The proposed investment would allow to see the individual (especially the youth who are the most disparately impacted – BIPOC youth who have disabilities who are justice systems involved), not the duplicative data across all the systems; thereby creating a pathway for cost effective business decisions across all government entities.

Using data to make justice reinvestment focused business decisions will create pathways for information to drive inclusivity within community-based resources and services, illuminate the humans and their experiences and not systems, identify policy and practice barriers to eliminate and/or re-target funding, and isolate solutions, to scale across communities. (Communities as defined geographically and as communities of people.)

Equity and Inclusion:

The DOC creates, collects, maintains, and provides data on a population that is very diverse in terms of race, ethnicity, gender, sexual orientation, disability, and veteran status. While this proposal may not alter existing disparities, it is important the operating system functionality and transaction data maintained on individuals and agency operations is secure, flexible, accessible, accurate and current. Comprehensive data collection can help identify trends related to disparities and inform decision-making for improvement.

Tribal Consultation:

Does this proposal have a substantial direct effect on one or more of the Minnesota Tribal governments?

- Yes
- No

If yes, list the impacted Minnesota Tribal governments:

All Tribal Nations are positively impacted by the collection and examination of accurate data. Anticipated effects on tribes will include decreasing historical distrust on how information is used, allowing tribal nations broader access which allows them to self-determine their own priorities, using this information to welcome home tribal citizens home in a good way. Tribal nations will have access to accurate data upon which service delivery to IPs in the facilities and upon re-entry can be developed, dedicated resources to support effective community supervision, and data upon which to determine funding resources to support those efforts. In particular, accurate data will support proposed legislation to afford community supervision subsidy to tribal entities. Data will continue to support the reinvestment in culturally specific programs on or near Indian Nations

Consultations with Tribal Nations began with the start of the current administration (Executive Order 19-24), and were further enriched with the hiring of a full-time tribal liaison position within the DOC. The COVID-19 pandemic paused forward movement with formal consultations; however, beginning in 2022, formal consultations have been conducted with four tribal nations (Grand Portage, Shakopee-Mdewakanton, White Earth, and Bois Forte). Tribal consultations are scheduled with Fond du Lac, Leech Lake, Red Lake, and Lower Sioux Community over the next two months. It should be noted here that Tribal consultation and the existence of a Tribal Liaison

position has been codified in 2021 legislation, further solidifying the process, and building government-to-government relationships between Tribal Nations and state agencies.

Outputs thus far from consultations have affirmed this legislative request based on the Tribal Nations’ needs for accurate data of Native American persons who are involved within the corrections system. It is important for each specific nation to know data relative to its own citizens. This legislative request gives ownership of data back to Tribal Nations for each nation to self-determine the needs of their communities.

In prior consultation and engagement, Tribal Nations have specifically requested information related to Tribal affiliation. The DOC databases have previously been unable to provide that specific data. However, these databases have since been updated and we are in the process of taking on the tasks of collecting and inputting the data. During recent Tribal consultations, this has been relayed to the Tribal Nations and they express their continued prioritization for this information. (More work will be needed, however, to include Community Corrections Act and county probation offices to upload similar data so the data will include *statewide* information).

IT Costs

<i>Category</i>	<i>FY 2024</i>	<i>FY 2025</i>	<i>FY 2026</i>	<i>FY 2027</i>	<i>FY 2028</i>	<i>FY 2029</i>
Payroll	\$1,580,000	\$1,580,000	\$1,580,000	\$1,580,000	\$1,072,500	\$1,072,500
Professional/Technical Contracts	6,096,000	6,096,000	3,197,502	3,197,502	2,398,125	2,398,125
Infrastructure	2,300,000	2,300,000	1,137,000	1,137,000	927,788	927,788
Hardware	1,175,000	1,175,000	604,999	604,999	453,750	453,750
Software	3,890,063	3,890,063	2,133,000	2,133,000	1,637,213	1,637,213
Training	1,404,000	1,404,000	744,999	744,999	558,750	558,750
Enterprise Services	743,746	743,746	425,000	425,000	318,750	318,750
Staff costs (MNIT or agency)	310,623	310,623	177,500	177,500	133,125	133,125
Total	\$17,500,000	\$17,500,000	\$10,000,000	\$10,000,000	\$7,500,000	\$7,500,000
MNIT FTEs	11	11	11	11	7	7
Agency FTEs	0	0	0	0	0	0

Results:

The transformed use of data into meaningful information will begin to expand the purpose of statewide criminal justice information sharing for the individuals, the DOC, stakeholders, and communities in the first year this effort is begun. The value will continue to occur as the increments of additional participants takes place. Through increased access to more accurate and consistent information, a shift in the related process will redefine how programs and support systems the rehabilitation of involved individuals

The information success will be measured by the change in the number of state and federal criminal justice organizations providing source data as well as using the curated information. The change in accuracy, consistency, and availability of criminal justice information will happen through a transformed data foundation and expanded participation. Finally, the true return from the investment will be in the shift in outcome for at-risk individuals and related support organizations and services.

The value of the technology investment will begin to be realized immediately and continue to happen through the duration of the initiative. This will be driven through the strategy of using a series of incremental improvements and transformations in each investment platform for continuous improvement rather than a single mass

implementation. Not only is risk mitigation addressed by controlled scope and delivery milestones, but it also significantly increases the visibility and planning around the interdependencies and factors to leverage economies of scale in design and implementation of functions and technologies.

Practical measures of change will be seen in a shift in the reduction of outages and events across all platforms throughout the agency, a significant gain in operating reliability of technologies, both current and as new options are introduced, and a new ability to take advantage of practical use of emerging capabilities around artificial intelligence, biometrics, facility security and safety solutions. This will shift the return on investment from sustaining legacies that will eventually move to obsolesce, creating a foundation for practical and innovative change.

Statutory Change(s): N/A

Corrections

FY 2024-25 Biennial Budget Change Item

Change Item Title: Fully Implement Prison Rape Elimination Act Standards

Fiscal Impact (\$000s)	FY 2024	FY 2025	FY 2026	FY 2027
General Fund				
Expenditures	1,000	1,000	1,000	1,000
Revenues	0	0	0	0
Other Funds				
Expenditures	0	0	0	0
Revenues	0	0	0	0
Net Fiscal Impact = (Expenditures – Revenues)	1,000	1,000	1,000	1,000
FTEs	8	8	8	8

Recommendation:

The Governor recommends an ongoing increase in funding to fully implement standards required by the federal Prison Rape Elimination Act (PREA) and to avoid penalties of a reduction in federal funding with noncompliance. Cases of sexual abuse and sexual assault submitted to be investigated by the DOC have risen by over 2,000% since 2017 and current staff capacity at the DOC cannot accommodate this increase. The request reflects ongoing efforts to address recommendations in ongoing audits by the U.S. Department of Justice under PREA.

Rationale/Background:

The purpose of the Prison Rape Elimination Act (PREA) is to provide for the analysis of the incidence and effects of prison rape in federal, state, and local institutions and to provide information, resources, recommendations and funding to protect individuals from prison rape. In addition to creating a mandate for significant research from the Bureau of Justice Statistics and the National Institute of Justice, PREA funding through the Bureau of Justice Assistance and the National Institute of Corrections has supported major efforts in many state correctional, juvenile detention, community corrections, lockups, and jail systems.

PREA was passed unanimously by both parties in Congress in 2003. The Act was the culmination of a collaborative effort between human rights, faith-based, and prison rape advocacy. The aim of the Act is to create “zero tolerance” for prison rape by using a variety of tools or mechanisms including data collection; grants to the states; technical assistance to the states to improve their practices; research; the development of national standards; and the diminution of federal criminal justice assistance to states who fail to comply with the standards.

Each year, governors are given the following options by the PREA statute:

1. Submit a certification that all confinement facilities under his/her operational control (not just those audited in the most recent audit year) are in full compliance with the PREA Standards
2. Submit an assurance to DOJ that not less than 5% of certain DOJ grant funds will be used solely for the purpose of enabling the state to achieve and certify full compliance with the Standards in future years
3. Submit neither and accept a 5% reduction in the impacted DOJ grant programs

The Department of Corrections (DOC) has recently been found to not be in full compliance with PREA and is currently in Corrective Action with the U.S. Department of Justice (DOJ). The lack of compliance was determined in three audits in 2022 and four audits in 2021. If the failure to comply continues, it will result in a 5% loss of Edward Byrne Memorial Justice Assistance Grant (JAG) program grants to the state of Minnesota.

The JAG program is the leading source of federal justice funding to state and local jurisdictions. When the state fails PREA audits, grant money is taken away from various law enforcement initiatives such as human trafficking, victim protection, sexual predator monitoring. The state is moving into a second year of not meeting the Governor's Certification for upholding the PREA Standards within DOC. This investment is to help ensure it does not happen again.

The ability to comply with the increased depth of the audits, the DOC requires additional capacity to be in full compliance in the future. PREA audits occur every year for DOC facilities on a rotating basis.

Proposal:

Additional staff will ensure that DOC facilities are working as a system in its efforts. This means cases can finally be properly managed. Our cases increased by 572%. Not managing caseloads was clearly identified as an ongoing problem during our failed audits as we began to properly track all allegations. This has placed an even bigger burden on our PREA Compliance Managers and facilities, who are also unable to manage at this rate.

The staffing in this request is needed as cases have increased in Minnesota prisons. The DOJ Auditors have also increased scrutiny with the application of the audits, and we continue to fail the audits due to the workload not being manageable. Since 2021, the DOC has put in place many temporary fixes to get back into compliance, but additional changes are needed to fully comply and to maintain compliance.

This is a change to the current process with an increase in staffing. Currently, only one FTE handles the state's work around PREA compliance. This investment will spread the workload out among additional staff and provide support to the facilities which are preparing and undergoing audits. The DOC will evaluate this proposal through successful DOJ audits finding Minnesota in full compliance with PREA. The DOC will see a quicker response to allegations of sexual misconduct, a reduction in cases, less victimization, a better ability to retain staff, and avoid staff misconduct.

Adding additional staff to create a PREA team will:

- Help handle the daily volume of requests received
- Provide support to the PREA Compliance Managers
- Improve sexual safety for our Incarcerated Population
- Address staff low moral/burnout and work towards retaining employees

The requested investment includes:

- 2 regional staff: PREA Assistant Regional Coordinator North and PREA Assistant Regional Coordinator South
- 1 Analyst: PREA Management Analyst Supervisor
- 1 FTE to monitor corrective actions and training: PREA Audit Supervisor
- 3- PREA staff to work between facilities to ensure all the compliance data is collected, reported, and followed up on
- 1 contract compliance manager for our community partners.

More than one staff would mean we could divide the work up among more than one person, and high priority items can get done in a timely manner. Investigations would be handled properly, in a timely manner, and an overall reduction in complaints might occur if the cases were in accordance with the standards and the policy.

Impact on Children and Families:

Parental incarceration impacts already vulnerable children –being the victim of sexual abuse while incarcerated can negatively impact a parent's communication and interactions with their children.

In Minnesota, 58% of those who are incarcerated have a family member with a criminal record. An important measure of a child’s wellbeing is having a stable parent. This is particularly true for children of incarcerated and formerly incarcerated parents. The primary goal of the work of the DOC is to transform lives. To rehabilitate those who are incarcerated so that they can return to their families and children successfully. By providing adequate investigations of all sexual abuse, and by providing support both physically, emotionally, and in the community upon release (which are all federal standards) we can help foster healing for everyone involved and help to prevent future victims.

Over 95% of the people incarcerated in our state prisons will return to their communities. 70% of people incarcerated in Minnesota have a dependent in the household from which they came and to which they are likely to return.

The DOC facility in Red Wing facility provides these services for juveniles. The DOC also provides juvenile supervision.

Equity and Inclusion:

The PREA Standards are very specific to individuals who are LGBTQTI, disabled and disadvantaged, so by being in full compliance, we will be specifically making sure those individuals get the proper support and protection provided through the standards. By providing full support, including medical, mental health and advocacy services to IPs, they learn to function and manage as a productive member of society, which includes parenting as a changed individual with a responsible and positive impact on their family and children.

Tribal Consultation:

Does this proposal have a substantial direct effect on one or more of the Minnesota Tribal governments?

- Yes
- No

Results:

Part A: Performance measures

The U.S. Department of Justice conducts audits on a rolling basis of all facilities every three years. A primary tool in measuring the success of this investment is the DOC’s ability to pass those audits.

The DOC has recently been found to not be in full compliance with PREA and is currently in Corrective Action with the U.S. Department of Justice (DOJ). The lack of compliance was determined in three audits in 2022 and four audits in 2021. With this investment, the DOC will work to be in full compliance.

Another important performance measurement will be an increase in case investigations.

Total cases reported 2017 (15 cases) to 2022 (358 cases): 2,286% increase

The DOC’s ability to meet this demand will also be an important measurement of success.

Statutory Change(s):

N/A

Corrections

FY 2024-25 Biennial Budget Change Item

Change Item Title: Health Services

Fiscal Impact (\$000s)	FY 2024	FY 2025	FY 2026	FY 2027
General Fund				
Expenditures	2,348	3,723	3,638	3,638
Revenues	0	0	0	0
Other Funds				
Expenditures	0	0	0	0
Revenues	0	0	0	0
Net Fiscal Impact = (Expenditures – Revenues)	2,348	3,723	3,638	3,638
FTEs	13	26	26	26

Recommendation:

The Governor recommends an ongoing increase in funding to ensure essential medical services are provided to more than 8,000 persons incarcerated in Minnesota’s correctional facilities. The request reflects investments needed to continue to effectively fulfill the state’s constitutional responsibility to provide an adequate level of healthcare for individuals who are in the care and custody of the state.

Rationale/Background:

The Department of Corrections (DOC) is constitutionally mandated to provide safe, timely, and quality medical care to the state’s incarcerated population. The vast majority of those who are incarcerated require prescribed medication, have chronic diseases, and about 85 percent are diagnosed with substance use disorders. In recent years, there has been substantial increases in the medical needs of the incarcerated, pressures on the agency that are not temporary to the pandemic but also to the aging population and the impact of substance abuse and rising rates of mental health illness. Through all of this, the DOC’s Health, Recovery and Programming Unit has worked toward the state’s Constitutional mandate with insufficient, ongoing resources.

Currently, nursing staff as well as other DOC employees are working mandated overtime shifts to minimally meet the needs of the safety, security and wellness for our incarcerated population and our employees. Employees are difficult to recruit and retain. Mandating overtime has increased employee stress levels and impacts employee wellness and responses and reactions to our population, which in turn can create potentially dangerous situations.

The DOC requests investments in nursing staff, behavioral health staff, dental care technology, disease management, telemedicine, and further study of long-term nursing home providers are intended to address these challenges holistically.

Proposal:

The request includes the following investments:

1. \$1.072 million in FY 2024 and \$2.542 ongoing beginning in FY 2025 to provide 24-hour nursing support to the five state correctional facilities that currently do not operate with 24-hour nursing staff to help respond to an increase in the medical and dental needs of the incarcerated population in recent years. The request includes seven FTEs in FY 2024 and 17 FTEs ongoing beginning in FY 2025.
2. \$247,000 a year ongoing to increase staffing for behavioral healthcare for incarcerated individuals with one FTE at the Shakopee women’s facility, and an increase to the stipend for four Psychology Resident positions.

3. \$247,000 per year ongoing for the provision of dental care, including dental X-ray equipment and imaging software and IT support.
4. \$225,000 in FY 2024 and \$375,000 ongoing beginning in FY 2025 to establish a disease management unit within the DOC consisting of two FTEs hired in FY 2024, and expanding to five FTEs in total beginning in FY 2025, including one medical laboratory technician, an infectious disease data tracker, and an infectious disease educator.
5. \$75,000 in FY 2024 for a feasibility study of creating a private sector nursing home for difficult to place people with significant health care needs.
6. \$482,000 in FY 2024, \$312,000 in FY 2025 and \$227,000 each subsequent year for investments in telemedicine provisions within state correctional facilities, including three FTEs of nursing and IT staff, telehealth equipment, maintenance, medical support and technology support.

For each portion of the request, further description is below:

1. 24 Hour Nursing Support

Despite managing 11 facilities that are 24/7 congregate living environments, the DOC is not resourced to provide 24/7 nursing coverage at all facilities. The United States Constitution mandates that the state provide safe, timely, and quality medical care to its incarcerated population, a population that is overrepresented by individuals with high needs in medical care and treatment.

Establishing 24-hour nursing at five additional facilities, including three high level (secure) custody facilities is necessary to decrease risk and delays in addressing medical emergencies by qualified nursing personnel. The increased staffing would also provide much needed capacity to very stretched security resources that are currently required when incarcerated individuals require offsite visits during non-DOC nursing hours and overnight emergency room stays. This would allow increased access to healthcare to all individuals incarcerated in state facilities during all hours of incarceration. A vast majority of the incarcerated population is prescribed medication, have chronic diseases, face possible homelessness, and many are vulnerable on release due to substance use disorders.

Registered DOC nurse employees on-site improve response times and provide complete assessments. This is critical in order to communicate with on-call practitioners, versus when a nurse is not on site and the assessment is being done by a non-medical staff. 24-hour nursing provides consistent continuity of care and allows for improved management of the unique and complex medical needs of the incarcerated population.

In providing a compliment of 24-hour nursing coverage at three higher custody facilities, security will be enhanced for the lower custody level population by no longer placing higher level custody patients at those facilities when they require 24-hour nursing care.

This request is for 17 additional FTEs beginning in FY 2025 to support five prison facilities that currently do not have 24-hour nursing capacity: MFCs Rush City, Moose Lake, Saint Cloud, Lino Lakes, and Stillwater.

2. Investment in Behavioral Health

The DOC's behavioral clinical staff capacity is not currently sufficient at the facility in Shakopee to address the increased and unique needs of the women incarcerated there. More than 60% of the population at MCF-SHK is being followed by psychiatry and mental health staff. More than 50% of the women are on medications for mental health, and there is a backlog of nearly 100 for psychiatric visits.

Additionally, the DOC must remain competitive in recruiting and retraining new behavioral health staff. In November 2020, after a vigorous accreditation process, the American Psychological Association's Commission on Accreditation voted to grant accreditation to the DOC's Psychology Internship Program. This accreditation is a significant achievement for the DOC, as accredited programs are significantly more

attractive to prospective interns given their future implications for licensure. Since this accreditation, there has been an increase in qualified applicants expressing interest, however few are accepting positions due to the budgeted stipend offered (\$30,000 annually, plus benefits) which is not commensurate with other internship site opportunities.

The DOC Behavioral Health request includes:

- One FTE Clinical Program Therapist to serve the women's facility at Shakopee
- Increase the current four Psychology Resident intern positions of \$15,000 annually, from the current \$30,000 to \$45,000

3. Dental Care

A majority of the incarcerated population has not had access to dental care in the community and experience urgent or emergent dental care needs during their incarceration. Central to the DOC mission is to provide safe, timely, and quality medical care – including dental care. Dedicating appropriate resources to improve effectiveness and efficiencies of dental care can improve quality of life and chances for success on release. Investing in resources needed to educate individuals on maintaining or improving their personal health and choices related to dental care is also central to overall wellbeing.

This is a change/addition to an existing program supporting the agency's constitutional obligation for the provision of medical and dental care to our population. There are substantial increases in the medical and dental needs of the population. To meet the needs of patients who are incarcerated, the DOC requests funding for dental X-ray equipment, dental imaging software, IT Support, and annual MNIT costs. Modern and effective technology in the dental field is also central to recruiting and retaining professional and dedicated staff to provide dental care.

4. Disease Management Unit

The DOC is constitutionally mandated to provide safe, timely, and quality medical care. The DOC's Health, Recovery and Programming Unit has worked toward this mandate while responding to the COVID-19 pandemic with insufficient, ongoing resources. Currently, nursing staff as well as other DOC employees are working mandated overtime shifts to minimally meet the needs of the safety, security, and wellness for our incarcerated population. COVID-19 is not going away. The DOC will need to manage outbreaks of COVID-19 and other illnesses such as seasonal influenza or even monkeypox.

Employees are difficult to recruit and retain. Mandating overtime has increased employee stress levels and impacts employee wellness and responses and reactions to our population, which in turn can create potentially dangerous situations. There are substantial increases in the medical needs of the incarcerated population related to disease management, pressures on the agency that are not temporary to the pandemic.

5. Nursing Home Study

The DOC provides comprehensive medical release planning for offenders with significant medical needs. That planning includes enrollment in one of the state's health care programs, follow up medical appointments and identification of and placement in an appropriate health care facility. Over the last ten years, it has become nearly impossible for the MN DOC to place a predatory offender in a skilled nursing facility upon release from the DOC. This is due in part to statutory changes. The consequences are that incarcerated individuals who are released and in need of skilled nursing care are unable to access that care. Hospital stays become longer and lack of care results in emergency room care, which is far more expensive.

The DOC is requesting this study to determine options for community-based, privately operated nursing homes to provide a long-term skilled nursing facility specifically for difficult to place individuals released

from corrections. The cost of the study is approximately \$75,000, and the need and impact are significant. A similar study has not been conducted and requires one-time funding for an appropriate entity, such as the University of Minnesota, to conduct a feasibility study. The study will define the problem and identify potential solutions which may include changes to state and federal regulations that may be needed to operate such a facility, potential locations for a facility, and potential owners/operators for a facility. The study will include best practices from other states and other information that may be relevant. The Minnesota Departments of Health and Human Services have participated in previous discussions about a nursing home for this population.

6. Telemedicine

This initiative will support the DOC's effort to provide safe, timely, and quality medical care on-site in an efficient manner. Since 2017, the Minnesota Department of Corrections Health Services Unit has been attempting to increase the amount of telehealth available to our population. The purchasing of telehealth equipment, annual maintenance, medical support, and information technology support would be value added to the agency to meet the health care needs of our population. Intended results include:

- Save on non-healthcare costs – transportation, officer overtime
- Increased public safety
- More convenient and accessible care for patients
- Less on-site burdening of community hospitals and clinics
- Extend specialty care services to Greater MN facility patients who have a longer distance to travel
- Increased patient engagement and healthcare outcomes with availability of more frequent visits
- Timely access to care in situations where in person appointments may not be available
- Potential to increase access to a broader base of medical systems such as dermatology, neurology, endocrinology, oncology, ENT, ophthalmology, gastroenterology, orthopedics, hematology, Internal Medicine Radiology (limited consultations), outpatient psychiatry, and group therapy psychology.

Currently, telemedicine services are very limited due to lack of proper equipment and support personnel to manage and support telemedicine services. This request for telehealth ancillary support would provide consistent management and support and allow telehealth appointments to decrease the number of off-site specialty appointments. Telemedicine has been delayed in startup due to being able to support the appointments and wanting consistent management to occur once vendors commit to working with the agency/contracted medical vendors. The request includes three FTEs of nursing and IT staff, telehealth equipment, maintenance, medical support, and technology support.

Impact on Children and Families:

DOC policy, procedures, and practices have extensive impacts on children and families. Healthy incarcerated parents can have a massive benefit on the health outcomes when returning to their families, and conversely, lack of adequate healthcare can put significant strain on families.

Healthy parent involvement and intervention in the child's day-to-day life lay the foundation for better social and academic skills. A secure attachment leads to a healthy social, emotional, cognitive, and motivational development. Many Minnesotans are impacted by incarceration, including children with incarcerated parents who are oftentimes invisible to systems, programs, and communities. A state survey of parents in prison in 2014 showed that there were **16,248 children** with an imprisoned parent in Minnesota.¹ And a survey of parents in jail

¹ Shlafer, Duwe, Hindt (2014). Parents in Prison and their Minor Children: Comparisons between State and National Estimates. Minneapolis, MN: University of Minnesota.

in 2017, identified an estimated **9,898 children** in Minnesota with a parent incarcerated in a county correctional facility.²

Strong, positive relationships help us build trust and feel supported. Having people around us who can share positive and difficult times can also help us manage stress when things become tough. Children first learn about relationships from their own families. Parental incarceration has many consequences for children and families. A study in 2010 by M.J. Eddy and J. Poehlmann has shown that parental incarceration is associated with a child's increased risk for internal and external behavior problems, as well as an increased risk for substance abuse, cognitive skill deficits, physical health problems, and academic concerns.³ Parental incarceration increases the risk for further consequences, such as the disruption of family relationships, challenges with parenting, economic instability, and residential mobility.⁴

More than Mental Health: Parent Physical Health and Early Childhood Behavior Problems Study and results authored by Katrina M. Poppert Cordts, PhD, Anna C. Wilson, PhD, and Andrew R. Riley, PhD available in the National Library of Medicine: (full reference noted below)

- **Objective:** Caring for young children is a physically demanding task, and some evidence suggests parental physical limitations may impact the parent-child relationship and child behavioral development, but research examining this dynamic is nascent.
- **Results:** After several modifications to the initial model, findings revealed that higher levels of parent self-reported physical and mental health concerns indirectly influence child behavior symptoms through different pathways. Impaired parent physical health was associated with poorer parental self-efficacy and more disruptive child behavior, whereas increased parent mental health concerns were associated with a more negative parenting style and lower self-efficacy, which was related to more child behavior symptoms.
- **Conclusion:** Findings elucidate the need for increased awareness and screening of parent physical health limitations in pediatric primary care. Furthermore, appropriate interventions among parents with physical health problems may target different aspects of parenting than routinely discussed.

Equity and Inclusion:

The DOC incarcerates and provides health services to a very diverse population in terms of race, ethnicity, gender, sexual orientation, disability, and veteran status; and more than 95% of the incarcerated population are released to diverse communities in Minnesota. People of color, Native Americans, and other groups are overrepresented in the criminal legal system. Any increase in the ability by the DOC to provide adequate, modern, comprehensive health care services have a direct impact on these populations.

While the socioeconomic disparities between incarcerated and nonincarcerated populations are stark, the health disparities encountered in incarcerated populations are among the most dramatic. Over half of state prisoners and up to 90% of jail detainees suffer from drug dependence, compared with only 2% of the general population. Hepatitis C is nine to ten times more prevalent in correctional facilities than in communities. Chronic health conditions, such as asthma and hypertension, and mental health disorders also affect prisoner populations at rates that far exceed their prevalence in the general population. Often, the health care and health status of the incarcerated population is regarded as something insular, something of no concern to, and uniquely disjointed

² Shlafer, R. & Saunders, J.B. (2017). Parents in Minnesota jails and their minor children. Minneapolis, MN: University of Minnesota.

³ Eddy, M.J., & Poehlmann, J (2010). *Children of incarcerated parents: A handbook of researchers and practitioners*. Washington DC: Urban Institute Press; Travis et al., 2014.

⁴ Travis, J., Western, B., & Redburn, F. S. (2014). Consequences for health and mental health. *The growth of incarceration in the United States: Exploring causes and consequences*. (pp. 202-232). Washington, DC: The National Academies Press. doi:10.17226/18613.

from, the general population. But over 95% of incarcerated individuals will eventually return to their communities, and their health problems and needs will often follow along.

Adding to the challenges, the communities to which incarcerated people return tend overwhelmingly to be low-income communities of color, and they often lack adequate health care resources. For many members of the justice-involved population, emergency rooms serve as their primary care providers, and these services are sought only once symptoms of a health condition or injury have become sufficiently acute. Providing quality primary care to those incarcerated creates a foundation for accessing care at the right time and right place upon release.

Although incarceration is often counter-productive to the health and well-being of the affected population, it does create a public health opportunity: providing screening, diagnosis, treatment, and post-release linkage to care for members of a vulnerable population who may not seek or have access to services otherwise. In fact, correctional health care, if it capitalizes on this opportunity, can reduce the burden of disease for communities that carry the greatest burden.

In summary - providing health care in the prison setting is a benefit to help prepare those incarcerated to better manage their health care needs upon release and be better parents and family members.

Above excerpts are included in this article: Macmadu, Alexandria, and Josiah D. Rich. "Correctional Health Is Community Health." Issues in Science and Technology 32, no. 1 (Fall 2015).

Tribal Consultation:

Does this proposal have a substantial direct effect on one or more of the Minnesota Tribal governments?

- Yes
- No

Results:

Performance measures

What performance measures are currently used?

- Quarterly Chronic Disease and Process Audits
Examples of national and community standards which are audited and used for comparison and improvement in the delivery of quality health services:
 - **Optimal Diabetes Care:** The percentage of patients 18-75 years of age who had a diagnosis of type 1 or type 2 diabetes and whose diabetes was optimally managed during the measurement period as defined by achieving all of the following:
 - HbA1c less than 8.0 mg/dL
 - Blood pressure less than 140/90 mm Hg
 - On a statin medication, unless allowed contraindications or exceptions are present
 - Non-tobacco user
 - **Optimal Vascular Care:** The percentage of patients 18-75 years of age who had a diagnosis of ischemic vascular disease (IVD) and whose IVD was optimally managed during the measurement period as defined by achieving all of the following:
 - Blood pressure less than 140/90 mm Hg
 - On a statin medication, unless allowed contraindications or exceptions are present
 - Non-tobacco user
 - On daily aspirin or anti-platelets, unless allowed contraindications or exceptions are present

Statutory Change(s):

N/A

Corrections

FY 2024-25 Biennial Budget Change Item

Change Item Title: Virtual Court Coordination and Modernization

Fiscal Impact (\$000s)	FY 2024	FY 2025	FY 2026	FY 2027
General Fund				
Expenditures	500	500	500	500
Revenues	0	0	0	0
Other Funds				
Expenditures	0	0	0	0
Revenues	0	0	0	0
Net Fiscal Impact = (Expenditures – Revenues)	500	500	500	500
FTEs	0	4	4	4

Recommendation:

The Governor recommends an ongoing increase in funding to ensure virtual court hearings proceed effectively and efficiently in coordination with the Judicial Branch. The investment includes critical staffing resources dedicated to ensuring required due process services to incarcerated persons and one-time modernization investments to continue scaling up according to each facility's unique needs.

Rationale/Background:

The department's in-house virtual court hearing efforts remain in high demand, despite the end of virtual-only court hearings. Key partners in this effort, including the courts, are moving ahead with further embedding this practice as a permanent practice as we transition out of the pandemic. Since the start of the COVID-19 pandemic, the Minnesota Judicial Branch has used virtual technology for facility court hearings in state prisons. Virtual court hearings are currently largely coordinated, scheduled, and facilitated by records staff and case managers in many of the correctional facilities. All facilities are relying upon the limited time of already over-capacity case managers and correctional officers in ensuring hearings operate as planned. Case managers are spending their time facilitating Zoom meetings and monitoring hearings, which takes them away from their case work. Correctional officers are needed to ensure safety and security and are not the appropriate staff to answer process questions for individuals. The courts are in need of responsive partners who are able to meet the fast-paced needs of scheduling, courtroom decorum, and virtual hearing technology.

The DOC supports the continued use of virtual court hearings as it means reduced transports of individuals out of facilities and is very cost effective for county partners. Fully implementing this work will sustain environmentally responsive and person-centered initiatives moving forward. Since the beginning of the pandemic, the DOC has expanded assistance for criminal matters, and an increasing number of civil matters, via video conference and telephone. Prior to the pandemic, many of these cases remained unresolved until the individual was released. Since the introduction of virtual court hearings, incarcerated persons have benefited from this change in service model.

Given the unique needs of each DOC facility, staff are currently innovating with different services at each site. For example:

- The Shakopee Women's Prison continues to expand on including support for access to child protection matters and matters closely related to children and families.
- In Faribault, one of the first facilities to trial a soundproof booth, for the period of October through December 2022, the staff coordinated 521 hearings. Hearings include primarily outstanding criminal

matters at this facility and an increase in resolution around these matters continues to support release plans for the incarcerated population there.

To sustain this practice and build on current innovation, a permanent and dedicated staff is required to ensure that not only are Zoom court hearings accessible, but that the incarcerated persons using the technology do so with minimal interruptions and delays, and with a supportive and calm environment where they can navigate the legal system with dignity and any technical or due process support needed.

The courts, public defenders, and prosecutors all agree that virtual court hearings will continue. With the reduction of transportation, we have a specialized need for staff dedicated to coordinating technology and onsite video conference rooms to ensure incarcerated persons receive expedient access to justice in a person-centered manner. Removing the need for transportation reduces the risk of exposure to outside illnesses and challenges in the county jail setting and elevates the incarcerated person's experience using technology and a platform where they can access the courts. The new approach and staffing will further the efforts of the DOC to bring a person-centered approach to incarcerated individuals. Residents often prefer the virtual format, as it limits disruption to their daily/weekly programming and the necessary body searches involved when a resident goes off-site for a court hearing.

Proposal:

The investment includes the following focus areas:

- **Enhancing Safety and Security.** Providing in-house virtual court services will continue to limit the movement of incarcerated persons across the state that was historically managed by the county sheriff. This reduces the risks inherent in moving incarcerated persons from state security facilities to county facilities, and significantly benefits best practices in mitigating the spread of disease.
- **Reducing Climate Footprint.** Full implementation of in-house virtual court services eliminates the need for on the road transportation that leads to an ongoing negative impact on climate change in the state. This reduction in mileage will reduce greenhouse gas emissions and the need to coordinate timely transfers that impact the other responsibilities over the facility.
- **Increasing Successful Reentry to Community.** The full investment in in-house virtual court services meets the long-term needs of ensuring incarcerated persons, their families, and children, have access to courts and justice. This not only leads to the further resolution of pending matters prior to release from custody, but also provides families and children with needed resolutions in pending court matters.

This request represents a minimal increase to the agency's total base budget, with a minimal increase to the relevant budget for the incarceration and pre-release services program. The request fills a significant void left in staffing previously provided via county sheriffs' offices, and further enables significant county cost savings in housing, staffing and transportation. DOC staff are best positioned to sustain this work with specialized knowledge in crisis intervention and the prison setting, and fully staffing the team will increase positive partnerships across the DOC and the court administrator's efforts around access to justice.

The funds requested will be used to increase staffing resources and to purchase necessary equipment needed to accommodate virtual court hearings in a more consistent manner across facilities while providing the privacy needed to accommodate these court hearings:

- Additional staff positions including salary, benefits, and expenses:
 - Beginning in FY 2025, one Program Director – \$139,000 -Will provide supervision to three staff OAS Principles and Management Analysts in the coordination of virtual court services. These support persons will provide:
 1. Technical, logistical, and scheduling expertise to correctional facility to assist with court hearings coordination/scheduling as well as other non-case management related tasks;
 2. Due process and training support to staff and incarcerated persons to enable successful onsite experiences. Positions will step-in to bridge the work of sentencing and records

- staff, and current programmatic teachers, case managers and similarly situated staff, in order to provide a customized presence to residents as virtual court coordinators; and
3. Dedicated onsite safety support in dedicated virtual court space posts. Dedicating and embedding staff within virtual courts will ensure that virtual court spaces are conducive to meaningful participation in process; specifically, staff will ensure the timely arrival of incarcerated persons for hearing times, facilitate movement to and from hearing spaces, and ensure the confidential experience of participants.
 - \$500,000 in FY 2024 to purchase soundproof booths, and associated video conferencing tools and supportive technology, ADA inclusive setups, and additional standalone teleconference equipment and technology to fully implement virtual court hearings. These soundproof booths provide privacy and allow for supervision of individuals attending virtual court hearings.
 - If virtual court hearings are successful, incarcerated persons will have a greater opportunity to resolve legal matters prior to leaving facilities, and with an equal playing field with the support of dedicated staff and soundproof legal booths. Rather than arriving to the courthouse in custody and at times waiting for a hearing time, a modern scheduling and onsite program will support their ability to engage with the process. The sustainment of the practice will continue efforts driving down greenhouse gases resulting from transporting incarcerated persons across the state, to and from up to 11 regional facilities.
 - Case managers report anecdotally that an increased opportunity at clearing detainees prior to release allows incarcerated individuals to experience a more seamless release plan into the community. Detainers in the prison setting are notices filed with DOC from instate and out of state jurisdictions, advising that the individual is wanted to face pending criminal charges in another jurisdictions.
 - A dedicated interdisciplinary team of dedicated Virtual Court Coordinator Correctional staff will sustain a virtual court practice that reflects timely scheduling and access to courts, meaningful participation in courts, and the ability of incarcerated persons to engage in hearings in a dedicated location with dedicated correctional staff maintaining safety. The format will serve as mirror image the live courtroom, which historically includes clerks, judicial officers, and for in-custody participants – courtroom bailiffs or deputies. Specifically, Virtual Court Coordinator Correctional staff will provide coordination with the court and administrative clerks, supports needed to establish virtual court decorum, and the environment and dedicated space and safety for meaningful participation.

Impact on Children and Families:

This proposal will positively impact families and children by providing closure around legal processes both for their families and the incarcerated individuals. Individuals leaving incarceration with unfinished “business” are less prepared to transition into supervised release and community.

The most common case types where virtual court hearings are needed include criminal and child protection cases. The families and children of incarcerated persons benefit when we ensure that cases are resolved prior to release so that matters are not left pending with questions lingering. The State Court Administrator's Office cites child protection cases as the most complex cases, as those cases include multiple parties, including the incarcerated person, co-parents, guardians ad litem, and other parties. Extended hours are also often needed to accommodate later scheduling.

With the increased use of virtual court hearings, individuals have a possibility to leave the facility with no outstanding court detainers or warrants. Here are additional benefits:

- **Benefits to Victims and Witnesses.** A November 2021 study published by the National Center for State Courts (NCSC) found that, for victims and witnesses, “Remote hearings may also expand access to courts for witnesses, victims, experts, and other court stakeholders who live in remote locations or who fear for their safety in court.”

- **Family Court Cases.** The study further found that virtual court hearings provide greater participation opportunities in family-related cases including divorce, child welfare, and child protective services cases (CHIPS).
- The findings in another NCSC report resulting from interviews with judges found that incarcerated parents can participate in hearings more frequently and more often because of the use of virtual connections, and this further eliminates transportation barriers.

Equity and Inclusion:

With the increased use of virtual court hearings, individuals have the increased opportunity to leave the facility with no outstanding legal matters. Significantly, participation in virtual hearings can level the playing field with individuals. Courts historically utilized "in-custody appearances" where incarcerated persons were brought into the courtroom in-custody by deputies. Utilizing virtual technology will increase the ability of an incarcerated person to engage in the system on a more equal footing and without the risk to public safety or cost for transportation.

Additional benefits include:

- **Access to Justice.** The addition of virtual court coordination staff will build in the necessary capacity for incarcerated persons to have pre-hearing conversations with their legal counsel. Currently, the DOC has limited capacity for these conversations to occur prior to hearings, and this has resulted in delays at time. Virtual court hearings will remain in Minnesota, and research also indicates that video proceedings can make attorney-client communications more difficult to coordinate. Adequate resources in this area will enhance engagement for incarcerated persons and build capacity to coordinate across facilities.
- **Housing and Mental Health Access.** Outstanding detainers, which include legal matters pending in Minnesota and out of state, prevents individuals from securing a bed in a transitional housing or placement in a treatment center. This creates barriers and gaps to services and needs in mental health and housing.

Tribal Consultation:

Does this proposal have a substantial direct effect on one or more of the Minnesota Tribal governments?

Yes

No

Results:

Part A: Performance measures

For changes to existing programs and activities, describe current and projected program performance. This section should include the following information:

- What performance measures are currently used?
- Historical data to reflect major trends.
- The most current available data – preferably from within the last year.
- From the period of October 1, 2022, to the end of December 31, 2022, facilities successfully provided access to court hearings at least 1,500+ times. This data is representative of the seven facilities reporting from Oak Park Heights, Shakopee, Moose Lake, Faribault, St. Cloud and Stillwater. This does not include the cases managed at Lino Lakes, Rush City, Togo, and Willow River.
- In June 2022, facility case managers and other staff involved in the coordinating/scheduling/facilitation of court hearings participated in a time study. Four weeks of data was collected by the DOC Research and Evaluation Unit.
 - During the four-week time period there was an activity of coordinating/scheduling/facilitating completed for 555 cases.

- MCF- Faribault - 116
 - MCF- Lino Lakes – 51
 - MCF-Moose Lake – 45
 - MCF-Oak Park Heights – 20
 - MCF- Rush City – 42
 - MCF-Shakopee – 45
 - MCF-St. Cloud – 183
 - MCF-Stillwater - 53
- Daily average amount of Case Manager time per facility spent coordinating/scheduling/facilitating.
 - MCF-Faribault – 53 minutes (21 Case Managers)
 - MCF-Lino Lakes – 39 minutes (15 Case Managers)
 - MCF-Moose Lake – 40 minutes (12 Case Managers)
 - MCF- Oak Park Heights – 48 minutes (4 Case Managers)
 - MCF- Rush City – 44 minutes (11 Case Managers)
 - MCF-Shakopee – 45 minutes (10 Case Managers)
 - MCF- St. Cloud (with dedicated support position) 30 minutes (18 Case Managers)
 - MCF- Stillwater – 42 minutes (16 Case Managers)
- For proposals establishing new programs/activities, describe what program performance measures will be used and how you anticipate these measures changing because of this proposal. This section should include the following information:
- What specific program performance measures will be used? The measures included here should answer the following questions about the program’s performance:
 - **Quantity:** How much did we do? Number of virtual court hearings successfully held as scheduled.
 - **Quality:** How well did we do it? Review judicial input and feedback on process.
 - **Result:** Is anyone better off? Reduce number of individuals leaving with no outstanding court requirements.
- How will you collect the performance data, and how will you communicate it?
- The most current data, if available.
- Where feasible, projected performance values with and without the changes included in this change item (optional).

Statutory Change(s):

N/A

Corrections

FY 2024-25 Biennial Budget Change Item

Change Item Title: Minnesota Rehabilitation and Reinvestment Act

Fiscal Impact (\$000s)	FY 2024	FY 2025	FY 2026	FY 2027
General Fund				
Expenditures	0	0	0	0
Revenues	0	0	0	0
Other Funds				
Expenditures	0	0	0	0
Revenues	0	0	0	0
Net Fiscal Impact = (Expenditures – Revenues)	0	0	0	0
FTEs	0	0	0	0

Recommendation:

The Governor recommends a reallocation within the Department of Corrections (DOC) of earned incentive release savings to a dedicated special revenue fund to be created in accordance with the Minnesota Rehabilitation and Reinvestment Act (MRRRA). It is proposed that the MRRRA be authorized through modification of M.S. 244.03 and M.S. 244.05. The earned incentive release savings will be distributed as prescribed by the MRRRA.

This proposal is intended to return funds to the General Fund and reinvest others into services outlined below. Due to the unique nature of the proposal, projecting these cost savings is not feasible.

Earned incentive release savings will be calculated at the end of each fiscal year. The savings will be transferred to a dedicated special revenue account known as the Correctional Reinvestment Special Revenue Fund. Funds will be distributed as follows: a) 25% to the Department of Public Safety, Office of Justice Programs for crime victim services, b) 25% to the Community Corrections Act subsidy and to the DOC budgets for supervised release and intensive supervised release services, c) 25% to the DOC grants and subsidies unit for grants to develop and invest in community-based services, and d) 25% to the general fund.

Rationale/Background:

The DOC is supporting a policy proposal to modify M.S. 244.03 and M.S. 244.05 to establish and administer the MRRRA. The policy provides for earned incentive release credit for certain incarcerated people who comply with established criteria and completed required rehabilitative programming. The policy also establishes mechanisms to reduce active correctional supervision for those fully compliant with their individual supervision plan.

The DOC will complete a comprehensive need assessment for each person who is serving a fixed term of imprisonment and has 365 days or more remaining until their scheduled supervised release date. The assessment will be used to develop an individualized program plan with clearly identified goals for each person. People who actively participate in programming (including treatment, medical and mental health services, educational, career, and other rehabilitative programming) and meet their individualized goals may be eligible for earned incentive release credit. The earned incentive release credit will be subtracted from the person's term of imprisonment, which will not exceed 17% of their term of imprisonment. In no case shall the earned incentive credit reduce the term of imprisonment to less than one-half of the person's executed sentence.

The reduction of terms of imprisonment will result in savings for correctional institutions. The earned incentive release per diem will be calculated at the end of each fiscal year based on actual expenditures and certified encumbrances from specified expense budgets, and the actual average daily population for the fiscal year. The

earned incentive release per diem is then multiplied by the actual number of incarcerated days saved via earned incentive release credits to determine the cumulative earned incentive release savings, which will be transferred to the Correctional Reinvestment Special Revenue Fund and distributed in compliance with M.S. 244.05 (and as identified above).

Proposal:

The DOC proposes the reallocation of earned incentive release savings to the Correctional Reinvestment Special Revenue Fund each year, in accordance with the MRRA:

- This is a new initiative that fully aligns with the DOC’s mission of Transforming Lives for a Safer Minnesota.
- This is a cost-neutral proposal that will reallocate actual earned incentive release savings following the end of each fiscal year to: support victims of crime, reinvest in and enhance effective supervision services, provide grants for community-based transformative services, and return 25% of the savings to the general fund.
- This proposal will require legislative support, and collaboration with identified stakeholders.
- With the significant internal changes and policy development needed, it will take the DOC 18-24 months to fully implement this proposal.
- This proposal is accompanied by an annual reporting requirement to the Legislature each year, including during implementation.

Tribal Consultation:

Does this proposal have a substantial direct effect on one or more of the Minnesota Tribal governments?

- Yes
- No

Impact on Children and Families:

Effective programming pre- and post-release helps reduce recidivism and ensures correctionally-involved people have the opportunity to maintain connections with their families, including children.

Equity and Inclusion:

The DOC’s incarcerated population is very diverse in terms of race, ethnicity, gender, sexual orientation, disability and veteran status. Equitable access to earned incentive release and programming opportunities will be a primary focus.

Results:

Part A: Performance measures

This proposal will prepare people for release from prison to Minnesota communities and help ensure a successful transition. The proposal supports effective pre- and post-release services that are accessible to all who meet the established criteria. Correctional practices will be enhanced and modernized in a safe and equitable manner. Savings will be reallocated to support victims and to reinvest in sound, evidence-based correctional practices. Twenty-five percent of the earned incentive release savings will be returned to the general fund each year. Public safety will be enhanced, and we will create opportunities to support our mission of Transforming Lives for a Safer Minnesota.

Part B: Evidence-based practices

Evidence-based Practice	Source of Evidence
Timing and Dosage of Correctional Programming on Recidivism	Journal of Offender Rehabilitation , Dec 5, 2017
The Rehabilitative Ideal versus the Criminogenic Reality: The Consequences of Warehousing Prisoners	Corrections Policy Practice and Research , Oct 24, 2016
Early Release and Recidivism	IZA Institute of Labor Economics , March 2020
Good Time and Earned Time Policies for State Prison Inmates	National Conference of State Legislatures , Jan 2016

Statutory Change(s):

M.S. 244.03 and M.S. 244.05

Corrections

FY 2024-25 Biennial Budget Change Item

Change Item Title: Increased Funding for Community Supervision

Fiscal Impact (\$000s)	FY 2024	FY 2025	FY 2026	FY 2027
General Fund				
Expenditures	64,624	66,250	66,250	66,250
Revenues	0	0	0	0
Other Funds				
Expenditures	0	0	0	0
Revenues	0	0	0	0
Net Fiscal Impact = (Expenditures – Revenues)	64,624	66,250	66,250	66,250
FTEs	52	52	52	52

Recommendation:

The Governor recommends an ongoing increase in funding to increase investments in community supervision across the state, reduce re-offending, and ensure successful public safety outcomes. The investment will help ensure evidence-based practices, bring community supervision systems up-to-date with needed funding across the three delivery systems, provide state funding to tribal governments for those who choose to deliver community supervision to their communities, establish the resources of intervention centers across the state to help create more successful outcomes and alternatives to re-incarceration, and, critically, to invest in local community treatment and program providers who serve the nearly 100,000 individuals on community supervision in Minnesota.

Rationale/Background:

The Community Corrections Act (CCA) of 1973 authorizes the commissioner of corrections to award subsidy grants to a county or group of counties for the provision of local correctional services. The act is designed to encourage development of local correctional systems. Thirty-five counties representing about 70% of the state’s population under supervision participate in CCA, for persons on felony probation and supervised release. Funds are allocated by legislative appropriation and distributed based on a formula prescribed by M.S. 401.10.

The Department of Corrections is appropriated funds for counties that participate in the County Probation Officers (CPO) county supervision delivery system for reimbursement and caseload workload reduction to offset 50% of costs per M.S. 244.19, related to the provision of community probation services, including agent salaries and fringe benefits. Twenty-two CPO counties provide juvenile and adult misdemeanor probation services and account for 10% of the population under supervision.

The Minnesota Department of Corrections (DOC) provides felony probation and supervised release supervision in fifty-two counties and accounts for 20% of the population under supervision. In these fifty-two counties, the DOC also provides juvenile and adult misdemeanor probation services in 30 counties as requested by counties under M.S. 244.19. The counties pay 100% of the juvenile and misdemeanor costs and are reimbursed for services based on M.S. 244.19, which should be at 50%.

In 2021, a large group of stakeholders including the DOC, the Minnesota Association of Community Correction Act Counties (MACCAC), the Minnesota Association of County Probation Officers (MACPO) and numerous others such as legislators, members of the Judicial Branch, community treatment service providers, and elected county officials, collaboratively developed a set of recommendations to resolve these inequities and move toward an

evidence-based, data driven solution. The group assessed all three delivery systems providing community supervision and how current funding is allocated. In their findings, they determined the following:

- In 2020, Minnesota spent the lowest proportion of state general funds on corrections: 2.5% percent versus a national average of 6.5%.
- Minnesota has historically relied on community supervision instead of incarceration to prison. The current state subsidy grant funding is not allocated based on a formula that accounts for required resources to adequately case manage a person under supervision. This has resulted in inequitable effective supervision and case management practices statewide for all three delivery systems.
- M.S. 244.19 provides for the state to reimburse up to 50% of the costs of probation officers' salaries and fringe costs for juvenile and misdemeanor services, however, current appropriation levels are only sufficient to reimburse around 26% of actual costs.
- For the past several decades, counties had to increase county level funding for supervision services given dollars allocated by the state have not kept pace with caseload increases and inflation costs for positions.
- Counties vary in their ability to account for the lack of state funding that has resulted in inequities in caseload sizes and the ability to provide effective case management and supervision to reduce recidivism.
- Black and Native American people are overrepresented in Minnesota's criminal justice system. The rate of Black adults on felony probation in 2019 was nearly five times higher than the rate of White people on felony probation. For Native Americans, this rate was more than nine times higher than for White people. Native American in the state have their probation revoked at a higher rate than any other racial or ethnic group.

Funding for DOC supervision has seen limited funding increases for new positions over the last two decades thus resulting in caseload sizes well over recommended standards and supervisor to staff ratio averages 1 to 24. Recommended standards are 1 supervisor to 12 staff. This has impacted the DOC's ability to provide effective supervision to reduce recidivism.

The collaborative stakeholder group recommended a single funding formula. Community Corrections agencies have established a committee through the Association of Minnesota Counties (AMC) to develop a funding formula to address the inequities in caseload sizes and providing effective supervision. The formula will establish budgeting needs for correctional supervision based on a workload study on what it takes to effectively work with persons under supervision that accounts for risk, reduces probability for recidivism, and provides incentives for early discharge when a person's level of risk for re-offense is low.

Pending an establishment of a formula, a substantial increase is needed for all three delivery systems' base funding. The increase in funding will bring caseload sizes into alignment for the study with recognized standards to effectively work with persons to reduce recidivism.

The collaborative stakeholder group from 2021 also recommended that tribal nations have the same supervision system options as other governments in Minnesota. This is in alignment with Minnesota and Federal government policy shifts allowing Tribal Nations the ability to self-govern. Tribal Nations have expressed an interest in providing their own community supervision department. If Tribal Nations provide their own supervision, it will enhance success by:

- Increasing engagement with persons under supervision affiliated with a Tribal Nation.
- Providing an approach to supervision that addresses drivers of criminality with a historical culture norms and values perspective.
- Increasing access to local tribal resources.

Funding is needed to offset their supervision costs and allow Tribal nations the option of moving to self-governance around community supervision.

It was also recommended that all resources for supervision prioritize quality assurance and innovation grants at the local level.

To ensure supervision by all three delivery systems is effective in reducing recidivism, additional funding is requested for the creation of a statewide evidence base practices unit. This unit will be responsible for evaluating and assisting all three delivery systems in their implementation of “what works” in reducing recidivism and revocations. The unit will also be responsible to provide quality assurance on programming and supporting statewide training on what works.

Lastly, innovation grants are needed for local programming found effective in reducing recidivism. When treatment and supervision supports match the person’s level of risk, the recidivism is likely to decrease. In many parts of the state, access to effective programming is limited. To ensure adequate treatment is available statewide, grant funding will be available to local counties and providers on implementing or expanding services found to be effective in stabilizing a person and reducing recidivism.

Intervention Centers:

In FY 2022, we had 1,283 persons only revoked for a technical violation and returned to a DOC facility which accounts for 26.4% of new admissions. Of the 1,283 admissions, 83 were female clients.

Given the limited time the person is revoked back to a DOC facility, persons are not eligible for any treatment interventions to address the violation behavior and release planning efforts are labor intensive.

To address the underlying behaviors that are often fueling revocations, intervention centers would provide a continuum of options that includes cognitive behavior intervention, chemical dependency educational programs, mental health, and chemical dependency assessments in a residential setting. For our female clients, this also provides an option that is responsive to their unique pathway into the criminal justice system and interventions that are tailored to meet their needs.

Proposal:

In close alignment with the recommendations put forward by a collaborative partnership of community supervision providers and other key stakeholders formed in 2021, funding is requested to improve and provide equity in funding for all three delivery systems that allows caseload sizes and administrative support to be at a level that implementation of what work strategies are feasible. We propose Tribal nations be funded so they have a choice on who provides supervision. Lastly, we propose the creation of an evidenced based practices unit to ensure that supervision is using “What Works” principles found effective in reducing recidivism and subsidy grant funding for counties.

This proposal includes expansion and an increased investment in existing activities, and also offers some new initiatives. The proposal includes:

- \$5.790 million increase each year ongoing for DOC provided community supervision to support the addition of new agents and administrative support and align caseload sizes to recommended levels. The Association of Probation and Parole recommends agent to client ratio by level of risk for recidivism as follows: 35 high and very high risk, 60 moderate and 200 low risk. These recommended risk levels are also in alignment with other supervision agencies funded adequately across the nation. This will allow the DOC to implement researched based practices found effective in reducing recidivism and creating a safer Minnesota. This equates to 32 additional agent positions, 10 district supervisors, eight OAS support staff and one additional regional manager.
- \$5.370 million each year ongoing to increase pass-through funding for the CPO reimbursement program at a reimbursement rate of 50% in accordance with M.S. 244.19.
- \$32.054 million each year ongoing to increase pass-through funding for the CCA subsidy.

- \$2.750 million each year ongoing for Tribal Nations to hire their own tribal assistant probation officer staff to work in tandem with DOC, CCA or DOC supervision agencies through a memorandum of understanding. If M.S. Statue 401.01 or 244.19 were also change, it would also provide funding for Tribal Nations to provide their own supervision services.
- \$18.660 million each year ongoing in grant funding for counties or local providers to implement treatment and support that reduces a person’s involvement in the justice system by lowering their level of risk for continued recidivism based on interventions found effective through research-guided practices. In addition, \$125,000 is requested to add one additional DOC staff to allocate and monitor the grants.
- \$1.626 million each year ongoing, beginning in FY 2025, to create contracted intervention centers. The residential settings of these centers can include halfway houses or community correctional facilities. To provide an adequate number of intervention centers, it is best to have them distributed statewide. The eligibility to be placed in the intervention center would be on cases where the client would have been revoked and sent back to prison without this option. Thus, it would be used as a last resort compared to the first option in addressing violation behaviors. This would result in a reduction of over 600 clients each year being revoked back to prison, close to 50% of revocations. The funding includes a DOC administrative cost of five percent.

Impact on Children and Families:

For the past decade, there is research that guides the delivery of correctional services to reduce recidivism, but as a state, we have not been able to deliver those proven interventions given lack of resources. If funding is allocated, targeted services provide a person with new ways to manage high risk situations, and that has a positive impact on children and families. It allows for children to live in communities free from violence, and having a parent be able to provide support compared to being incarcerated at a DOC facility or local correctional setting.

The goal of the intervention centers is to stabilize persons on supervised release and displaying very high-risk behaviors in the community compared to probation being revoked and returned to prison. Typically, persons may have been returned to the facility up to 90 days. This option provides a shorter intervention in the region in which they live and having increased access to children and families. In a research study completed by the DOC in 2011, family visitation significantly decreased the risk of recidivism. For females under supervision, the potential for the child to reside with the mother while placed at the invention center has helped to maintain the parental bond.

Equity and Inclusion:

According to the Counsel of State Governments, Black and Native American people are overrepresented in our Minnesota Criminal justice system. While only 6% of the population, they account for 18% of those on probation, 27% on supervised release and 38% of the prison population.

The purpose for the funding is not to just perform the same supervision services that have helped to contribute to those outcomes, but to fully provide the resources that can be effective across all races and genders in reducing recidivism and ensuring that those principles are imbedded in the work.

Native American persons have the highest revocation rates and are more likely to be reconvicted of a new felony offense. Having Tribal Nations provide their own community supervision for persons involved in the justice system will reduce disparities through increased supervision success rates and positive life changes. This will reduce the likelihood of recidivism for tribal affiliated persons under community supervision and provide a responsive way to address drivers of criminality.

The goal of the intervention center is to provide the least restrictive environment to address high risk behavior that would have resulted in revocation. In addition, if provided regionally, it can be tailored to meet the needs of clients being served in the area and an include culturally specific intervention services.

Tribal Consultation:

Does this proposal have a substantial direct effect on one or more of the Minnesota Tribal governments?

Yes

No

Funding for tribal probation has been supported by the Tribal Nations. The current model of supervision is not effective in reducing revocation and recidivism rates for persons affiliated with a tribe. Funding for Tribal Nations would allow providers at the local level to tailor services to best meet the needs of their people. Having Tribal Nations provide their own supervision services is in alignment with self-governance and allows them to provide their own supervision services to their tribal members. The hope is to increase success rates and reduce disparities and negative outcomes for persons under supervision.

This is in alignment with the governor's priority of increasing state and tribal coordination of services. The community supervision agency will be tribal agents, and potentially imbedded into their human services department which will further enhance connection and coordination of services. Similar to CCA counties that have found it successful to imbed their delivery of probation services into the county health and human services division to enhance success.

Results:

For outcomes to be pulled statewide by all three delivery systems by race, gender, and Tribal Nation for the following:

- Increased success for persons under supervision as measured by their reduction in risk for recidivism
- Reduction of technical and new arrest convictions leading to commitment at a DOC facility
- Community supervision agencies are using evidence-based practices with fidelity in their daily work with persons under supervision
- Recidivism success rates are increased for persons on probation and supervised release.
- Increased success rates for persons involved in treatment or interventions that addresses pathways to involvement in the justice system.
- Increased access to local resources including housing and stabilization services.

Statutory Change(s):

No statutory changes are required. If a Minnesota Tribal Nation so chooses to provide their own delivery of both probation and post release prison supervision, a change to the Community Corrections Act Statutes would be required. If a Tribal Nation is just interested in supervising juvenile and adult misdemeanor and gross misdemeanor cases, changes to Minnesota State Statute 244.19 and 244.20 are required.

Corrections

FY 2024-25 Biennial Budget Change Item

Change Item Title: Clemency Review Commission

Fiscal Impact (\$000s)	FY 2024	FY 2025	FY 2026	FY 2027
General Fund				
Expenditures	986	986	986	986
Revenues	0	0	0	0
Other Funds				
Expenditures	0	0	0	0
Revenues	0	0	0	0
Net Fiscal Impact = (Expenditures – Revenues)	986	986	986	986
FTEs	6	6	6	6

Recommendation:

The Governor recommends an ongoing increase in funding to establish a Clemency Review Commission to review applications for clemency before they are referred to the Board of Pardons for consideration. Included in the increase is funding for education and outreach grants to community organizations supporting the provision of clemency in Minnesota.

Rationale/Background:

The Minnesota Board of Pardons is comprised of the Governor, the Chief Justice of the Supreme Court, and the Attorney General. The Board currently does not have permanent, full-time staff to advise it on applications for pardons, commutations, and reprieves. The Commissioner of Corrections currently serves as the Secretary to the Board, and the Department of Corrections (DOC) devotes more than two full-time equivalent positions (FTEs) to fulfill the responsibilities of secretary, in addition to managing other administrative expenses. Board members also dedicate their own staff to review and vet applications, in addition to their own time.

Establishing a Clemency Review Commission of individuals appointed by each of the three members would professionalize the process by allowing for a level of review and vetting of applications for clemency and providing a recommendation to the board members.

Proposal:

Funding is proposed to establish a Clemency Review Commission to review applications for clemency at the state level and provide nonbinding recommendations to the Board of Pardons. The commission will consist of nine members, of which three will be appointed by each of the Board of Pardon members: the Governor, the Chief Justice of the Supreme Court, and the Attorney General. The commission will be staffed by an Executive Director and support staff.

In addition to the creation of the Clemency Review Commission, the proposal includes \$200,000 for grants to community organizations and educational institutions that provide outreach and application assistance to those seeking clemency.

Upon being established through the Department of Corrections, the commission would move to an independent status within a year.

- This is a new initiative for the DOC and will ultimately be an independent commission from the department.

- This request will provide \$150 a day to compensate the nine members of the commission and to reimburse each of the members for business expenses.
- Interpreters will be provided by the commission for applicants, victims, and others wishing to testify.
- The commissioner will contract for victim support services as needed.
- The Board of Pardons will appoint a commission executive director knowledgeable about clemency and criminal justice to serve in the unclassified service as an executive branch employee.
- The commission will require six additional FTEs to support the work of the nine-member commission and the Board of Pardons, by performing application screenings and reviews, investigations, legal reviews, preparation of summaries, website maintenance, meeting preparation and coordination, public notification, victim location and notification, records retention, process serving, compliance and coordination of Board of Pardons decisions, annual reporting, and other administrative responsibilities.
- The chair of the commission would replace the Commissioner of Corrections as the secretary of the Board of Pardons.

Appointments to the commission are encouraged to identify diverse individuals with expertise in law, corrections, victim services, correctional supervision, mental health, and substance abuse treatment; and experience addressing systemic disparities, including but not limited to disparities based on race, gender, and ability.

The commission will biennially elect one of its members as chair and one as vice-chair. The chair serves as the board's secretary.

The executive director will obtain office space and supplies and hire administrative staff necessary to carry out the commission's official functions, including providing administrative support to the board and attending board meetings.

The DOC received and reviewed approximately 185 applications in 2021 and 169 in 2022. The department expects that the number of applications could double due to a greater awareness of the pardon and commutation process, resulting in 370 or more applications being considered each year. Based on the anticipated increase in applications, commission members would review and consider approximately 62 applications per meeting, on average.

Impact on Children and Families:

The impact of criminal records is intergenerational. Increasing access and professionalizing the process of the Board of Pardons in considering applications for clemency will provide this form of relief to more Minnesotans, in turn providing the ripple effects of that relief to their families and children.

Equity and Inclusion:

The establishment of a Clemency Review Commission that includes members with varying experiences, credentials, and background, will ensure a more fair and equitable process that is not influenced or dependent on a change in political leadership.

Tribal Consultation:

Does this proposal have a substantial direct effect on one or more of the Minnesota Tribal governments?

- Yes
 No

Results:

Part A: Performance measures

The Minnesota Board of Pardons (Board) is required to file a written report with the legislature by February 15 of each year, reporting the number of pardon/commutation and pardon extraordinary applications received and

those granted by the Board. Minn. Stat. § 638.075. This report will provide routine updates on the number of applications reviewed by the commission and subsequently by the Board.

Statutory Change(s):

The proposal is in conjunction with language amending Minn. Stat. 638.

Corrections

FY 2024-25 Biennial Budget Change Item

Change Item Title: Recruitment and Retention

Fiscal Impact (\$000s)	FY 2024	FY 2025	FY 2026	FY 2027
General Fund				
Expenditures	4,803	7,323	4,173	4,173
Revenues	0	0	0	0
Other Funds				
Expenditures	0	0	0	0
Revenues	0	0	0	0
Net Fiscal Impact = (Expenditures – Revenues)	4,803	7,323	4,173	4,173
FTEs	14	17	15	15

Recommendation:

The Governor recommends an ongoing increase in funding to increase the department’s ability to recruit and retain employees and to ensure employee wellness and stability. A full staffing complement that is appropriately trained and receives effective wellness services is essential to help ensure the safety of our staff and those incarcerated, and to deliver and maintain programming that prevents recidivism. The need for the investment is directly linked to safety concerns for those working and living in our facilities and for the public safety of our communities.

Rationale/Background:

Over the past four years, corrections departments across the country have faced a staffing crisis. The Minnesota Department of Corrections (DOC) has engaged numerous robust efforts to recruit, retain, and support its dedicated staff. In order to maintain adequate staffing to ensure safe and secure facilities, to provide transformative programming and essential health services, and as a result create safer outcomes for all Minnesotans, the department must be adequately resourced to modernize hiring practices, incentivize working in state corrections, retain staffing complements at full capacity, create a positive and supportive working environment, and provide supports and resources for DOC staff to feel respected, welcomed, and supported in the workplace.

Proposal:

The request includes the following investments:

- \$460,000 annually for one recruitment staff to meet the agency’s recruitment needs, and to appropriately advertise for hard to fill positions around the state.
- \$360,000 a year ongoing, beginning in FY 2025, to create a pilot Correctional Employee College Program, including one coordinator.
- \$2.0 million in fiscal years 2024 and 2025, including two FTEs, to create a Pilot Staff Wellness Program and funding for contracts with community collaborative partners who specialize, or are subject matter experts, in trauma recovery and resiliency and the relationship between trauma recovery and wellbeing.
- \$300,000 a year ongoing to add three FTEs to the Staff Support and Wellness Unit to create a response team after a critical incident involving staff. The FTEs include a staff navigator to support staff in situations that involved harassment or assault, a position to track and manage support opportunities during and post staff assaults and to ensure new staff are connecting meaningfully with current staff, and a critical incident response program coordinator to ensure effective collaboration by internal and external support following critical incidents.

- \$200,000 to design and implement an integrated conflict management system to prevent, manage, and resolve destructive forms of conflict within the organization.
- \$533,000 to increase capacity of the DOC's Human Resource Division by six FTEs to maintain operational support for the human resource information system, labor relations, ADA, workers' compensation and leave management expertise.
- \$1 million in FY 2024, \$2.96 million in FY 2025, and \$1.87 million in FY 2026-27 for training and professional development opportunities for each DOC employee.
- \$200,000 in FY 2024 and \$400,000 a year ongoing beginning in FY 2025 to increase the capacity of the agency to provide employee development services by hiring two FTEs in FY 2024, and hiring two additional FTEs for a total of four FTEs beginning in FY 2025, a rebuilding of a unit that saw the layoff of 14 FTEs in 2020.
- \$110,000 in FY 2024 and \$50,000 beginning in FY 2025 to enhance the agency's critical incident review process by adopting a systems approach using safety science methodology to support a culture of safety within the department. This will include both in-person training for leadership and e-Learning modules for all agency staff.

1. **Recruitment efforts**

This request ensures the DOC's Recruitment Team is fully staffed to meet the significant challenges of recruiting corrections staff. It also increases the DOC's marketing budget to sufficiently attract and retain quality candidates.

DOC requires additional staff to meet recruitment needs and appropriately advertise for our positions around the state. Over the past several years, state correctional facilities have not been fully staffed in the corrections officer ranks. The DOC needs additional recruitment resources to fully staff our correctional facilities for the safety of our staff and those incarcerated and to maintain programming that prevents recidivism. This is an urgent safety concern for those working and living in our facilities and for the public safety of our communities. This investment is targeted at increasing recruitment and retention efforts to also reduce the significant costs of overtime pay, which is currently far above budget.

Funding will ensure the agency can reach and connect with potential candidates across Minnesota to fill our staffing needs in DOC's 11 correctional facilities. It will ensure we can pay for critical social media and marketing advertising we need to connect and be competitive in this market. The requested funding will allow for marketing and advertising as described.

2. **Correctional Employee College Pilot Program**

Beginning in FY 2025, this proposal includes the hiring of one FTE coordinator to build the program, develop partnerships with higher education institutions, and collect data to ensure measurable benefits for corrections employees and their families. This is a pilot program to establish the proof of concept and is a fundamentally new initiative for Minnesota – and, perhaps, nationally. The goal is to explore new ways to invest in and improve careers in corrections, with measurable benefits for corrections and correctional staff, and to do so in ways that reinforce the correctional mission to transform lives for a safer Minnesota. The pilot will strive to align public campuses with public prisons to create new career pathways into corrections, new benefits to Minnesotans pursuing a career in corrections, and improved longer-term outcomes within corrections, both within facilities and impacted communities.

3. **Staff Wellness Pilot Program**

Including two temporary FTEs to coordinate implementation and funding for contracts with community collaborative partners who specialize, or are subject matter experts in, trauma recovery and resiliency and the relationship between trauma recovery and wellbeing. This request includes planning, development, and implementation of the *Pilot Staff Wellness Initiative*. The pilot initiative will provide information through data driven evaluation and include qualitative, quantitative, and aggregate data.

Examples of areas of staff concerns that relate to staff trauma and stress which should be included in the pilot response include but are not limited to staff impacted by critical incidents such as IP suicide or violence, acute or cumulative stress or trauma, sexual and general harassment or threats, chemical health or dependency (including navigating to chemical dependency treatment), and workplace conflict.

Over the past 24 months, the DOC has received over 1,500 requests from staff for assistance or support regarding a situation or set of circumstances that has impacted their personal and/or professional lives. Of the 1,500, just over 500 required additional follow up from team members to resolve the issue/concern. This is a sample of the data that supports the need for the responsive dimension of this initiative.

Staff support and wellbeing is critical for recruitment, retention, staffing levels, safety in the facilities, and safety in the community. Staff trauma and work stress have played a significant role in decisions to separate from service, short and long-term leave of absences, disability, and overall dissatisfaction in employment. Staff report high levels of “corrections fatigue” and cumulative vicarious stress and trauma. Staff report concerns about their own overall health as well as concerns about their family’s wellbeing, and finally, they express concerns about their colleagues’ health and wellbeing. Healthy staff is the most important component of running corrections facilities or community services support. Current staffing levels are barely at or below compliment. The level of service for those incarcerated or on supervision is dependent on staffing and the overall wellbeing of staff.

4. Staff Support and Wellness Unit

The request adds three positions to the Staff Support & Wellness Unit (SSWU). It will provide needed capacity to the DOC’s response team after a critical incident involving staff. The FTEs include a staff navigator to support staff in situations that involved harassment or assault, a position to track and manage support opportunities during and post staff assaults and to ensure new staff are connecting meaningfully with current staff, and a critical incident response program coordinator to ensure effective collaboration by internal and external support following critical incidents.

It has become clear that additional resources are required for the current program to meet the needs of the staff. Currently, there is only capacity to do “initial triage” with staff and little or no capacity to follow through with support or recommendations beyond an initial connection or response. Additionally, there is simply no capacity to identify additional internal or external collaborative support partnerships or processes and no capacity whatsoever to develop and embed wellness into the agency. It has become apparent that to support the 4,100+ staff in critical or traumatic situations or provide navigation support to improve wellbeing, the three staff assigned to this work is not near enough for the demand for support by staff.

The intended results of the proposal include resources (staff) to meet the needs of each staff and their family that seek support or assistance from the SSWU. In that, the intended results include staff that experience support and opportunities to access support, have an increased sense of satisfaction and overall health in their professional and personal lives. This leads to improved productivity, improved work performance, improved job satisfaction (increased recruitment and retention) and safer work environments and healthier homes and communities

5. Integrated Conflict Management System

Recognizing that conflicts are an inevitable part of organizational life in any setting, the Integrated Conflict Management System (ICMS) concept is about maintaining a productive work environment that responds to destructive forms of conflict and also learns from constructive conflict, knowing it is essential to the effective functioning of our agency. If we are to maintain healthy workplace relationships, our culture must become competent and resilient in the face of difficult conflict situations. Having a wide spectrum of conflict response options that includes ‘built-in’ prevention techniques and interest and rights-based options enhances the work environment and will assist DHS in meeting our needs.

Why DOC needs an Integrated Conflict Management System agency-wide:

- Successful handling of workplace conflicts has a direct, positive impact on employee retention. Although the cost of conflict is not identified as a line-item entry on the annual budget report, the cost of workplace conflict is high.
- Traditional options, such as filing a grievance or making a complaint that results in an investigation, address only the symptoms and not the source of the conflict, do not meet everyone's needs, rarely put closure to the real issue at hand, and can strain relationships further.
- Our labor partners have also expressed a perceived increase in employee dissatisfaction with relationships within the workplace and have reached out to us to find solutions to the workplace conflict. Throughout these conversations it has become apparent that staff want and need another option for resolving workplace conflicts.
- The development of an ICMS aligns with and supports our efforts toward employee engagement. Our employee engagement efforts support a workplace culture where employees feel they are a valued resource, have an equitable chance to be heard, are treated respectfully, and have resources to assist them in being successful.

6. **Human Resource Division Capacity**

The request includes six FTEs to maintain operational support for the human resource information system, labor relations, ADA, workers' compensation and leave management expertise. The DOC's Human Resources work unit cannot currently, accurately, or effectively support the DOC strategic plan, the organizational structure, expected workload, staffing challenges, and modernize data and reporting systems with continued limited resources. This is not a new initiative, but it is necessary to address increased demands and the need to develop and/or modernize systems. An increase in FTEs is intended to position the unit to support agency personnel, overall human capital management, and objectives necessary to achieve agency goals more effectively.

7. **Staff Training and Professional Development Opportunities.**

The change in number of staff since the start of the COVID—19 pandemic has drastically reduced the level of services that the Employee Development Unit can provide. The request for additional operating funds will raise the current level of service, but it is not a new initiative driving the request. The request is central to ensuring that the shift to person-centered, servant leadership takes root in the organization which supports our agency mission, vision, and values. Supporting DOC staff to learn professional development goals and provide the financial resources to achieve those goals will lead to a more productive and committed workforce.

Additionally, mandatory training is staff intensive, and currently there is not sufficient funding to cover Instructor and FTO Development and delivery time. A portion of the requested funds would be utilized to cover those demands. Virtual and blended learning the need for technology and software upgrades to ensure that the department has current and effective training. The agency will evaluate the effectiveness of this proposal by tracking instructional hours and professional development activities.

8. **Service Capacity for Employee Development**

Additional staff will significantly increase the level of services provided to DOC staff regarding employee development. The need for this investment is reflected in the following:

- The DOC has a backlog of 13 courses that need to be designed and delivered to meet Ombudsperson for Corrections' recommendations, Prison Rape Elimination Act (PREA) audits, and grievance settlements. Training is an ongoing tool to change behavior and drive better outcomes.
- There are 45 standardized curriculums that are in the rotation over the next four years that will need to be scrutinized and revised to remain in compliance.
- The funding is central to ensuring the shift to person centered, servant leadership takes root in the organization which supports our agency mission, vision, and values.

The DOC will evaluate the effectiveness of this proposal by tracking the number of programs developed, revised, and delivered each fiscal year, including details related to Ombudsperson recommendations, PREA audits of training requirements, and grievance/litigation determinations related to training.

9. **Critical Incident Review**

The DOC requests funding to contract with an organization to enhance the agency's critical incident review process by adopting a systems approach using safety science methodology to support a culture of safety within the department. This will include both in-person training for leadership and e-Learning modules for all agency staff.

The employee investigation and discipline processes have a major impact on creating that positive workplace culture. Between January 2018 and November 2021, the DOC conducted over 2,100 employment investigations. While the data is not fully complete, out of these, approximately 48% resulted in either no disciplinary action taken, a supervisory conference, or oral reprimand. An additional 15% resulted in written reprimands. Both these numbers may be much higher once all the data is complete.

To promote a culture in which we are conflict competent, collaborative in problem-solving, and learn from mistakes, we must be willing to re-evaluate how our complaint procedures, employee investigation, disciplinary system, quality assurance and other HR practices fits into the equation.

The Collaborative Safety Model uses the Safety Science methodology to support a culture of safety within the department. Safety Science is championed in industries such as aviation, healthcare, and nuclear power. Industries that utilize Safety Science engage employees in safety and improvement related efforts (seeing people as the solution, not the problem), establish comprehensive approaches to analyzing adverse events and unexpected outcomes, and promptly act upon identified areas of improvement. When typical underlying systemic factors are addressed, as an agency, we can begin to make critical advancements in promoting improved outcomes for our employees and the people we serve.

Impact on Children and Families:

An important measure of a child's wellbeing is having an educated and employed parent who has the ability to also focus on their own personal well-being. This is no less true for those who *work* inside our correctional facilities as it is for those who must for a time be incarcerated within them. A primary goal of this proposal is to adequately staff our agency, creating a healthy work/life balance, providing educational/training opportunities to provide the knowledge, skills, and abilities to perform the critical work and create career paths, and ultimately provide a culture of trust and learning with support and resources for staff-wellness.

Children and families of corrections staff are impacted by safety concerns they have for their loved one, by the stress and impact from critical incidents that their loved one experiences. Providing support for families of our staff has never been a priority, but it is critical to staff overall wellbeing. Staff that are supported by their families, and do not experience negative consequences for their families because of their jobs, are essential to the staff's wellbeing. Families of our staff also deserve and need support specific to them. This proposal would provide the resources to identify specific support networks in the community that can support and assist children and families of our staff.

Equity and Inclusion:

Funding will allow DOC to target advertising and in-person engagement to our underutilized groups: women, minorities, LGBTQ+, Veterans, and those with disabilities.

The Pilot Correctional Employee College is designed to increase recruitment, retention, and career pathways for all Minnesotans employed in this field. It will also be designed to ensure that this effort can contribute to greater inclusion in this career path for people of color, Native Americans, people with disabilities, people in the LGBTQ

community, other protected classes, or Veterans. By partnering with the more than 30 MN State campuses distributed across the State of Minnesota, some of them in Greater Minnesota and others in the Metro area, the agency seeks a more inclusive workforce.

The DOC has prioritized the importance of considering and acknowledging how equity and inclusion might impact an individual's trust in requesting support or help from their employer. This proposal would allow for some additional opportunity for facilitated conversation and gathering of data to determine if concerns specific to equity and inclusion are affecting which staff (not the number) are requesting and accessing support services as well as identify any barriers to requesting or accessing support for those that might be experiencing inequities in this specific area

Tribal Consultation:

Does this proposal have a substantial direct effect on one or more of the Minnesota Tribal governments?

Yes

No

Results:

Part A: Performance measures

DOC must be fully staffed to continue offering programming to those who are incarcerated. Data-driven programming is how we transform lives of the people in our care and custody, reduce reoffending, and improve safety in communities across the state. For example, without Corrections Officers to maintain security, education cannot happen. These programs reduce new criminal activity and keep the public safe. The goal is to increase the percentage of filled Correctional Officer FTEs to 100%. We use the program Recruitment Solutions to track and manage our data. Then number of applications, hires, and demographics are tracked and reported to the executive team, and the "all staff weekly email," and Implementation Leadership Team presentations and meetings.

Statutory Change(s):

N/A

Corrections

FY 2024-25 Biennial Budget Change Item

Change Item Title: Transformational Education for Productive and Safer Communities

Fiscal Impact (\$000s)	FY 2024	FY 2025	FY 2026	FY 2027
General Fund				
Expenditures	5,806	7,631	5,653	5,653
Revenues	0	0	0	0
Other Funds				
Expenditures	0	0	0	0
Revenues	0	0	0	0
Net Fiscal Impact = (Expenditures – Revenues)	5,806	7,631	5,653	5,653
FTEs	20	27	27	27

Recommendation:

The Governor recommends an ongoing increase in funding to ensure opportunities for robust, transformative educational programming for every willing participant committed to the custody of the Department of Corrections (DOC), resulting in engaged, productive citizens upon reentry into Minnesota communities. The request reflects investment in staff and infrastructure to support: adult basic education; career, technical, and vocational opportunities; Pell access and partnerships; cognitive processing therapy education; and expansion of DOC's transformative higher education and work release programming.

Rationale/Background:

An admirable student to teacher ratio of approximately 15:1 renders the state of Minnesota among the leaders in education in the nation. By contrast to its public education system, the state correctional system has approximately 50 teachers for over 7,500 people in prison. Given the contribution education can make to job attainment, personal transformation, and increased public safety, this level of underinvestment in prison education impedes the DOC's mission.

The result is large-scale and chronic shortage of education inside Minnesota's prisons. Negative results include reduced safety, employability, and post-release success. Every day, nearly 600 people in prison in pursuit of a high school degree are on a waiting list; almost 3,000 who remain below a 9th grade reading level are left behind in this unplanned system; and hundreds of people churn in and out of prison every year with short sentences of less than six months that they never even step into a classroom, either in prison or in the community.

This proposal for increased teachers inside prisons seeks to reduce significant levels of idleness, prioritize those committed for short terms, ensure budgetary stability, and level up incarcerated learners up to at least the 9th grade reading level so they can move on to effective job training and federally funded post-secondary opportunities. The intended new result is measurably reduced levels of idleness across the DOC, achieved through increased basic, developmental, and career technical education.

Trailers as classrooms or educational facilities are a temporary solution, but one that has proven successes in meeting urgent needs for space inside prisons safely and at minimal budget while the Department works towards building long-term, sustainable programming spaces in its prisons as identified in its bonding requests to the legislature.

Proposal:

This request includes the following investments:

- \$2.320 million in FY 2024, \$3.145 million in FY 2025, and \$2.901 million each subsequent year related to education staffing and supportive service beginning in FY 2026, including operations support services and case management. Beginning in FY 2025, the total number of the following FTEs will be hired and the total amount of the following investments will be made:
 - 13 Adult Basic Education (ABE) Teachers
 - 2 Career and Technical (CT) Teachers
 - 5 Correctional Teaching Assistants
 - 5 specialized case managers
 - 2 Office and Administrative Specialist (OASs)
 - 8 trailers to house the additional classrooms (2 classrooms per trailer), plus classroom setup (e.g., desks, chairs, monitors, project screen) for Year 1 estimated at $\$35,000 * 8 = \$280,000$. Year 2 onwards: \$5,000 in upkeep and maintenance per trailer
- \$918,000 in FY 2024-25 and \$779,000 in FY 2026 and each subsequent year for essential IT education components
- \$650,000 in FY 2024-25 and \$50,000 in FY 2026 and each subsequent year for expanded vocational training, critical to Minnesota State and private sector partnerships.
- \$200,000 each year to facilitate, run, and support Pell partnerships with MN State partners operating in DOC facilities
- \$310,000 each year to expand cognitive processing therapy at Faribault, Lino Lakes, and Red Wing minimum units to help people learn how to modify and challenge unhelpful beliefs related to the trauma
- \$128,000 each year ongoing for annual supplies and FTE expenses
- \$1 million in FY 2024, \$2 million in FY 2025, and \$1 million in FY 2026 and each subsequent year to expand work release for education.

This proposal puts together a comprehensive strategy to address the staggering lack of educational supports – and thereby staggering number of people returning to Minnesotan communities without marketable and needed skills required to contribute to society – available in the Minnesota correctional system. By strengthening the connections between the private sector, state, and academic institutions, and increasing availability of these educational programs and tools within the correctional system, people will return to communities more prepared to live safely and successfully.

Programmatic Staffing and Space – This change represents an expansion and intensification of existing areas of activity to meet a very large gap between activity and need. This investment will fund an increase in educational capacity across all DOC facilities, impacting incarcerated people of all backgrounds, at all educational levels, and across the state.

Educational Information Technology – This proposal calls for increasing the availability of educational technology for post-secondary education, and the licensing fees required to maintain them.

Vocational Opportunities – This proposal is an expansion of long-standing DOC successes in vocational and career and technical education. It builds on two areas of long-standing effective programming: heavy equipment (for construction and building trades), and Mechatronics (a relatively advanced form of machine skills). The DOC has long used heavy-equipment simulators to positive effect and has been building a pathway from DOC vocational technical machine skills training to a credit-bearing credential in Mechatronics through community college partners. This proposal seeks to expand these programs to reach more incarcerated trainees, help them attain professional licensure, and connect them to employers upon release.

Pell Access and Partnerships – In 2020, the U.S. Congress restored federal Pell funding to 1.5 million people in prison in the United States, including the more than 5,000 Minnesotans currently incarcerated who already hold a

secondary credential. This restoration of Pell eligibility for tuition at any Minnesota public or private, community, technical, state, or other college or university begins in full in 2023.

Higher Education Work Release Expansion – This proposal includes an expansion of the current work release program to include a maximum of releases to alternative community correctional settings to any incarcerated individual who is within their last year of confinement, having served at least 50% of their confinement time, and low or medium risk of recidivism. The program screens clients to ensure they meet certain risk criteria and are placed in alternative correctional settings for the duration of their sentence.

Impact on Children and Families:

70% of people incarcerated in Minnesota have a dependent in the household from which they came and to which they are likely to return. An important measure of a child's wellbeing is having an educated and employed parent. This is particularly true for children of incarcerated and formerly incarcerated parents. The primary goal of this proposal is to connect incarcerated individuals with higher education, technical training, and long-term employment.

Providing services to educate and employ justice-system involved individuals can have a generational ripple effect. Parents can better support their children and families and provide support to keep the next generation employed and educated. Simply put, educating and employing system-involved individuals has a direct impact on the health and welfare of kids and families.

Data shows that individuals engaged in higher education while in prison and those with meaningful job opportunities when they are released are less likely to re-offend and go back to prison. The impact is also inter-generational as the children of formerly incarcerated parents who have completed higher education and are gainfully employed have more successful outcomes into adulthood. When post-secondary programming in prisons runs in partnership with Minnesota's public and private educational institutions, behavioral change and lifelong positive outcomes accelerate. Minnesota must make investments in what works and create more pathways from prison to employment.

Equity and Inclusion:

While African Americans make up roughly 7% of MN's total population, they make up 35% of the MN prison population, and while roughly 1.4% of Minnesota's total population is Native American, they make up roughly 8% of the state's prison population. The results are one of the worst disparities in the nation.

Minnesota is one of the most educated states in the U.S., however Minnesota's prisons have lost almost all of their publicly funded post-secondary programs since the loss of Pell eligibility in 1994. As a result, Minnesota's prisons intensify disparities in post-secondary educational attainment, despite the strategic proximity of dozens of Minnesota's institutions of higher education to the state's correctional facilities.

The agency does not have the data infrastructure to track demographic inequalities associated with the 500 hours of pay necessary for an IP to afford the purchase of a television in prison. This proposal identifies the basic inequality in this approach and also speaks to demographic inequalities behind the agency's existing numbers – assuming that veterans and protected classes of Minnesotans may be disproportionately represented among those who cannot afford technology purchased from the prison commissary. As technology becomes a more widely utilized medium of programming and important information, the harmful impacts of these inequities would be intensified.

Part of this proposal seeks to promote equity across the state with regard to race and socioeconomic status. It will eliminate barriers to education, employment and housing which disproportionately impact minority populations by providing stable housing. Funding work release expansion addresses public safety concerns by providing

transitional supports to released persons, situating them within communities for long-term success prior to their actual release date. low-income, high-risk offenders with stable housing.

Tribal Consultation:

Does this proposal have a substantial direct effect on one or more of the Minnesota Tribal governments?

Yes

No

Results:

Part A: Performance measures

Currently, performance measures include:

- Reduction in idleness at each facility
- hours of educational programming time
- levels of increased educational attainment
- number and percentage of GED completion rates
- DOC projects a 30 % increase in all these outcomes distributed across the ABE level and CTE levels

Statutory Change(s):

N/A

Corrections

FY 2024-25 Biennial Budget Change Item

Change Item Title: Indeterminate Sentence Release Board

Fiscal Impact (\$000s)	FY 2024	FY 2025	FY 2026	FY 2027
General Fund				
Expenditures	40	40	40	40
Revenues	0	0	0	0
Other Funds				
Expenditures	0	0	0	0
Revenues	0	0	0	0
Net Fiscal Impact = (Expenditures – Revenues)	40	40	40	40
FTEs	0	0	0	0

Recommendation:

The Governor recommends an ongoing increase in funding to establish an Indeterminate Sentence Release Board (ISRB) to review eligible cases and make release decisions for persons serving indeterminate sentences under the authority of the commissioner of corrections. The referenced release decisions would be made by five members of the ISRB, whereby they are currently made solely by the commissioner of corrections.

Rationale/Background:

Minnesota is a determinant sentencing state, however there are a few offenses for which release decisions need to be made after the minimum sentences are served – all of these are life sentences. There are currently almost 600 people incarcerated in Minnesota correctional facilities who are sentenced for life with possibility of parole. Under current law, the Commissioner has sole authority and discretion to make release decisions for these individuals. If released, they are on supervision for life.

Parole consideration of life-sentenced offenders after their minimum eligibility date has been public policy established in law for many decades. In 1982, the Minnesota Corrections Board, as the paroling authority, was abolished and the paroling authority for life-sentenced offenders was transferred to the commissioner of corrections (all other crimes come under sentencing guidelines). Promulgated rules with full force and effect of law set procedures for the parole consideration process. Minnesota is one of only four states where a single person makes these decisions.

It is sound correctional policy to ensure a panel of qualified individuals is making these decisions. The ISRB will consist of five members including four persons appointed by the Governor from two recommendations of each of the majority and minority leaders of the House of Representatives and the Senate, and the commissioner of corrections who will serve as chair. The four appointed members would meet established criteria and would serve staggered four-year terms.

Proposal:

Funding is proposed to establish an ISRB with staggered terms to make the parole decisions for those in with life sentences with possibility of release.

- This is a new initiative for the Department of Corrections (DOC).
- This request will provide \$30,000 each year to compensate four members of the ISRB as stipulated by M.S. 15.0575, Subd. 3, and to reimburse each of the members for business expenses.
- The request will provide \$10,000 each year for supplies, copies and administrative support provided by the DOC.

- This request will ensure release decisions for people with indeterminate sentences will be made by a panel of five people instead of by one person.
- The request assumes an implementation date of July 1, 2023.

Equity and Inclusion:

The established of an ISRB that includes members with varying experiences, credentials, and background, will ensure a more fair and equitable process that is not influenced or dependent on a change in political leadership.

Tribal Consultation:

Does this proposal have a substantial direct effect on one or more of the Minnesota Tribal governments?

Yes

No

Results:

Results are difficult to measure in this proposal due to the specific fact to be decided in each parole decision. The numbers of paroles provided each year will continue to be tracked. However, the purpose of the change is to provide a less-politically charged process for decisions to be made based on data and sound correctional practices.

Corrections

FY 2024-25 Biennial Budget Change Item

Change Item Title: Evidence-Based Practices Unit

Fiscal Impact (\$000s)	FY 2024	FY 2025	FY 2026	FY 2027
General Fund				
Expenditures	1,248	2,164	2,164	2,164
Revenues	0	0	0	0
Other Funds				
Expenditures	0	0	0	0
Revenues	0	0	0	0
Net Fiscal Impact = (Expenditures – Revenues)	1,248	2,164	2,164	2,164
FTEs	8	16	16	16

Recommendation:

The Governor recommends an ongoing increase in funding to establish and maintain a unit to direct and oversee the use of evidence based correctional practices by professional level staff across the department and evidence-based and transformational programming offered to individuals who are supervised by the state in the community.

Funds will be used to create positions to support and oversee evidence-based programming (EBP) and quality assurance in the Department of Corrections (DOC). Funds will also be used to support programming in our prisons and areas of supervision throughout the state, providing services based on risk, need, and responsivity factors of individuals served.

Rationale/Background:

Policy, practice, and procedures in corrections are all best served by ensuring that the most current and effective evidence-based practices are utilized. By establishing an Evidence Based Practices (EBP) Unit, the DOC will effectively be able to evaluate the effectiveness of all aspects of secure confinement, treatment, programming, and community supervision, maintain research on best practices across the field of corrections, and ensure the State of Minnesota is investing resources, time, and energy into the most effective outcomes in corrections for public safety across the state.

The unit will oversee the implementation of “what works” in how facilities are kept secure, what and how programming and treatment is provided, and what are the most effective methods to reducing recidivism and revocations while individuals are on community supervision. It will also be responsible for providing quality assurance on programming and supporting statewide training to all DOC staff. The unit will work directly with, and in support of, Correction Program Directors (CPDs) in prison facilities and District Supervisors in communities to ensure that the state can assure skills are practiced, maintained, and proficiency is increased, case plans target criminogenic needs, and programs are addressing the needs and responsivity of our clients.

This unit will help support data tracking and reports and assist with training and facilitation needs. It will support new and innovative programming to meet criminogenic needs, culturally specific needs, and other responsivity needs such as trauma, homelessness, and gender identity.

Intended outcomes include increased motivation to participate in interventions, quality case plans for clients targeting antisocial behaviors, increased social skills and prosocial adjustment for clients, increased understanding

and consistency in expectations for staff and supervisors, and reductions in prison misconduct, victimization, and recidivism.

Proposal:

This proposal includes:

- \$913,000 in FY 2024 and \$1.83 million each year beginning in FY 2025 to fund 16 FTEs in an EBP unit. Eight FTEs will be hired in FY 2024, and that number will expand to 16 FTEs in total ongoing beginning in FY 2025. This includes a Unit Director, SPAM Sr, one Management Analyst (one to support the unit and one to support the budgeting and contracting unit in the division), OAS support, and 12 SPA Principals serving as EBP training and coaching, programming/curricula, and community specialists.
- \$250,000 to fund contracts for training facilitators in EBP programs and curricula to be implemented in communities and at correctional facilities, sustainability efforts of skills needed to implement those programs, and contracts with outside community resources and partners to assist with facilitation as needed.
- \$85,000 for supplies and contracts for supplies, such as the Multi-Health Systems contract for LSCMI use, workbooks and training manuals for facilitators and staff, and program supplies as needed.

By increasing capacity to deliver quality programs, the number of clients served will also increase. This results in less idle time, increased targeted interventions, increased number of programming/person-centered goals reached, and increased opportunities for more successful reentry such as employment, education, mental and physical health stability, and more successful reunification with loved ones and prosocial peers. By delivering programs that meet specific responsivity targets, we expect to see services aligned to meet unique needs, such as culturally specific programming, programming LGBTQ+ support services, trauma and ACES support, and parenting/relationship programming.

Impact on Children and Families:

This unit will provide programming that strengthens relationships within families, including addressing trauma, culturally specific services, and parenting. While parenting programming will be included as a programming priority, we also plan to provide more interventions and services related to mitigating homelessness and finding stable housing. Programming designed to meet individual needs will be prioritized. Race, and other demographics, will be tracked to assure access to programs that help reach individual goals.

Equity and Inclusion:

The DOC currently lacks programs and interventions designed to meet needs of specific populations as described above. By having capacity to deliver quality programming, and opportunities to deliver an abundant amount of programming and services, more individuals will have access to needed and individualized services. Culturally specific programming has been identified as a gap in programming that needs to be addressed and offered to the incarcerated population.

With money and interventions set aside to address individual needs, we would expect a positive impact for most people engaged in more and new programming offered. In the spring of 2021, the Self-Reported Assessment, which is the assessment the DOC will use to assist in identifying programming needs, was piloted. The data will guide the DOC for both needs and preferences in programming that incarcerated people want to participate in.

Tribal Consultation:

Does this proposal have a substantial direct effect on one or more of the Minnesota Tribal governments?

- Yes
- No

Results:

Part A: Performance measures

A central purpose of this investment is to ensure better tracking of data, in particular results of investments, and training related to ensuring evidence-based practices across the agency. Currently, the DOC does not have this capacity.

- What specific program performance measures will be used? The measures included here should answer the following questions about the program's performance:
 - **Quantity:** 1. How many IPs were enrolled/completed in risk reducing programs; 2. How many one-on-one interventions were practiced/completed with IPs; 3. How many coaching sessions were completed with staff; 4. How many case plans were started, goals completed; 5. How many risk reducing programs were offered at each facility; 6. How many BIPOC IPs were enrolled/completed programming specific to culture/race/ethnicity; 7. Reduction in discipline and risky behaviors; 8. Reduction in MnSTARR risk; 9. ASR data is tracked for gaps in programming offerings; 10. How many programs were evaluated for alignment with EBPs and/or effectiveness; 11. Number of increased community contracts administered for risk reducing and responsive programming; 12. Inter-agency connections increased to serve and prioritize programming and services; 13. Decreased idle time in prison
 - **Quality:** 1. Baseline scores (years one and two) collected for risk reducing programs; 2. Changes and improvements to risk reducing indicators to increase program effectiveness; 3. How many case plans target criminogenic needs and track what types of needs are addressed; Programs are observed and provided feedback for alignment and fidelity; Coaches track improvements in one-on-one intervention sessions
 - **Result:** 1. Discipline is reduced; 2. Technical violations and new arrests are reduced post release; 3. Completion of person-centered goals which could impact individual success, families, communities, businesses, etc.; 4. Programs score higher on subsequent evaluations for alignment and effectiveness; 5. Staff feel safer; 6. Staff are more connected with risk reducing work
- How will you collect the performance data, and how will you communicate it? Having a unit of dedicated staff to oversee and interpret the data is crucial. Facility program directors will be responsible for the collection of the data, however, the planning and coordination of collection and communication of what is collected will be the responsibility of this new unit. This unit will be connected with the Statewide Transition Coalitions, supervision and community partners to communicate performance at a micro and macro level.

The whole unit supports Evidence Based Correctional Practices, specifically by addressing criminogenic risk and needs and responsivity factors that are sometimes barriers to prosocial behavioral changes.

Statutory Change(s):

N/A

Corrections

FY 2024-25 Biennial Budget Change Item

Change Item Title: Public Safety Through Stable Housing

Fiscal Impact (\$000s)	FY 2024	FY 2025	FY 2026	FY 2027
General Fund				
Expenditures	2,130	2,130	1,685	1,685
Revenues	0	0	0	0
Other Funds				
Expenditures	0	0	0	0
Revenues	0	0	0	0
Net Fiscal Impact = (Expenditures – Revenues)	2,130	2,130	1,685	1,685
FTEs	2	2	2	2

Recommendation:

The Governor recommends an ongoing increase in funding for the Minnesota Department of Corrections (DOC) to increase the state’s ability to ensure that individuals who are incarcerated have stable housing upon release.

The request includes funding for housing stabilization services, housing coordinator capacity, rental assistance, electronic monitoring and transitional housing for high-risk releasees, culturally responsive transitional housing, culturally specific transitional housing planning and design, and an increase to the intensive supervise release housing grant for high-risk/high-need clientele.

Rationale/Background:

The mission of the Minnesota Department of Corrections is to transform lives for a safer Minnesota. Central to this mission is ensuring that when individuals leave incarceration, as over 95% will one day, they reintegrate successfully into their communities and not commit further crime. Housing stability, a responsivity factor, is known to be foundational to support behavior change. According to a 2018 article in the *Prison Policy Initiative*, 15% of incarcerated people experience homelessness in the year before admission to prison. In addition, people who have been to prison just once experience homelessness at a rate nearly seven times higher than the general public.

These investments focus on interventions to help lessen criminal justice involvement. [Formerly incarcerated people](#) are almost 10 times more likely to be homeless than the general public. In 2021 the Council of State Governments conducted a Community Supervision Practices Assessment in partnership with the Minnesota Association of County Probation Officers, the Minnesota Association of Community Correction Act Counties, and the DOC and found that *“housing was cited first and often as the most significant barrier to successful community reintegration for clients. The reasons given were varied – lack of affordable housing, lack of any housing units, refusal of landlord to rent to people with criminal justice system involvement and rejection by family member who had tired of the individual under supervision.”*

The [2021 Homelessness Release Legislative Report](#) details that approximately 1,128 releases were due to ‘sheltered’ (858) and ‘unsheltered’ (270) homelessness. ‘Sheltered homeless’ is defined as an individual released from a Minnesota Correctional Facility (regardless of length of time incarcerated) to a temporary living arrangement such as temporary/transitional housing, including hotels and motels paid for by a charitable organization or by a federal, state, and local government unit. ‘Unsheltered Homelessness’ is defined as an individual released from a MCF (regardless of length of time incarcerated), and it is unknown where the individual would stay the night of release. Over half of the individuals identified as ‘sheltered homeless’ were on a type of

supervision which requires them to have an approved residence in order to be released to the community – 469 individuals on Intensive Supervised Release and 90 individuals released to phase II of the Challenge Incarceration Program. Individuals on Intensive Supervised Release have one of the highest return rates to incarceration - approximately 30% success rate. In addition, individuals on this type of supervision disproportionately have long histories of institutionalization, justice system involvement, substance use, mental health concerns, long histories of housing instability, and can be considered high systems users. They are also disproportionately individuals of color and Native American. In the 2022 [DOC Homeless Mitigation Plan](#) changed these identifying terms to ‘Homeless releases to Known Locations’ and ‘Homeless Releases to Unknown Locations.’ This change was made for purposes of clarity purposes.

The request targets contracted pre-release housing stabilization services, organized through the DOC to provide overarching transitions services, assists with connection to health insurance application, and connect individuals on critical logistical components that assists in securing stable housing. The intent of the request is to build a model that focuses seamless connection to services for those with this repeated involvement in the criminal systems, build capacity within community systems to serve them, and evaluate the effectiveness of targeted prerelease services.

On September 12, 2022, data collected through CSTS (correctional service delivery system data management system) and reports generated through the Statewide Supervision System County-Race-Gender report depicted 488 individuals on supervised release who were identified by a community corrections professional as homeless or lacking housing instability. BIPOC individuals consist of at least 45% of this total.

Proposal:

Housing Stabilization Pre-Release Services:

The portion of this request of \$1 million in FY2024, \$1 million in FY2025, and \$760,000 each subsequent year is recommended to provide targeted housing stabilization pre-release services in coordination with community service providers that support persons exiting prison and on intensive supervised release. The funding bridges the gap for services related to housing stability to provide a seamless connection when an individual is released. This proposal directly reflects the housing stabilization benefits provided to Medicaid recipients. However, when an individual is incarcerated, Medicaid reimbursement is not available to community service providers any preliminary in-reach, assessment, and other transition related services.

Per MN DHS, the specific housing stabilization services that are relevant to the population of individuals releasing from MCFs are (the specific activities and services detailed below are the billable activities for Medicaid, however, made accessible to individuals prior to Medicaid eligibility):

Housing Consultation services:

- Assisting the person to access documentation required for Housing Stabilization Services eligibility
- Developing a Housing Focused Person-Centered Plan based on assessment outcomes
- Supporting the person in identifying their strengths, needs, and wants in housing including cultural requirements and/or preferences
- Supporting the person to make an informed choice in their housing transition or sustaining provider
- Offering resource information for services that support non-housing related goals as identified in the person-centered planning process
- Coordinating with other service providers currently working with the person
- Helping the person understand their rights to privacy and appeal information
- Annually updating the person-centered plan as it relates to housing

Housing Transition services:

- Developing a housing transition plan
- Supporting the person in applying for benefits to afford their housing, including helping the person determine which benefits they may be eligible for

- Assisting with housing search and application process and with tenant screening and housing assessments
- Providing transportation with the person receiving services present and discussing housing related issues
- Helping the person understand and develop a budget
- Helping the person understand and negotiate a lease
- Helping the person meet and build a relationship with a prospective landlord
- Promoting/supporting cultural practice needs and understandings with prospective landlords
- Helping the person find funding for deposits
- Helping the person organize their move
- Researching possible housing options and contacting possible housing options for the person
- Identifying resources to pay for deposits or home goods and resources to cover moving expenses
- Completing housing applications on behalf of the service recipient
- Working to expunge records or access reasonable accommodations
- Identifying services and benefits that will support the person with housing instability
- Ensuring the new living arrangement is safe for the person and ready for move-in
- Arranging for adaptive house related accommodations required and/or assistive technology

The request also includes \$75,000 each year to collect, analyze and evaluate data related to the impact of these investments. This information and investment will provide increased capacity and value to the annual DOC Homeless Report, required by the legislature.

The final element of this portion of the request is \$450,000 each year for contract housing stabilization prerelease services on-site within five state correctional facilities (the facilities with the highest numbers of releases to homelessness and highest populations). and virtual connection through Transitions Services technologies to the remaining MCFs. The highest numbers come from the following facilities:

MCF	2021 DOC Homelessness Report – Releases to Sheltered & Unsheltered homelessness
Faribault	225
Lino Lakes	157
Rush City	118
St. Cloud	202
Stillwater	202

Housing Coordinator Capacity

\$225,000 each year ongoing is requested for two FTEs within the DOC Reentry Services Unit, Community Stability Team. Per the recommendation of the DOC Homeless Mitigation Plan, this permanent funding for these positions to directly work towards homeless mitigation and support housing stability for frontline professionals and persons on correctional supervision.

Following engagement across internal and external stakeholders, the DOC strategic plan identifies the following goal “increased number of people released from prison who obtain housing, employment, enroll in education or actively engage in community treatment by 90%.” As the DOC and the corrections system is centering homeless mitigation and housing stability, recognizing the importance of housing stability as a responsivity factor for meeting the needs of individuals who are corrections system involved, the referrals for assistance to the Housing Coordinator have steadily increased.

According to the 2021 Homelessness legislative Report, almost 1200 individuals were released from Minnesota Correctional Facilities to homelessness. The capacity of the current grant funded position cannot meet the scope of the problem identified through data. On September 12, 2022, the Statewide Supervision System County-Race-Gender report depicted 488 individuals on supervised release who were identified by a community corrections professional as homeless or lacking housing instability. BIPOC individuals consist of at least 45% of this total. The

report also identified 3,569 individuals on probation as homeless or lacking housing stability, with at least 38% of these individuals identifying as BIPOC.

Due to the complexities of systems navigation and lack of community-based resources, dedicated professionals with subject matter expertise in both the criminal justice and corrections system and the human services and housing/homeless services systems are needed to support housing stability.

Rental Assistance

The DOC requests \$500k a year ongoing to serve as a gap funding, temporary financial resource to pay for approved housing options for individuals who are facing homelessness at time of release from Minnesota, on supervised release within the community, or individuals on DOC probation who are homeless or at risk of homelessness. The requested monies are additional operating funds that will be used to maintain the agency's current level of service.

The existing DOC Rental Assistance Resource has been in operation for approximately 10 years.

According to the 2021 Homelessness legislative Report (releases in calendar year 2021), 1128 releases Minnesota Correctional Facilities to homelessness. The current capacity cannot meet the scope of the problem identified through data. This is approximately 25% of all releasees from Minnesota Correctional Facilities.

Culturally Responsive Transitional Housing

The DOC requests \$405,000 in FY2024 and \$405,000 in FY2025 and \$200,00 each subsequent year for culturally responsive trauma informed transitional housing.

Culturally responsive transitional housing is a key housing resource missing from the currently menu of community-based resources. Although transitional housing resources within the State of Minnesota, most are not inclusive to individuals exiting from Minnesota Correctional Facilities

These models of transitional housing address multiple issues:

- Provide a safe and effective intervention to housing stabilization;
- Create a housing resource in an areas of the state where experiences of homelessness and housing instability disproportionately impact indigenous individuals and individuals of color;
- Create community-based services specific to cultural heritage;
- Creates an opportunity for the DOC to invest in the development of restorative community-based services across the state.

Impact on Children and Families:

In 2021, the DOC completed self-reported assessment intake process. The outputs of the assessment found that 73% of participants reported being a parent, and of this total, about half of participants experienced homelessness at least once in their lifetime

The entirety of this request is focused on creating the foundation for persons; which is inclusive to how they interact with and support their family units. The proposal is the foundation and conduit to ensuring children have a healthy start, access to affordable and quality childcare and early education, access to mental health supports and stable housing. This proposal identifies key building blocks to support long term housing stability.

This proposal is focused on intentional centering of housing stability within the corrections system in order to disengagement with systems and long-term housing stability. The embedding of this public health approach has a two and three generational impact.

Equity and Inclusion:

Equity is at the center of this proposal. The disparate impact of homelessness, housing instability and corrections system involvement is the driver behind this proposal and is a key reporting measurement in the annual DOC homelessness report. The proposals are geared towards targeting the most marginalized communities of people who have been the most egregiously impacted by corrections system involvement and homelessness/housing instability.

The proposed items will create opportunity for model development as housing stability and embedding a public health lens within the corrections system is a historic and reformative action.

The development of this proposal arose directly out of human centered design principles and practices (detailed within the DOC Homeless Mitigation Plan), engagement with a multitude of community service providers and professionals who work directly at the intersection of the problem, and engagement with thousands of individuals who are facing homelessness/housing instability and those with lived expertise of this experience.

Tribal Consultation:

Does this proposal have a substantial direct effect on one or more of the Minnesota Tribal governments?

Yes

No

- Due to the dual epidemic of justice system involvement and homelessness (amongst other public health calamities) which disproportionately impacts indigenous persons and communities in the State of Minnesota; the anticipated impacts at this time are the following:
- Consultations with Tribal Nations began with the start of the current administration (Executive Order 19-24), and were further enriched with the hiring of a full-time tribal liaison position within the DOC. The COVID-19 pandemic paused forward movement with formal consultations; however, beginning in 2022, formal consultations have been conducted with four tribal nations (Grand Portage, Shakopee-Mdewakanton, White Earth, and Bois Forte). Tribal Consultations are scheduled with Fond du Lac, Leech Lake, Red Lake, and Lower Sioux Community over the next two months. It should be noted here that Tribal Consultation and the existence of a Tribal Liaison position has been codified in 2021 legislation, further solidifying the process, and building government-to-government relationships between Tribal Nations and state agencies. Outputs of these consultations thus far have affirmed this proposal as Tribal Nations are focused on ending homelessness, supporting housing stability, ensuring safe communities, and addressing other concerns such as domestic violence, addiction, and impacts of trauma.

Results:

Part A: Performance measures

Housing Stabilization Pre-Release Services

- DOC will collect the following:
 - # of community partners who responded to the RFP to provide this service within MCFs
 - # of community partners who were contracted to provide the service within MCFs
 - # of individuals connected to the service while incarcerated in a MCF
 - Disaggregate the data by race, ethnicity, gender, age
 - MNSure applications completed
 - Status of application at time of release
 - Referrals to providers at time of release

DOC will collaborate with the MN Department of Human Services (by way of data matching) on the individuals who were connected to this service and referred to a community-based Housing Stabilization provider, and DHS will provide information on the total number of individuals who received the service in the community following release. (In May of 2022, DHS reported that 9,349 individuals were enrolled in Housing Stabilization Services and

receiving services – this data was collected through current DHS data management systems. This was 77 percent more than projected. A corollary metric for collection would be to report out how this pilot project would increase the number of individuals receiving the service, and disaggregate by race, ethnicity, gender and age.

Communicated to the legislature and the public through DOC mandated reporting to the legislature related to homelessness and homeless releases (Laws of Minnesota 2021, reg. Sess. Chapter 24, Section 3). [Minn. Stat. 241.068](#), subd. 2 requires DOC to file a written report with the legislature by February 15 of each year, reporting on a variety of data related to homelessness and releases from state correctional facilities.

Housing Coordinator

- # of referrals received for assistance
 - Race, ethnicity, gender of individual who is the focus of referral
 - Source of referral
 - Outputs of referral action

Rental assistance

- # of payments coordinated
- Data associated with payments:
 - # of payments per month
 - Average amount of payments
 - Total monies spent

Culturally Responsive Transitional Housing

- # of applicants for RFP
- # of contracts as a result of RFP
 - Within the projects:
 - # of individuals served and characteristics of target population (disaggregate by race and gender)
 - Goals of each project and goals achieved
 - Goals of individuals and goals achieved

Part B: Evidence-based Practices

Evidence-based Practice	Source of Evidence
Housing First	Housing First County Health Rankings & Roadmaps
Housing Supports (medium-term)	Washington State Institute for Public Policy
Permanent Supported Housing	Washington State Institute for Public Policy
Permanent Supported Housing: Oxford House Model	Results First Clearinghouse Database The Pew Charitable Trusts (pewtrusts.org)
Permanent Supported Housing: Pathways Housing First	Results First Clearinghouse Database The Pew Charitable Trusts (pewtrusts.org)
Rapid re-housing programs	Rapid re-housing programs County Health Rankings & Roadmaps
Service-enriched housing	Service-enriched housing County Health Rankings & Roadmaps

Statutory Change(s):

None

Corrections

FY 2024-25 Biennial Budget Change Item

Change Item Title: Family Stabilization and Support

Fiscal Impact (\$000s)	FY 2024	FY 2025	FY 2026	FY 2027
General Fund				
Expenditures	2,840	3,060	3,060	3,060
Revenues	0	0	0	0
Other Funds				
Expenditures	0	0	0	0
Revenues	0	0	0	0
Net Fiscal Impact = (Expenditures – Revenues)	2,840	3,060	3,060	3,060
FTEs	3	5	5	5

Recommendation:

The Governor recommends an ongoing increase in funding to increase opportunities for meaningful connections between those who are incarcerated in Minnesota’s state correctional facilities and their families, contributing to the department’s mission of transforming lives for a safer Minnesota through reduced recidivism and more supportive connections between families across the state.

The Family Stabilization and Support proposal includes the following investments:

- \$330,000 in FY 2024 and \$550,000 a year ongoing beginning in FY 2025 to create a Family Support Unit through the hiring of three FTEs in FY 2024, which would expand to five FTEs in total beginning in FY 2025, that focuses on supporting meaningful connections between incarcerated individuals and their families. The investment will provide the DOC with needed staffing capacity to explore and partner on evidence-based programming with community members and organizations such as parenting programs. The unit will lead the agency on developing strategies and policies to support incarcerated individuals and their families.
- \$2.0 million a year ongoing to remove barriers of cost for incarcerated individuals to make phone and video calls to family members and close, supportive contacts.
- \$510,000 to create Family-Focused Release Services, a new initiative to provide an alternative to prison return for mothers and fathers with dependent children, specifically children under the age of six. It also realizes a potential gap in services for criminal-justice involved parents through navigation, services, and support

Rationale/Background:

Preserving pro-social relationships with family members and other connections while incarcerated is an evidence-based tool that leads to stronger community ties, promotes rehabilitation, and reduces recidivism. Multiple studies have found a significant link between family contact while in prison and success after an individual’s release from prison, resulting in people staying in and contributing to our communities.

A state survey of parents in prison in 2014 showed that there were 16,248 children with an imprisoned parent in Minnesota. 73% of those incarcerated in Minnesota are parents. 66% of incarcerated men in MN have minor children, 56% of whom were living with their children prior to incarceration, and a majority will return to their kids after. 77% of incarcerated women in MN have minor children, 66% were living with their children prior to incarceration, and a majority will return to their kids after. Minnesota exceeds national rates in these numbers (only 50% and 62%, respectively, have children prior to incarceration).

It is clear that children suffer when their parents go to prison. They experience:

- Parental loss. Separation from a parent for any reason can be traumatic for children (Lowenstein 1986; Miller 2006).
- Stigma and Shame. Caregivers may tell children to keep their parent's imprisonment secret. Schoolmates tease. (Fritsch and Burkhead 1981; Sherman 1993)
- New Living Arrangements. Up to 29% of children are separated from siblings as a result of parental arrest (Harm and Thompson, 1995). Another study found only one in eleven older children of prisoners had lived continuously with a primary caregiver since birth (Johnston, 1991).
- Increased poverty. Children who lose a parent to prison further suffer by losing that parent's income, difficult for families already living in poverty (U.S. Department of Justice, 1994)

Parental incarceration impacts already vulnerable children – a parent's imprisonment may represent just one risk factor to a child's healthy development within a larger family context of drug abuse, violence, crime, and disadvantage (Wright and Seymour 2000). Having a parent who is or has been jailed, imprisoned, on parole or probation is linked to worse outcomes for the children than any other single factor, including involvement with the child welfare system or homelessness. Such children face:

- A doubled risk of mental health problems (Phillips and Gleeson 2007)
- Foster care – up to 40 % of kids in foster care have an incarcerated parent.
- Trouble in school with below-average academic performance (Stanton 1980), leading to increased dropout rates (Trice & Brewster 2004).
- A higher likelihood of committing crimes as adults (Murray and Farrington 2005).
- 80 percent of the children need state services including mental health, child welfare, alcohol/drug, and juvenile rehabilitation services (Nearing, et al. 2008).

In Minnesota, 58% of those who are incarcerated have a family member with a criminal record.

To break the cycle of intergenerational criminality, stabilize families involved in the criminal justice system, reduce recidivism of those who are incarcerated, and help children lead healthy, prosocial lives – the DOC requests this investment.

In 2021, the Minnesota Legislature passed the first-in-the-country Healthy Start Act, providing incarcerated mothers the opportunity to create strong bonds with their newborn babies and increasing positive outcomes for both mom and baby. The work to support meaningful connections between incarcerated individuals and their families continues with the investments requested below.

These budget requests are targeted at increasing opportunities for incarcerated individuals to meaningfully engage with their family members through more routine contact with loved ones, increased parenting programming for incarcerated moms and dads, expanded capacity for families and their communities to create positive connections with incarcerated individuals, and creating opportunities for parents as primary caregivers to provide parenting to young children who experience disproportionate impact and trauma from the re-incarceration of their parent on a technical violation of supervision.

Technical violations are not taken lightly. They often result from significant public safety concerns related to offending behaviors from those on supervision. Persons released from prison and returned were determined in need of additional structure to address the violation behavior beyond traditional outpatient treatment or community based cognitive behavior programs, and thus revoked and sent back to prison.

In Fiscal year 2022, 83 women were revoked for a technical violation and returned to MCF-Shakopee. Since January 2022, three women have been returned to prison on violation status who were pregnant or post-partem, as well. Through survey by Dr. Rebecca Schlafer, University of MN expert on children and families, it's estimated

that least 77% of incarcerated women are mothers. That likely means that at least 68 children were instantly impacted by their mother's return to prison.

This could have been avoided if alternatives to incarceration and gender-responsive interventions were in place and immediately accessible to meet their challenges in addressing their risks and behaviors. Providing a community-based intermediate sanction in lieu of prison, or adequate resources designed to meet women's criminogenic needs, would give healthy foundations to mothers and their children or families. In doing so, DOC realizes its Strategic Goals for Transformative Programming in all categories (sans the prison-based education enrollment).

Proposal:

Family Support Unit

The requested investment of \$330,000 in FY 2024, and \$550,000 per year ongoing beginning in FY 2025, will create a family support unit within the Department of Corrections to serve the incarcerated population in all 11 facilities. The unit will focus on supporting meaningful connections between incarcerated individuals and their families through developing partnerships with community members and organizations on programming and education that is evidence based, such as parenting programs. Corrections Departments in other states have successfully implemented meaningful parenting programs such as:

In Pennsylvania, the state provides programs like:

- Expansion of nurse family partnerships: a one-stop prevention program for low-income, first-time moms and dads and their children.
- Access early childhood learning: a broad range of education programs and environments for young children of incarcerated parents.
- Promotion of personal mentoring: relationships that build character, provide stability and offer real life guidance for work and education
- Encouraging regular family visits: restoring and maintaining the vital relationship between incarcerated parents and their children.

Oregon and California have implemented "Parenting Inside Out," an evidence-based parenting skills training program developed for criminal justice involved parents. The prison parenting program is appropriate for both incarcerated mothers and incarcerated fathers who are parenting from prison. The community version is appropriate for parents on parole or probation. As part of a reentry program, Parenting Inside Out has a proven impact on reducing recidivism and criminal behavior while improving family relationships and parenting skills. For the DOC to explore these kinds of meaningful opportunities, it requires additional staff to dedicate time to the priority on behalf of the incarcerated population in all 11 facilities and their families.

The unit will lead the agency on developing strategies and policies to support incarcerated individuals and their families. – both in the short term with visits and other opportunities for connection, as well as through developing and implementing programming.

Reduce cost barrier for phone and video calls:

The DOC proposes funding to reduce or eliminate the cost of phone and video calls so people incarcerated in state correctional facilities can maintain communication and a connection with family members. This is a significant expansion to what is currently provided to incarcerated individuals for communication services. The request will provide \$2 million in FY 2024 and each subsequent fiscal year to supplement the cost of phone and video calls.

The DOC will work with our vendor(s) to obtain the best value for the state and for our incarcerated population.

While technological advances have made phone and video calling more affordable and more accessible, incarcerated people often have challenges paying for those communication services. Family members of those

who are incarcerated often pay the cost of phone and video calls to stay connected and support their loved ones in prison. It should be noted the pandemic has created a high level of anxiety and loss of connection between persons who are incarcerated in our state correctional facilities and their family members, at a time when routine communication with family is even more critical.

This proposal aligns with the person-centered approach the DOC has adopted across our system and supports our mission of Transforming Lives for a Safer Minnesota. It also supports the One Minnesota goal of Transforming Criminal Justice.

Family-Focused Release Services

Healthy Start provides DOC authority to conditionally release to those who are pregnant or post-partem within a year of an infant's birth. We lack the ability, however, to respond meaningfully and intently to violation behavior if primary caregivers are on community supervision, and to provide alternatives to incarceration for those who are struggling in the community while trying to raise their children. This request is for:

- One State Program Administrator Principal to oversee contracts, placements, service coordination, outreach to supervision agencies, and assure quality services. This would include coordination of the existing Healthy Start as well for mothers under that program = \$115,000
- Funding for community corrections residential programming and placement for parents and their dependent children (up to age 6) = \$190,000.
- One Community transition coordinator for immediate response to service navigation and support of parents = \$105,000
- Contracted community-based program interventions or group supports = \$100,000

This is a new program initiative to provide an alternative to prison return for parents with young, dependent children. It also realizes a potential gap in services for criminal-justice involved parents through navigation, services, and support. The program provides for a contract for a community corrections residential program where parents may reside with their child(ren) under six during an intervention period to address violation behaviors. The program will deliver services to provide:

- Substance use and mental health assessment and referral;
- Cognitive-skills programming delivered in with a gender-responsive approach;
- Trauma-informed care and services;
- Family-based interventions, activities and childcare coordination, and/or child protection case plan coordination;
- Accommodations for clients' children under the age of six to reside with their parents;
- Ability for frequent visiting and ease of access for children of all ages.

Impact on Children and Families:

This proposal will have a very real impact for family members of incarcerated individuals who live in Minnesota communities and are often left to foot the bill so they can speak with and maintain a personal connection with their loved ones.

This proposal keeps mothers, who are struggling with supervision conditions, together with their children. It addresses their unique needs without prison returns, providing structure, accountability and support to them and their children.

Equity and Inclusion:

The DOC incarcerates and provides services to a very diverse population in terms of race, ethnicity, gender, sexual orientation, disability and veteran status; and more than 90% of the incarcerated population are released to diverse communities in Minnesota.

According to the Council of State Governments, Black and Native American people are overrepresented in our Minnesota Criminal justice system. While only six percent of the population, they account for 18 percent on probation, 27 percent on supervised release and 38 percent of the prison population. The goal is to provide to provide the least restrictive environment to address high risk behaviors that may have resulted in prison revocation.

Tribal Consultation:

Does this proposal have a substantial direct effect on one or more of the Minnesota Tribal governments?

Yes

No

Given American Indians have a higher revocation rate, and substantially more American Indian women are incarcerated, Tribal Nations and child protection systems will need to play a substantial role in addressing the needs of children and the families they serve. When soliciting partners and service providers or intervention, we will work with Tribal Nations on models that may work the best to stabilize families included in our targeted alternatives programs.

Results:

Part A: Performance measures

Project outcomes are accessible in the statewide supervision system and may include (by race, gender and Tribal Nation) the following:

- Increased success for persons under supervision as measured by their reduction in risk for recidivism
- Reduction of technical and new arrest convictions leading to commitment at a DOC facility
- Reduction in violations while under supervision
- Reductions in revocations resulting in a return to prison
- Recidivism success rates are increased for persons on probation and supervised release

Additional project measures may include:

- Numbers of child protection cases positively resolved
- Numbers of children avoiding foster care placement
- Numbers of restructured clients (referrals) without further violation behaviors

To determine the long-term effectiveness, research could be provided by the DOC Planning and Performance Unit or an independent researcher with additional dollars added to cover the costs.

Statutory Change(s):

N/A

Corrections

FY 2024-25 Biennial Budget Change Item

Change Item Title: Accountability and Transparency Investments

Fiscal Impact (\$000s)	FY 2024	FY 2025	FY 2026	FY 2027
General Fund				
Expenditures	1,529	1,529	2,039	2,039
Revenues	0	0	0	0
Other Funds				
Expenditures	0	0	0	0
Revenues	0	0	0	0
Net Fiscal Impact = (Expenditures – Revenues)	1,529	1,529	2,039	2,039
FTEs	13	13	17	17

Recommendation:

The Governor recommends an ongoing increase in funding to ensure robust, effective, and efficient oversight and accountability of the systems, services, and safety of staff and the incarcerated population under the responsibility of the DOC. The request reflects investments needed to ensure tax dollars are spent to maximize the benefit the state’s corrections systems provide to the overall public safety of Minnesota and those corrections systems are accountable to evidence-based practices, robust data analysis, and sufficient capacity to oversee processes and ensure transparency to policy makers and the public.

Rationale/Background:

Accountability, transparency, and oversight must be central to how Minnesota approaches issues of public safety, yet with so many pressing requests for basic resources in corrections, investments in data analysis, oversight, and the implementation of transparent and cohesive policy and procedure have fallen behind. This request outlines key investments to implement and maintain robust systems of transparency to ensure Minnesotans know the needs and challenges of the state’s corrections system and policy makers invest taxpayer dollars as effectively and efficiently as possible.

Intended results include a higher degree of oversight into the functions and outputs of the central public safety role for all of Minnesota filled by the Department of Corrections. These investments include internal controls, oversight of grants and subsidy administration, effective and collaborative policy research and project management work across all divisions of the agency, collaborative and responsive with the legislature, responsive diversity and inclusion capacity, appropriate staffing for evidence-based, culturally relevant Native American programming, and internal investigation capacity.

Proposal:

This proposal includes the following investments:

- \$190,000 in FY 2024 and \$160,000 beginning in FY 2025 to establish an Internal Controls and Risk Assessment Unit with 2FTEs to ensure compliance with statute to design, implement, and maintain an effective system of internal control within the agency.
- \$119,000 in FY 2024 and \$239,000 beginning in FY 2025 for 2FTEs in the Legal Affairs Office to provide increased capacity to staff the Minnesota Board of Pardons and process the increased number of pardon applications received each year.
- \$119,000 in FY 2024 and \$238,000 beginning in FY 2025 for 2FTEs in the Legal Affairs Office to increase the DOC’s capacity to meet statutory obligations of the Minnesota Data Practices Act.

- \$124,000 annually for 1 Native American Cultural Coordinator position to expand and support programmatic capacity around Native American cultural activities and spiritual care.
- \$330,000 annually for 3 FTEs to support the growth of the DOC's Office for Equity, Access, and Inclusion (EAI), the office currently charged with overseeing core components of the agency's equity and inclusion efforts: Affirmative Action/Equal Employment Opportunity (AA/EEO), Americans with Disabilities Act (ADA) and culturally responsive training and programming. The increase in FTEs will offer appropriate support across the agency by reducing staffing ratio from 2,065 agency staff members to 1 EAI FTE to 820 staff per EAI FTE. In other words, the funding will strengthen the DOC's capacity to ensure inclusion and access for DOC staff and clients, comply with federal and state regulations, and deliver in-depth and sustained DEI programming.
- \$191,000 in FY 2024 and \$362,000 beginning in FY 2025 for 3 FTEs in the Financial Services Unit to ensure all financial transactions are processed and recorded in a timely and accurate manner in compliance with applicable policies and standards, and to expand financial reporting capabilities.
- \$100,000 in FY 2024 for a third-party validation of the risk assessment instrument used by the DOC
- \$230,000 annually for 3 FTE policy and systems analysts to address the policy needs of the DOC's four divisions (Organizational and Regulatory Services Unit, Facility Safety & Security Unit, Health, Recovery & Programs Unit, and Reintegration & Restorative Services Unit); and to support the current sole position that provides policy coordination for the entire agency.
- \$125,000 annually for 1 FTE Senior Research Analyst in the Research and Performance Unit implementation of the self-reported assessment and the assessment summary report will generate a substantial amount of data for the agency. There will be a need to analyze these data on an ongoing basis and, if necessary, make improvements to the assessment and report.

For each portion of the request, further description is below:

1. Internal Controls and Risk Assessment Unit

Minnesota law requires the head of each executive branch state agency design, implement, and maintain an effective system of internal control within the agency. The law requires that the system:

- Safeguard public funds and assets and minimize incidences of fraud, waste, and abuse;
- Ensure that programs are administered in compliance with federal and state laws and rules; and
- Require documentation of internal control procedures over financial management activities, provide for analysis of risks, and provide for periodic evaluation of control procedures to satisfy that these procedures are adequately designed, properly implemented, and functioning effectively.

To support the work required to sustain a robust internal control framework, this proposal is to establish the Internal Controls and Risk Assessment Unit, requiring a minimum of two FTEs to perform the full scope of work involved which includes the control environment, risk assessment, control activities, information and communication, and monitoring.

- **Control Environment** provides the discipline and structure of an agency. The oversight body, senior leadership, and management must demonstrate a positive attitude toward internal control and create a strong ethical "tone at the top." The Control System Assessment Tool (CSAT) is an annual requirement and should prompt discussions within the agency to determine what, where, and how to improve the agency's current control environment.
- **Risk Assessment** to proactively identify the risks an agency faces as it seeks to achieve its goals. A strong agency risk assessment program is driven by agency goals and an oversight body, senior leadership, and management committed to identify, analyze, and respond to internal and external risks.
- **Control Activities** establishes through policies and procedures to achieve goals and respond to risks in the internal control system, which includes the agency information system.
- **Information and Communication** to ensure that the legislature, DOC senior leadership, and management have access to relevant and reliable communication related to internal and external events.

- **Monitoring** to enable management to detect changes and deficiencies in the other components and take any necessary corrective action. Internal control is a dynamic process that must adapt continually to the risks and changes an agency faces. Monitoring the internal control system maintains agency alignment with changing goals, environment, laws, resources, and risks. Internal control monitoring assesses the quality of performance over time and promotes the prompt resolution of audit findings and other reviews.

2. Minnesota Board of Pardons

As Secretary to the Minnesota Board of Pardons, (BOP) the DOC Commissioner is responsible for performing all of the administrative duties of the Minnesota Board of Pardons. The role has delegated this responsibility to the DOC's Office of Legal Affairs. The duties involve processing and screening applications for eligibility and, investigating applicants, preparing summaries of eligible applications, facilitating Board meetings, and corresponding with applicants, victims, court staff, prosecutors, and members of the public and the Board members. Over the past four years, the number of applications to the BOP has steadily increased and nearly doubled. However, staffing has not adequately increased to account for the staffing time required to provide board members with information related to investigations into applications and summary writing in addition to facilitating the BOP meetings and reviewing the investigations of other attorneys helping with the work. The addition of the requested staff would provide an administrative manager for the program and an additional legal analyst to conduct investigations and summary writing, ensure efficient and timely handling of all BOP work, serve to reduce the existing burden on the Office of Legal Affairs' attorneys and improve efficiency and response times to persons seeking information relating to the Board's work.

3. Minnesota Data Practices Act Response Capacity

The agency's current management of its statutory obligations under The Minnesota Data Practices Act (DPA) MN Statutes Chapter 13 is wholly decentralized and there is no position responsible for coordinating data requests the agency receives. The tracking and compliance functions are documented manually and there is not capacity for a central monitoring, storage, or report-out system. The development and management of a centralized system will ensure statutory compliance with Data Practices requirements and improve efficiency, transparency, and response times.

4. Native American Cultural Coordinator

Native American culture and spirituality are intricately intertwined. Historically, facility Chaplains have the responsibility for providing spiritual care for Native American Incarcerated Persons. Due to the non-monolithic nature of Native American spirituality practices, this has proven challenging. Coordination of the spiritual needs through a culturally informed lens and experience is necessary.

Much of the spiritual needs and ceremonies in correctional facilities require a volunteer to be present at ceremony. Many Native American incarcerated individuals indicate that their first in-depth spiritual and cultural teachings have occurred while incarcerated and report their engagement there strengthens success in the community. The intended results of these positions are to support Native American incarcerated persons in his/her development of a strong cultural and spiritual foundation which can have a positive impact upon their adjustment into the community.

5. Equity, Access, and Inclusion (EAI)

Data has shown that more refined and targeted strategies can increase the retention of employees from underserved/underrepresented communities such as American Indians, People of Color, people with disabilities, and veterans. For example, the DOC hired 383 individuals in 2020. Of the 383 individuals, 63 identified as BIPOC. At the end of FY2022, data showed that the agency retained only 48% of BIPOC employees, the lowest rate when compared to other MN state agencies.

Furthermore, enterprise-wide exit survey data received from 1,741 employees revealed that lack of diversity was often cited by BIPOC employees as a factor in their decision to leave their jobs. By funding this proposal, the Office for EAI would have the capacity to provide training around best practices in hiring and retaining diversity, enhancing support structures for BIPOC employees, and building collaborations with stakeholders.

The request also impacts overall, ongoing recruitment and retention efforts of the agency. Of the new hires in 2022, 135 (22%) identified as BIPOC, 67 (11%) individuals reported having disabilities, and 55 (9%) were veterans. With the increase in new hires doubling from 383 (2020) to 610 (2022), it is reasonable to expect a significant increase in workload related to retention and diversity and inclusion focused initiatives. The funding will allow EAI to provide consultations and training on preemptive strategies for workforce diversity.

Additionally, recent Department of Justice (DOJ) findings have shifted the work of the office to include a sharper focus on oversight in policies and practices around ADA. The recommended corrective actions are summarized below:

- Adopt and/or revise ADA policies to reflect that discrimination in education programming is prohibited.
- Identify an ADA Coordinator responsible for monitoring equal opportunity to education programming.
- Revise policies and processes to ensure incarcerated individuals with disabilities are notified of their right to request accommodations and modifications to programming.
- Revise policies to outline a clear complaint and grievance process
- Provide anti-discrimination and anti-retaliation training to DOC staff

The proposed funding will hire staff to focus on the two aspects of ADA compliance: Title I that prohibits discrimination in all aspects of employment and Title II that prohibits discrimination in providing public services programs and activities. These individuals will work to ensure transparency around ADA by working collaboratively to facilitate the complaint, evaluation, and grievance processes.

6. Financial Services

\$382,000 a year to add two FTEs that will allow the agency to expand and enhance budget analysis and financial reporting capabilities and to ensure staffing levels are sufficient to fulfill increased responsibilities while continuing to provide excellent customer service to internal and external customers. Funding will partially restore staffing reductions that were implemented in recent years due to budget constraints.

7. Risk Assessment Validation

\$100,000 in FY 24 for a third-party validation of the risk assessment instrument used by the DOC. The tools used to assess the risk level of those who are incarcerated are central in decision making throughout the DOC and on supervision. Ensuring the validity of these tools is essential in evidence-based decisions.

8. Comprehensive Policy Analysis

DOC relies heavily on internal policies to manage its operations, provide for safe and secure incarceration, and adequate supervision. It is also required to maintain compliance with new laws and regulations by regularly updating its policies. Yet over 450 agency policies are currently coordinated by one staff, creating a severe backlog in bringing internal policies up to date. Policy reviews and statutory implementation have historically been absorbed by units already with little capacity to effectuate meaningful change in those areas.

This proposal expands DOC's administrative capacity by investing in resources for its division to adequately maintain policies that govern their operations and services. It addresses gaps in the agency's ability to be nimble and responsive to policy needs stemming from legislative change or litigation.

This funding request is essential for the DOC to address the following new areas of work:

- Reviews of its 450+ policies to ensure compliance with federal and state laws;
- Policy review monitoring and tracking across the agency;
- Coordination of policy reviews, drafting, and approval phases of policy reviews;
- Identification and coordination of training, financial, and technological impacts of policy change;
- Robust engagement with impacted groups, including but not limited to:
 - staff;
 - criminal justice system partners;
 - organizations supporting victims;
 - incarcerated people;
 - people on supervision in Minnesota; and
 - children, family, and friends impacted by the corrections system; and
- Data analysis and measurement of the impact of DOC's policy change efforts.

Additional staff are needed to provide support all four divisions that oversee DOC's 450+ policies which must undergo annual reviews and to respond more effectively to policy and legislative proposals, including legislative implementation, supported by the administration or requested by the legislature.

9. Research and Performance Unit

The DOC is implementing a process as part of a Person-Centered Approach to programming and treatment while an individual is incarcerated known as the self-reported assessment. This process will generate a substantial amount of data for the agency and there will be need to analyze these data on an ongoing basis and, if necessary, make improvements to the assessment and report. One full-time research analyst at the senior level is needed analyze the data along with maintaining other unit responsibilities where additional capacity is required. (e.g., program evaluations, research studies, data requests, etc.).

The addition of a Senior Research Analyst is needed to maintain the agency's current level of service as the tools used to provide the service are changing. The self-reported assessment (SRA) and assessment summary report (ASR) form the foundation of the Person-Centered Approach the agency is attempting to implement, and both will be critical to the mission of the DOC. This position will help ensure the SRA and ASR will operate as intended.

Impact on Children and Families:

DOC policy, procedures, and practices have extensive impacts on children and families. Healthy and stable interactions with incarcerated parents can have a massive benefit, and conversely, lack of those interactions can cause immense harm, for their children and families and is entirely governed by policy on visitation, mail access, phone use, release planning, etc. By increasing the capacity of DOC to conduct equity reviews, legislative engagement, culturally appropriate programming, and stakeholder engagement, it will be in a better position to serve and support incarcerated parents and their families throughout incarceration and while on supervision in Minnesota.

Many Minnesotans are impacted by incarceration, including children with incarcerated parents who are oftentimes invisible to systems, programs, and communities. A state survey of parents in prison in 2014 showed that there were **16,248 children** with an imprisoned parent in Minnesota. And a survey of parents in jail in 2017, identified an estimated **9,898 children** in Minnesota with a parent incarcerated in a county correctional facility.

Parental incarceration has many consequences for children and families. A study in 2010 by M.J. Eddy and J. Poehlmann has shown that parental incarceration is associated with a child's increased risk for internal and external behavior problems, as well as an increased risk for substance abuse, cognitive skill deficits, physical health problems, and academic concerns. Parental incarceration increases the risk for further consequences, such as the disruption of family relationships, challenges with parenting, economic instability, and residential mobility.

The investments in this request will increase transparency and oversight of the DOC and increase staff capacity to address these many challenges.

Equity and Inclusion:

The DOC incarcerates and provides services to a very diverse population in terms of race, ethnicity, gender, sexual orientation, disability and veteran status; and more than 90% of the incarcerated population are released to diverse communities in Minnesota. People of color, Native Americans, and other groups are overrepresented in the criminal legal system. Any increase in the ability by the DOC to increase access to benefits and reduce barriers in its policies will have a direct impact on these populations.

Tribal Consultation:

Does this proposal have a substantial direct effect on one or more of the Minnesota Tribal governments?

Yes – the cultural liaison

No

- All Tribal Nations are positively impacted by the ability to welcome back citizens who have a solid cultural foundation.
- Anticipated effects of the Native American Cultural Coordinator on tribes will include stronger healthier citizens, reduced recidivism in their communities, ability to connect to their citizens while incarcerated and ability to continue to support them upon release.

Results:

Review of outcomes in each of the proposals in this request can be measured in various ways. This proposal itself is designed to increase accountability and transparency of the DOC.

For example, the DOC has tracked responsiveness to legislative inquiries over the past few years. This will continue to occur, as well as other types of stakeholder and legislator engagement.

Additionally, the DOC is creating a more robust tracking system for all policy reviews to ensure they are occurring, center equity when analyzing possible revisions, and incorporate changes stemming from work in other areas, such as Ombuds for Corrections recommendations, legislative inquiries, Security Audit Group standards and recommendations, legislative changes. This tracking system will allow DOC to articulate how many reviews occurred, when those changes are rooted in equity and removing access barriers, how those changes contribute to success in facilities and in Minnesota communities, and provide transparency through engagement with impacted groups and, eventually, how many people/groups provided input.

Statutory Change(s):

N/A

Corrections

FY 2024-25 Biennial Budget Change Item

Change Item Title: Compensation for Program Participation

Fiscal Impact (\$000s)	FY 2024	FY 2025	FY 2026	FY 2027
General Fund				
Expenditures	1,000	1,000	1,000	1,000
Revenues	0	0	0	0
Other Funds				
Expenditures	0	0	0	0
Revenues	0	0	0	0
Net Fiscal Impact = (Expenditures – Revenues)	1,000	1,000	1,000	1,000
FTEs	0	0	0	0

Recommendation:

The Governor recommends an ongoing increase in funding to increase compensation for incarcerated persons (IPs) who participate in prison programming including work, education, and treatment assignments. This investment will lead to lower idleness, increased skills training, and safer correctional facilities by increasing work and other programming assignments among the incarcerated population across all facilities.

Proposal:

This proposal expands existing and long-standing Department of Corrections (DOC) practices under which IPs are paid prison wages for work/programming assignments during incarceration. These assignments range from educational activities to facility jobs (in the kitchen, maintenance), to MINNCOR industry positions. This proposal supports the expansion of agency programming across areas, as such successful expansion of work assignments that can lead to increased prison wages. While amounting to only pennies per hour, of course, these costs add up over the course of any fiscal year and will go up as the agency successfully slashes rates of idleness by increasing meaningful work and activity within prisons, which correlate with lower recidivism post-release.

Impact on Children and Families:

An important measure of a child's wellbeing is having an educated and employed parent. This is particularly true for children of incarcerated and formerly incarcerated parents. The primary goal of this proposal is to connect incarcerated individuals with higher education, technical training, and long-term employment. Providing services to educate and employ justice-system involved individuals can have a generational ripple effect. Parents can better support their children and families and provide support to keep the next generation employed and educated. Simply put, educating and employing system-involved individuals has a direct impact on the health and welfare of kids and families.

Equity and Inclusion:

This proposal will benefit all Minnesotans in prison, and, because the overall expansion of work assignments in prison reduces scarcity within facilities, it will directly reduce inequities for people of color, Native Americans, other protected classes, and Veterans.

Tribal Consultation:

Does this proposal have a substantial direct effect on one or more of the Minnesota Tribal governments?

Yes

No

Results:

Part A: Performance measures

As the agency moves toward a person-centered approach in treatment and programming, including more robust data analysis, we will measure the involvement of IPs in these services before and after this wage increase.

In every expansion of educational opportunity in prison and especially post-secondary activities in partnership with MN State and other institutions, the DOC proposes the following metric be institutionalized:

- How does post-secondary participation in prison increase the secondary school performance, and graduate rates, of school-aged children in the households and family networks of students in prison?

Statutory Change(s):

N/A

Corrections

FY 2024-25 Biennial Budget Change Item

Change Item Title: Body-worn Cameras for Corrections Officers and ISR Agents

Fiscal Impact (\$000s)	FY 2024	FY 2025	FY 2026	FY 2027
General Fund				
Expenditures	1,000	1,000	1,000	1,000
Revenues	0	0	0	0
Other Funds				
Expenditures	0	0	0	0
Revenues	0	0	0	0
Net Fiscal Impact = (Expenditures – Revenues)	1,000	1,000	1,000	1,000
FTEs	0	0	0	0

Recommendation:

The Governor recommends an ongoing increase in funding to implement a body-worn camera program for all corrections officers and intensive supervised release (ISR) agents in the community.

Rationale/Background:

Uniformed personnel (correctional officers, lieutenants, and captains) working in the state's correctional facilities make up more than half of the agency's total workforce, and they have daily interactions with incarcerated individuals. ISR agents are required to have face-to-face contact with releasees in their homes or workplaces. These jobs come with an inherent risk. This proposal is intended to serve two objectives: to improve public trust and to enhance safety of our staff and those we serve.

The Department of Corrections (DOC) has a responsibility to operate safe living and working environments for our staff and for people residing in the state's correctional facilities. A report issued by the Office of Legislative Auditor (OLA) in 2020 identified data issues related to prison safety within the DOC and recommended that the DOC should transform its data collection processes so it has better data - and then use that data to improve safety. The OLA also recommended the DOC should collect new data and establish stronger linkages between the varying data currently collected and managed by the agency. A body-worn camera provides a new data collection tool that, when combined with other data, will help the agency to conduct more robust after-action reviews following critical incidents; analyze responsiveness to incidents; aid the investigative process as it relates to staff assaults; and help prevent sexual misconduct. Studies by police personnel have repeatedly found the presence of body cameras in officer-subject interactions resulted in improved behavior by both the officer and the person they were encountering.

The advantages of body-worn cameras in law enforcement are well-documented. The DOC has also surveyed a myriad of resources evaluating the use of body-worn cameras in correctional settings. The overwhelming majority of sources view them as a solution and resource to corrections officers in performing their duties and increasing their safety on the job.

Proposal:

The DOC proposes funding to implement a body-worn camera program. Body-worn cameras are a new initiative for the DOC and will be a contracted service that is estimated to cost \$1 million a year ongoing in contracted costs.

The DOC will begin the procurement process immediately following enactment.

Impact on Children and Families:

Providing a safe and healthy environment for those who are incarcerated impacts the ability of the state to rehabilitate those individuals before they are sent home to their families, children, and communities. Over 95% of the people incarcerated in our state prisons will return to their communities. 70% of people incarcerated in Minnesota have a dependent in the household from which they came and to which they are likely to return. Ensuring safe and respectful interactions while incarcerated will lead to a better prison environment overall. Reports of misconduct will also be more transparent and accurate. These outcomes and environments of incarceration are central to system-involved individuals health and welfare, and subsequently on that of their kids and families.

Equity and Inclusion:

While African Americans make up roughly 7% of MN’s total population, they make up 35% of the MN prison population, and while roughly 1.4% of Minnesota’s total population is Native American, they make up roughly 8% of the state’s prison population. These disparities in corrections are some of the worst in the nation. The DOC incarcerates and provides services to a very diverse population in terms of race, ethnicity, gender, sexual orientation, disability, and veteran status; and more than 90% of the incarcerated population are released to diverse communities in Minnesota.

The state must ensure that the conditions of confinement are as safe and respectful as possible for all staff and the incarcerated population. Body worn cameras are a proven tool in increasing positive outcomes in this way.

Tribal Consultation:

Does this proposal have a substantial direct effect on one or more of the Minnesota Tribal governments?

- Yes
- No

Results:

Body-worn camera review protocols will be used to ensure safe practice and in reviewing incidents of violence (inmate fights, staff uses of force, etc.). The systematic post-incident review of BWC footage will aid us in identifying needed training, recognizing staff response and deployment resources, protecting staff from false accusations, protecting incarcerated people from mistreatment, collection of evidence for disciplinary or criminal investigation (i.e., response to the sexual abuse and harassment of female staff by inmates cited by the OLA), and evaluating the culture of staff when problems are identified (i.e., bullying and harassment among and between staff as cited by the OLA).

Research has shown that body-worn cameras are tools that help alter the behavior of the subjects they encounter. In addition, the cameras can help in reviews to ensure fidelity with evidence-based practices, like motivational interviewing. If we are to achieve recidivism reduction goals agent and officer practices must reflect fidelity with known insight and behavior change making interactions.

Statutory Change(s):

N/A

Corrections

FY 2024-25 Biennial Budget Change Item

Change Item Title: Fugitive Apprehension Unit Special Investigations Office

Fiscal Impact (\$000s)	FY 2024	FY 2025	FY 2026	FY 2027
General Fund				
Expenditures	999	1,865	1,461	1,462
Revenues	0	0	0	0
Other Funds				
Expenditures	0	0	0	0
Revenues	0	0	0	0
Net Fiscal Impact = (Expenditures – Revenues)	999	1,865	1,461	1,462
FTEs	4	10	10	10

Recommendation:

The Governor recommends an ongoing increase in funding to establish and maintain a Special Investigations Office within the Department of Corrections (DOC)'s Fugitive Apprehension Unit.

Rationale/Background:

The overall increase in reports of criminal activity in 2021 indicate upward trends that are also reflected in the work of the DOC Fugitive Apprehension Unit. The individuals released according to statute or after fulfilling their court-ordered sentences have been contributing to the overall increase, which has been further exacerbated by the impact that the pandemic has had on the efficiency of court procedures, warrant issuance, and new policies established within the law enforcement agencies who are required to hold individuals in jails or other congregate living areas.

The DOC Fugitive Apprehension Unit has also seen an increase in requests for warrant assistance, warrant locating, and intelligence requests due to staffing issues throughout the State of Minnesota for law enforcement agencies.

The current unit size of the Fugitive Apprehension Unit is not able to support the new demands created within communities across the state. Increasing the law enforcement sworn personnel will allow for the Fugitive Apprehension Unit to broaden its overall reach across the state while maintaining a safe number of personnel to conduct a warrant attempt or utilize surveillance techniques to locate a wanted fugitive. This will lessen the burden of community law enforcement staff and allow them to respond to community 911 requests rather than assisting with supervision releasee warrant arrests.

Increasing the civilian intelligence investigators within the Fugitive Apprehension Unit will also allow for more connections to be made with violent crime task forces, apprehension units, sheriffs' offices, and local police departments. Being able to provide accurate and timely data to these areas could help with current crime trends and provide intelligence assets which are not readily available to these agencies.

Proposal:

The request includes:

- Fugitive Specialist, Investigator – Intelligence Corrections and Fugitive Apprehension Unit Deputy Director are additional positions requested within the Office of Special Investigations.
- The additional position requests include first-year equipment acquisition costs and ten FTE salary requirements. Then follow-up years consider salary step increases and continuing licensing agreements for software utilization within the unit.

This request will add:

- \$15,000 beginning in FY 2025 for a Fugitive Apprehension Unit Deputy Director FTE. \$160,000 and \$170,000 is for this position in fiscal years 2026 and 2027, respectively.
- \$435,000 in FY 2024 for three Fugitive Specialist FTEs at \$145,000 per year per FTE. This will increase to \$1.17 million in FY 2025 to hire an additional five Fugitive Specialist FTEs for a total of eight Fugitive Specialist FTEs. \$1.18 million each year ongoing beginning in FY 2026 will be devoted to this purpose.
- \$103,000 in FY 2024 and \$106,000 in FY 2025 for an Investigator – Corrections Intelligence position. \$110,000 and \$113,000 is for this position in fiscal year 2026 and 2027, respectively.
- \$461,000 in FY 2024 and \$439,000 in FY 2025 for equipment and supplies such as computers, software/licenses/annual support, investigative software, vehicles (fully equipped with emergency equipment), peace officer equipment, including body-worn camera and user licenses, radios (handheld and squad), body armor, and POST Board training requirements. In FY 2026, \$11,000 is for this purpose.

Currently, there is more work than the DOC can complete with the current unit staffing. Time and staffing levels do not allow for an effective platform to reach out amongst the state with only 11 sworn staff, one supervisor, and two intelligence investigators. This new proposal would allow for expansion throughout Minnesota with assets specifically assigned to provide intelligence directly to local law enforcement efforts.

Impact on Children and Families:

This proposal is intended to keep communities safe by enforcing current law to apprehend those who abscond from correctional supervision. Families and children can be directly impacted by the ability of the Fugitive Apprehension Unit to accomplish this work.

Communities are safer as a direct result of the apprehensions and arrests made by the Fugitive Apprehension Unit. Many of these fugitives are involved in continuing criminal activity and new offenses being committed. With an expansion of the Fugitive Apprehension Unit, Investigators will be able to serve other communities within MN that are underrepresented by Fugitive Apprehension Unit investigators due to primary assignment to the Metro area where most crime is being committed and most fugitive offenders are located.

Equity and Inclusion:

This investment will provide resources in addressing violent crime in underrepresented communities. In addition to being able to serve those communities through bringing in individuals who have absconded, the resources will free up resources in communities to provide public safety. More than ever, other law enforcement agencies are requesting assistance from the Fugitive Apprehension Unit related to investigations into crimes being committed by fugitives from the DOC. These investigations take more time and arrest tactics are slowed down to deescalate and reduce risk for both those being apprehended and apprehending investigators.

Tribal Consultation:

Does this proposal have a substantial direct effect on one or more of the Minnesota Tribal governments?

Yes

No

Results:

Part A: Performance measures

Past historical data from our Arrests / Holding Clients accountable for their supervision resulted in effectively closing the gap on outstanding warrants by 50%, from where they are today. We would also efficiently regionalize the teams of Fugitive Apprehension Unit members to support our communities across the state.

1. **Quantity: How much did we do?** The performance measures will be based on actual arrests made by the Fugitive Apprehension Unit. In addition, arrests made by other agencies while working directly with the Fugitive Apprehension Unit and the investigative intelligence provided to them that leads to an arrest. The performance measures will be based on actual arrests made by the Fugitive Apprehension Unit. In

addition, arrests made by other agencies while working directly with the Fugitive Apprehension Unit and the investigative intelligence provided to them that leads to an arrest.

2. **Quality: How well did we do it?** After increasing staffing levels of the Fugitive Apprehension Unit, arrests of wanted DOC fugitives significantly increased. Due to the COVID 19 pandemic, unrest related to George Floyd, arrests decreased. As we work our way back to normalcy, we are seeing the number of arrests made by the Fugitive Apprehension Unit increase back to pre-Covid/unrest levels. The number of additional charges related to our arrests have significantly increased, specifically in terms of firearms and narcotics related charges. These particular investigations take significantly more time to complete from start to finish, which affects the number of warrant investigations that can be worked. With additional staffing these challenges will be far less and lead to more DOC warrant investigations and apprehensions completed.
3. **Result: Is anyone better off?** Communities are safer as a direct result of the apprehensions and arrests made by the Fugitive Apprehension Unit. The Fugitive Apprehension Unit focuses on high level offenders on fugitive status. Many of these fugitives are involved in continuing criminal activity and new offenses being committed. With an expansion of the Fugitive Apprehension Unit, investigators will be able to serve other communities within MN that are underrepresented by Fugitive Apprehension Unit investigators due to primary assignment to the Metro area where most crime is being committed and most fugitive offenders are located.

In addition to being able to serve underrepresented communities, the resources to complete investigations in the Metro area will also be increased. More than ever, other law enforcement agencies are requesting assistance from the Fugitive Apprehension Unit related to investigations into crimes being committed by fugitives from the DOC. We do our best to assist and apprehend these fugitives with the limited resources we currently have. These investigations take more time and arrest tactics are slowed down to deescalate and reduce risk for both offenders and apprehending Investigators. These factors all contribute to more work being done to close cases, which results in less arrests due to current staffing numbers.

4. **How will you collect the performance data, and how will you communicate it?**
Data will be collected using a reporting database provided by the BCA (ACISS). When an arrest is made or an investigation leads to an arrest, a report will be completed. The tracking of new charges and firearms recovered will be done using a new data entry method to better track this data.
5. **The most current data, if available.** Approximate raw data numbers show the following arrests. 2020 and 2021 are significantly reduced due to pandemic/unrest events. 2022 shows a significant increase and trajectory towards pre-pandemic activity. In addition, 2022 resulted in a record number of guns seized from arrested subjects, in addition to new charges stemming from arrests from the Fugitive Apprehension Unit.

Arrests – Total 2022 = 563

Arrests – Total 2021 = 401

Arrests – Total 2020 = 399

Statutory Change(s):

N/A

Corrections

FY 2024-25 Biennial Budget Change Item

Change Item Title: State Corrections Safety and Security Investments

Fiscal Impact (\$000s)	FY 2024	FY 2025	FY 2026	FY 2027
General Fund				
Expenditures	2,245	2,962	3,750	3,750
Revenues	0	0	0	0
Other Funds				
Expenditures	0	0	0	0
Revenues	0	0	0	0
Net Fiscal Impact = (Expenditures – Revenues)	2,245	2,962	3,750	3,750
FTEs	11	16	21	21

Recommendation:

The Governor recommends an ongoing increase in funding to ensure safety and security in state correctional facilities. The request reflects ongoing efforts to address recommendations in the Office of Legislative Auditor report on Safety and Security in State Correctional Facilities from 2020.

Rationale/Background:

The Department of Corrections (DOC) is an agency that manages and runs very large, locked, and secure congregate living facilities in 11 locations across the state. These facilities house between 7,000-10,000 incarcerated individuals, and 4,300 state employees work in them. They are complex spaces, often very old, that serve numerous functions from food service to health care to individual and dorm room living spaces. DOC staff serve in positions that require a significant degree of coordination and communication and can, at times, be dangerous. By its nature, the DOC must always be well-prepared for emergencies – from natural disasters to security breaches. It must be adequately staffed and resourced to keep the incarcerated population, its staff, and subsequently Minnesota safe. The physical plant needs and deferred maintenance in the agency has been a request for years that has not received the level of funding needed to maintain operations.

This request is a continuation of this work to respond to the finding in the report and in the DOC's overall effort to meet its mission of transforming lives for a safer Minnesota through ensuring state prisons are safe and secure. Hiring and maintaining appropriate safety supervision is critical and key to these efforts, along with training and supervision of both the staff and population we serve.

The investments in this request represent needs of the DOC in maintaining and improving the safety and security of the state's prison facilities. One significant challenge is the ability to find/purchase/prepare nutritionally balanced meals that are affordable. With the rising cost in food markets and transportation, we have outgrown our current budget. Food service can likely be one of the most dangerous areas of operation or cause for significant issues due to poor quality/quantity of items served. With that said, emergency preparedness at all levels of the operation is critical. Support for on-going training and drills maintains the appropriate level of preparedness.

Proposal:

The request includes the following investments:

1. \$190,000 a year ongoing to fund a Continuity of Operations Plan (COOP) Coordinator position and for continuity of operations software (COOP) from a vendor to ensure uniformity across systems in this planning.

2. \$664,000 in FY 2024, \$802,000 in FY 2025, and \$1.16 million each year thereafter to hire additional food services staff and ensure adequate staffing levels and compensation in a critical service area across all DOC facilities.
3. \$478,000 a year ongoing to implement updated security around sorting and distribution operations for all incarcerated individuals' incoming mail
4. \$435,000 in FY 2024, \$1.01 million in FY 2025, and \$1.44 million a year ongoing for physical plant operations, including critical components and the hiring of two FTEs beginning in FY 2024, which would increase to a total of four FTEs beginning in FY 2025, for ongoing maintenance and technology repair to upgrade security systems
5. \$300,000 in FY 2024 to replace a secure transport bus to transport incarcerated individuals between facilities and for new admissions.
6. \$124,000 a year ongoing, beginning in FY 2025, to hire a Safety Administrator for the Lino Lakes Minnesota Correctional Facility.
7. \$159,000 a year ongoing, beginning in FY 2025, to hire an Emergency Operations Supervisor to lead, facilitate and supervise emergency response teams, routine drills in all facilities, and supervise the 15 canine handlers across the agency.
8. \$178,000 in FY 2024 and \$200,000 in FY 2025 ongoing to plan and support emergency management drills within correctional facilities for preparedness.

For each portion of the request above, further description is below:

1. Continuity of Operations Plan (COOP) Capacity

Continuity of Operations (COOP) Plans are essential and mandated for each agency. The DOC, in conjunction with other state agencies, is pursuing a more collaborative approach to the creation and retention of COOP plans. Previously, all agencies have operated and created plans independently. A common framework and language among COOP plans would create a robust and comprehensive approach for the agency and state.

This proposal would allow for a Software as a Service (SaaS) vendor and MNIT supported COOP software system for agency use. COOP plan retention is not new to the agency, but having a software which allows for ease of reporting for users and agency leaders would be. The funding in the proposal would be for the annual software costs each year. Proposal success will be determined by COOP plan creation, maintenance, and functionality in the software upon internal review and testing.

In conjunction with the software and new approach, the DOC is requesting a dedicated FTE position to roll out the software to the agency COOP in an organized and efficient manner while also serving as the key point of contact for plan implementation and maintenance in the software program. The agency has changed dramatically since the COVID-19 pandemic plan began. This position would coordinate work units as plans are redesigned and updated to reflect the changes to how this large, complex, and high security-needs agency works. The position would also serve as the backup to the primary agency COOP contact, attending statewide meetings and assisting to manage the agency emergency messaging system.

2. Food Services Staffing Stabilization

Correctional food service operations are an essential service in a complicated environment. It is an area requiring vigilance, attention to detail, work crew leadership skills, food safety and large-scale cooking knowledge, daily physical and output demands, multi-tasking, flexibility, and time management. This is a unique skillset and responsibility level that facility operations depend upon.

Expectations of the agency-run food program have increased, requiring higher staffing levels than the DOC is able to resource. Food service staff have been required to function at a higher workload than intended with amplification of this demand through the challenges incurred since the pandemic.

The staffing improvements necessary for the agency's food service operations will require an added \$1.16 million-dollar annual investment, ramped up over a three-year period. The funding is critically needed to increase staffing levels. In FY 2024, the request will fund seven FTEs. In FY 2025, it will increase to ten FTEs, and finally 14 FTEs in FY 2026 and ongoing. This new level of funding is requested to correct for inadequate staffing levels and compensation in a critical service area for the agency. Currently, most food service operations are understaffed for multi-production area supervision, safety, and work schedule coverage. Added to this operational insufficiency are the growing number of unfilled positions without interested job candidates. This will require a wage readjustment to compete in the job market. The pay range sought is comparable to community range with similar skill and responsibility requirements, added to the correctional work parameters. Retention of long-term dedicated food service staff is waning as other work units receive higher compensation for plainer job routines and pay disparities between outside employers has eroded DOC food service respect and reputation in a team-based facility environment.

Capable staff replacement has not kept pace with retirement and turnover due to a lower-than-expected pay scale range in this demanding service industry. The impact of pandemic and staffing shortage changed the kinds of food service provided based on outbreak levels, such as bringing trays to cells instead of open dining. These changes come with added costs for food service and a noted increase to meal production quantities to be served.

3. Mail Distribution Security

\$478,000 a year ongoing to implement updated security around sorting and distribution operations for all incarcerated individuals' incoming mail. This is a major concern for prisons, jails, and secure treatment facilities throughout the nation. The communication and connection to support in the community will remain with an alternate distribution process that will increase safety outcomes for all, in particular the incarcerated population and staff. There have been staff assaults, many altercations and assaults between incarcerated individuals, and many medical issues related to the influence of a substance introduced via the mail.

The DOC must make changes to mitigate this method of contraband introduction. The DOC has engaged in a thorough pilot process to examine various methods of addressing these security and health concerns of contraband entering through the mail. Synthetic drug availability in the community, including some that can readily be purchased with the drugs already on a sheet of paper, is rising and making this more and more difficult to monitor and stop from entering the facilities.

4. Critical Plant Operations

The need for substantial upkeep and basic maintenance of the DOC's 11 prison facilities, with a footprint of 7.5 million square feet in 336 buildings, is reflected in \$644 million in deferred maintenance of the agency. The DOC will continue to vigorously advocate for asset preservation funding through the legislative capital investment process, however the critical needs of the agency in physical plant operations do not end at qualifying asset preservation funding.

The agency's physical plant operations budget is currently significantly under resourced. This request includes critical components for upkeep, including a total of four FTEs beginning in FY 2025 for ongoing maintenance as well as technology to upgrade security systems. This request will increase the DOC Physical Plant Operations Budget to provide the DOC the ability to complete, manage, and /or implement physical plant operations activities each fiscal year. As deferred maintenance has caused more deterioration, so have the needs in this budget area. It is broken down into two areas.

First, the recommendation includes a total of \$500,000 a year beginning in FY 2025 for technology upgrades related to maintenance of physical spaces and security systems. The budget for technology components is under resourced, specifically for security system upgrades/modernization. The funding is

required for completion of DOC mission critical projects for security system upgrades to enhance safety of incarcerated persons, staff, and visitors. A significant quantity of projects has been identified throughout the DOC that require technology upgrades to modernize security systems. A sample of technology components would be software, touch screen monitors, security cameras, etc. These components have been defined as non-bondable, and funding for the components cannot be accessed utilizing asset preservation funds to be used.

Second, the recommendation includes a total of \$425,000 annually, beginning in FY 2025, for additional DOC Physical Plant Staffing. The DOC does not currently have appropriate coverage of the physical plant work force throughout all facilities to ensure proper maintenance of infrastructure and physical structures. There continues to be staffing shortages throughout the DOC for Physical Plant supervisors, trades people, and specialized positions. Currently, there is work at the facilities that is not getting done and work orders continue to increase. The lack of staffing compromises preventative maintenance activities, ability to maintain infrastructure, and limit the number of open work orders for on-going repair and replacement assignments. The current DOC deferred maintenance amount for 2022 is \$631 million. Without increased staffing to maintain the existing infrastructure/buildings, the deferred maintenance will increase faster than it would with adequate upkeep.

The DOC Physical Plant Operations budget increase is time sensitive because it is very likely that there will be a \$0 balance for some facilities in early 2023. Monitoring the implementation/completion of each investment will be led by the DOC Capital Resource Administrator.

5. Secure Transport Bus

The DOC is responsible for the safety and security of people in its custody, including during the transport of persons with infectious diseases. At times, the DOC must transport individuals who are known or suspected to have various infectious diseases, such as COVID, influenza, tuberculosis, etc. This comes at a risk to DOC staff and incarcerated persons.

The DOC Central Transportation Unit must replace an aging transport bus. The 16-passenger vehicle will cost approximately \$300,000. This bus is utilized to transport incarcerated individuals between facilities as needed for new admissions, release returns and facility management needs. This is a one-time purchase that is too expensive for the annual budget to absorb.

The existing bus was purchased in 2012, has very high mileage, and is experiencing many maintenance issues. These repairs are proving quite costly, and some parts are becoming difficult to source. Additionally, few shops have the space and knowledge to work on this vehicle. The proposed replacement vehicle will be more cost effective as the passenger compartment has a lifetime warranty and can be transferred to a new engine chassis when that need arises. The engine chassis will also be easier to maintain. The proposed replacement vehicle also has fully separated isolation compartments that will increase safety for staff and incarcerated persons as it will prevent the spread of aerosol droplets from spreading between compartments. This issue remains a concern due to COVID, Influenza, and other infectious diseases commonly diagnosed in incarcerated populations. This multi-passenger vehicle will be used on a routine basis with anticipated use for hundreds of transports each year.

6. Safety Administrator

The position of Safety Administrator is a key to the success of compliance at our facilities. The position works daily on issues related to environmental, safety, and health of the incarcerated population and DOC staff. Lino Lakes had a Safety Administrator, but the job was eliminated due to layoff in 2018. This position is essential to maintain the safety and security of the facility.

The DOC proposes \$124,000 a year ongoing, beginning in FY 2025, to add one Safety Administrator for the Lino Lakes facility. This is a not a new initiative for the DOC, but an expansion of resources to improve

safety for staff and incarcerated people and ensure environmental, safety, and health compliance with all regulatory agencies.

7. Emergency Operations

Fundamentally, the DOC is an agency that manages and runs large, secure congregate living facilities in 11 locations across the state. By its nature, it must always be well-prepared for emergencies – from natural disasters to security breaches. However, the coordination of emergency management across the agency is fragmented. To remedy this and provide holistic management and oversight to separate systems and all facilities, the DOC is requesting a new position to lead, facilitate, and direct supervision/management to all DOC Emergency Response teams. The Emergency Response Teams include Special Operations Group (SOG), Special Operations Response Teams (SORT) SORT, SOG, Marksman Observers (MO) and Crisis Negotiation Team (CNT), and incident management personnel. This position will also provide continuity to our tactical Emergency Response Teams (ERT) and support and supervise the administration of 15 Canine Handlers and canine partners. The addition of this position would provide a centralized accountability and management of these duties.

The funds for an Emergency Operations Supervisor to lead, facilitate and supervise emergency response teams, routine drills in all facilities, including position salary, benefits and travel, amounts to \$159,000 a year ongoing, beginning in FY 2025. The position will reduce agency liability by documenting steps taken to advocate for better training, to verify that certifications are being kept current, to monitor training, to review records, and to develop, teach, and update policy. In addition, canine work constitutes a use of force, and this position would oversee the training and management of this area. To provide centralized management and supervision to effectively engage emergency preparedness and risk to the agency utilizing our tactical resources.

8. Emergency Management Drills

The DOC also requests funding of \$200,000 a year ongoing to plan and support Emergency Management Drills inside our correctional facilities for preparedness. The funding will allow the DOC to work with local partners including law enforcement, EMS, and utility providers in conjunction with our Incident Management Team (IMT) and Tactical Emergency Response Teams (ERT). The success of our correctional facilities and overall department is its ability to respond to all types of critical incidents especially of longer duration and complexity. The drills provide the needed opportunity to train all staff to be prepared to manage protracted incidents.

The DOC Facilities utilize an Incident Command Structure (ICS) model to handle day to day small incidents multiple times during each day. However, the DOC does not currently have the capacity to train and prepare for large scale, longer duration incidents which could impact the entire infrastructure of our emergency response systems for preparedness for Continuing Operations / Sustainability and recovery. The intended result of this proposal is to evaluate the agencies readiness, response, and recovery of a protracted critical incident.

This funding would support an annual large-scale drill to implement lessons learned from after action reports of previous incidents and to implement new tactics, equipment, or resources to the agency.

The agency is self-contained in many aspects, however when it comes to large scale emergency response we rely on local/county emergency management partners (police, fire, EMS, local utilities, and resources etc.) for assistance. It is imperative to evaluate these partnerships and mutual aid response through activities and drills versus finding areas of deficiency of failure during emergency events.

Impact on Children and Families:

In Minnesota, 58% of those who are incarcerated have a family member with a criminal record. An important measure of a child's wellbeing is having a stable parent. This is particularly true for children of incarcerated and

formerly incarcerated parents. The primary goal of the work of the DOC is to transform lives. To rehabilitate those who are incarcerated so that they can return to their families and children successfully.

Providing adequate levels of services, healthcare, and a safe and healthy environment for those who are incarcerated impacts the ability of the state to rehabilitate those individuals before they are sent home to their families, children, and communities. Over 90% of the people incarcerated in our state prisons will return to their communities.

70% of people incarcerated in Minnesota have a dependent in the household from which they came and to which they are likely to return. Ensuring these services and environments of incarceration are successful for system-involved individuals has a direct impact on the health and welfare of kids and families.

Equity and Inclusion:

While African Americans make up roughly 7% of MN’s total population, they make up 35% of the MN prison population, and while roughly 1.4% of Minnesota’s total population is Native American, they make up roughly 8% of the state’s prison population. These disparities in corrections are some of the worst in the nation.

The DOC incarcerates and provides services to a very diverse population in terms of race, ethnicity, gender, sexual orientation, disability, and veteran status; and more than 90% of the incarcerated population are released to diverse communities in Minnesota.

Give that 95% of people incarcerated will return to their communities all the work and services that this proposal supports, to rehabilitate those who are incarcerated so that they can return to their families and children successfully.

Tribal Consultation:

Does this proposal have a substantial direct effect on one or more of the Minnesota Tribal governments?

- Yes
- No

Results:

Part A: Performance measures

The DOC must be able to accommodate current levels of service for the incarcerated population it serves. This is a constitutional mandate for the state. These are not changes to existing programs. The results will be measured by individual divisions within the department on whether services are stable or decline after upon appropriation of this request

While the mail pilot is intended to reduce the introduction of contraband such as drugs (specifically fentanyl) we will look to see if emergency delegations. OSI and Health Service (HS) data shows how contraband is introduced into the facilities and the various medical issues, along with causes of these medical issues, IPs are experiencing.

1. The DOC will monitor the physical plant the security system upgrades to ensure operational improvements increase.
2. CIT training continues to be an excellent mode of communication to reduce high tension incidents with individuals who are in crisis. We will continue to maintain a record of training and refreshers to ensure we are offering the needed classes for our officer ranks.

Statutory Change(s):

N/A

Corrections

FY 2024-25 Biennial Budget Change Item

Change Item Title: Successful Re-Entry for Public Safety

Fiscal Impact (\$000s)	FY 2024	FY 2025	FY 2026	FY 2027
General Fund				
Expenditures	1,507	3,639	3,639	3,639
Revenues	0	0	0	0
Other Funds				
Expenditures	0	0	0	0
Revenues	0	0	0	0
Net Fiscal Impact = (Expenditures – Revenues)	1,507	3,639	3,639	3,639
FTEs	7	20	20	20

Recommendation:

The Governor recommends an ongoing increase in funding to support the successful reintegration of those who are released from incarceration into their communities.

Rationale/Background:

The work of the Department of Corrections (DOC) to accomplish its mission of transforming lives for a safer Minnesota begins when an individual enters the corrections system and continues through their release into the community. Every point along the continuum is important, but the stakes rise significantly during the period of transition and reentry back into the community from incarceration.

There is significant opportunity to support effectively and meaningfully those who are making this difficult transition be successful on the other side. Not only does success in their lives and that of their families depend on it, importantly so does public safety. Successful reentry means less recidivism, less crime committed, fewer victims, and avoided costs of re-incarceration.

The proposals below reflect the DOC's intent to take advantage of partnerships and proven practices to invest in supporting individuals transform their lives on the outside of prison walls. The state has opportunities to make connections between corrections-involved people with the right programs and services to make an impact and ensure success. The work is critical in meeting the unique needs of people who are failing, or already failed, community supervision following incarceration. In Fiscal Year 2022, we had 1,283 persons only revoked for a technical violation and returned to a DOC facility which accounts for 26.4 percent of new admissions. These individuals and very often their dependent children and other family members are intersectional populations with Minnesotans who are in vulnerable populations across the state, including highly disproportionately rates of BIPOC and Native American populations, those living in poverty, victim/survivors, and those struggling to overcome substance abuse disorders and mental health illnesses.

Proposal:

The request includes the following investments:

1. \$866,000 in FY 2024 and \$2.498 million a year ongoing beginning in FY 2025 for health service release planning and case management for those who are incarcerated and approaching release to the community, The focus of the investment is on those with substance use addictions and includes \$500,000 for Narcan kits for all individuals leaving incarceration, and three FTEs hired in FY 2024, which expands to 12 FTEs in total beginning in FY 2025, for opioid release planners, social workers, and case managers to improve continuity of care upon release.

2. \$375,000 in FY 2024 and \$875,000 each year ongoing beginning in FY 2025 for a culturally specific release program for Native American incarcerated individuals preparing to release back to Tribal communities. The funding includes operating costs related to supervision and daily care and needs of participants and three FTEs in FY 2024, which expands to seven FTEs in total beginning in FY 2025, to provide case management and substance use disorder treatment.
3. \$266,000 annually to create a Reentry Peer Support pilot project for high-needs/high-barriers persons in preparation for prison release and while on supervision in communities. The request also supports the DOC infrastructure to provide one FTE for resource development, quality assurance of peer support services, coordination and oversight of contracts, and accurate service targeting to eligible clients.

For each portion of the request, further description is below:

1. Addiction-Focused Release Planning, Case Management, and Narcan Kits

Drug overdose is preventable. Substance use disorder is treatable and preventable, and recovery is possible. Currently, the demand for this service far exceeds the capacity of the current staff able to provide it. Opioid Use Disorder (OUD) Release planning is provided to clients releasing from incarceration who are on a medication for opioid use disorder – such as Buprenorphine and Vivitrol. Due to limits in release planning capacity, limited referrals can be sent for these critical medications for use upon release. Opioid-involved overdose deaths that occur within one year of release from a Minnesota Correctional Facility have increased from 23 in 2018 to 39 in 2020 and are continuing to rise precipitously. Emergency room visits for opioid-involved overdose substantially increased for all drug categories from 2019 to 2020. Providing Narcan kits to each person upon release allows for a well-known prevention measure to be easily accessible by all in an equitable manner.

Health Services release planning, specifically substance use release planning, is a current service provided to all individuals preparing for release and participating in one of the SUD programs in a DOC facility. However, capacity is not meeting the high need for this service and overdose deaths upon release is evidence of it.

This request will provide the DOC with needed capacity to support case management and release planning, including coordination with outside providers, medication, release paperwork, medical equipment, medical assistance applications for hospitalized patients, and coordinating with case managers and family of high need/risk individuals for best planning purposes and more timely referrals. The request will increase support to incarcerated individuals with release education and help establish a community practitioner to maintain or improve their health after release.

Approximately 90% of MN inmates are diagnosed with a substance use disorder. By dedicating additional resources to those who need it both through case management and reentry services will increase successful recovery, health and recidivism outcomes. Total increase in those served would be approximately 700 clients, almost doubling the number of SUD/OUD release plans annually.

Health Services/Programming team, the Minnesota Department of Health (MDH), Opioid Advisory Council, Bridging Benefits committee all strongly support the Health Services Release Planning team and its efforts in community reentry. The MDH also strongly supports the departments expansion of interventions, like providing Narcan Kits, at release.

The request is broken down as follows. It is an addition to an existing DOC program:

The agency currently receives grant funding to support one FTE Opioid Release Planner. This current request would be for an additional FTE

- Seven FTEs (Three Clinical Program Therapists, one Clinical Program Director, three Medical Social Workers)

- Approximately 5,000 releases annually, with Narcan averaging \$100.00 per kit
- Five case managers annually beginning in FY 2025

2. Native American Culturally Specific Release Program

Native Americans are overrepresented in Minnesota’s prison system. Experience and data have shown that supporting meaningful cultural connections to their communities reduced the risk of recidivism upon release. The request to create a culturally specific release program will provide this direct connection by requiring the DOC to work directly with Tribal communities in developing case plans and release plans and supporting Native individuals who are leaving prison. The program will focus on addressing resources within tribal communities with the intention of creating more successful public safety outcomes.

The program will include 15 beds/spaces dedicated to Native Americans releasing from prison back into Tribal communities. The total number served in a year will vary with turnover of intake and release. The proposal also benefits Tribal communities as they will partner and invest in preparing the incarcerated individuals for release from a specific program. It will impact the incarcerated individual by educating them with the help of Tribal Governments and culturally specific programming. Tribal communities will be positively impacted by taking part in the successful transition of incarcerated people back into their community.

The DOC will continue to consult and partner with Tribal nations in creating the release program for Native American incarcerated individuals. The program will include:

- Three FTEs in FY 2024, which expands to seven FTEs in total beginning in FY 2025, including security, case management, and substance use disorder treatment providers
- Approximately \$200,000 annually to fund operating costs related to supervision, basic needs, and daily care of participants.

Lowering recidivism rates and increasing services for American Indians in our correctional system will reduce the overrepresentation of American Indians in our correctional facilities. This program will also improve and create working partnerships with Tribal communities.

3. Reentry Peer Support Specialists

Individuals leaving incarceration from state prisons face significant challenges in navigating basic needs such as housing, medical, and antisocial thinking challenges that impact adjustment in the community. These challenges persist regardless of health condition, whether an individual has insurance, or what location they are released from. A consistently effective tool during this transition is the work and contribution of peer navigators or mentors who have lived experiences in successfully navigating these life challenges. They are credible, experienced messengers on how to access services, and to provide coaching and support when persons are on a negative path that impacts their recovery process.

Research is clear that the first 90 days of release from prison is most critical to success and avoiding recidivism. Deploying Reentry Peer Support Specialists during this initial transition increases the frequency and meaningful connection of supportive services, critical thinking coaching to assist individuals through this initial stage of community reentry. Reentry Peer Support Specialists are a high-touch service through this period and step-down services as the person successfully transitions. Daily contact may be necessary during the early stages, with weekly check-ins as the client begins to meet daily needs on their own.

This form of peer support is modeled directly after Recovery Navigators and Peer Support that is provided through Medicaid reimbursements, paid through the county and DHS’s behavioral health funds. These Medicaid-reimbursable navigators provide mentoring, peer support and resource navigation services to assist in the person’s road to recovery. These services are currently only available to those with substance use addiction and/or mental health disorders, based on household size and income eligibility. The

Medicaid reimbursement is not available for individuals who do not have a qualifying health condition, based on insurance provisions or limitations and location. Additionally, incarcerated persons who are planning for release are altogether, strictly ineligible for Medicaid reimbursable services.

This proposal would create a pilot project to explore building up to a full program for the DOC to deploy Reentry Peer Support Specialists through contracts across the state to serve high-needs/high-barriers persons in preparation for prison release and while on supervision in communities. The investment will:

- Fund one FTE to design the project, develop community connections and the availability of system-involved individuals to work as peer support specialists, explore RFP services, and develop and implement policy.

Impact on Children and Families:

DOC practices have extensive impacts on children and families. Healthy and stable interactions with incarcerated parents can have a massive benefit, and conversely, lack of those interactions can cause immense harm, for their children and families and is entirely governed by policy on visitation, mail access, phone use, release planning, etc. By increasing the capacity of DOC to conduct equity reviews, legislative engagement, culturally appropriate programming, and stakeholder engagement, it will be in a better position to serve and support incarcerated parents and their families throughout incarceration and while on supervision in Minnesota.

Many Minnesotans are impacted by incarceration, including children with incarcerated parents who are oftentimes invisible to systems, programs, and communities. A state survey of parents in prison in 2014 showed that there were **16,248 children** with an imprisoned parent in Minnesota.¹ And a survey of parents in jail in 2017, identified an estimated **9,898 children** in Minnesota with a parent incarcerated in a county correctional facility.²

Parental incarceration has many consequences for children and families. A study in 2010 by M.J. Eddy and J. Poehlmann has shown that parental incarceration is associated with a child's increased risk for internal and external behavior problems, as well as an increased risk for substance abuse, cognitive skill deficits, physical health problems, and academic concerns.³ Parental incarceration increases the risk for further consequences, such as the disruption of family relationships, challenges with parenting, economic instability, and residential mobility.⁴

Equity and Inclusion:

The DOC incarcerates and provides services to a very diverse population in terms of race, ethnicity, gender, sexual orientation, disability, and veteran status; and more than 90% of the incarcerated population are released to diverse communities in Minnesota. People of color, Native Americans, and other groups are overrepresented in the criminal legal system. Any increase in the ability by the DOC to increase access to benefits and reduce barriers in its policies will have a direct impact on these populations.

In Minnesota, American Indians are seven times as likely to die from a drug overdose as whites, and African Americans are twice as likely to die from a drug overdose as whites.

1. <https://www.health.state.mn.us/communities/opioids/opioid-dashboard/index.html>

¹ Shlafer, Duwe, Hindt (2014). Parents in Prison and their Minor Children: Comparisons between State and National Estimates. Minneapolis, MN: University of Minnesota.

² Shlafer, R. & Saunders, J.B. (2017). Parents in Minnesota jails and their minor children. Minneapolis, MN: University of Minnesota.

³ Eddy, M.J., & Poehlmann, J (2010). *Children of incarcerated parents: A handbook of researchers and practitioners*. Washington DC: Urban Institute Press; Travis et al., 2014.

⁴ Travis, J., Western, B., & Redburn, F. S. (2014). Consequences for health and mental health. *The growth of incarceration in the United States: Exploring causes and consequences*. (pp. 202-232). Washington, DC: The National Academies Press. doi:10.17226/18613.

Individuals in the criminal justice system have been hit particularly hard by the opioid epidemic. In 2015 and 2016, the odds of reporting a history of criminal justice system involvement increased more than fivefold for persons with OUD. Even more worrisome, drug overdose is now a leading cause of death among formerly incarcerated individuals; recently released prisoners and jail inmates are up to forty times more likely to die of an opioid overdose than the general population. In Minnesota between 2010 and 2019, drug overdoses accounted for one in three deaths occurring within one year of release from the Department of Correction— with 20 percent of those deaths occurring in just the first two weeks of release.

2. Ranapurwala et al (2018), “Opioid Overdose Mortality Among Former North Carolina Inmates: 2000–2015,” American Journal of Public Health 108, no. 9, 1207-1213.
3. Minnesota Department of Corrections (2020). Internal report. Death Certificate Analysis Draft
4. Winkelman et al (2018), “Health, Polysubstance Use, and Criminal Justice Involvement Among Adults with Varying Levels of Opioid Use,” JAMA Network Open.

Tribal Consultation:

Does this proposal have a substantial direct effect on one or more of the Minnesota Tribal governments?

- Yes – for the Native American Release Program
- No

If yes:

- All Tribal Nations are positively impacted by the ability to welcome back citizens who have a solid links and relationships to supportive services in their communities.
- Anticipated effects of the Native American Release Program on Native Americans being released from state facilities will include stronger healthier citizens, reduced recidivism in their communities, ability to connect with tribal services while incarcerated and through re-entry.

Results:

Part A: Performance measures

Addiction-Focused Release Planning and Narcan Kits

	<i>FY2017</i>	<i>FY2018</i>	<i>FY2019</i>	<i>FY2020</i>	<i>FY2021</i>	<i>FY2022</i>
SUD release plans completed	360	497	493	558	607	657

There has recently been more attention focused on what is often referred to as the opioid epidemic in America, which has led to a sharp rise in overdose deaths in the United States over the past 20 years. The DOC has seen an increase in the number of incarcerated individuals diagnosed with an opioid use disorder (OUD) from approximately 600 in the mid-2000’s to 1,327 in July 2022.

Admissions with Opioid Use Disorder Diagnosis

An individual can have more than one prison admission in a year, but for this table below, each admitted individual is counted only once.

	<i>CY16</i>	<i>CY17</i>	<i>CY18</i>	<i>CY19</i>	<i>CY20</i>	<i>CY21</i>
Unduplicated MCF Admissions	7,401	7,503	6,854	6,442	3,776	4,054
Individuals Diagnosed with OUD	1,064	1,074	1,018	1,022	660	905
Percent of Individuals Admitted to MCF Diagnosed with OUD	14.4%	14.3%	14.9%	15.9%	17.5%	22.3%

DOC completed 193 OUD release plans in FY2022

Reentry Peer Support Specialists and Native American Culturally Specific Release Programs

These are new endeavors for DOC. Proposed outcomes of these services are outlined below. These are retrievable within the statewide supervision system and may be reported by race, gender, and Tribal Nations:

- Increased success for persons under supervision as measured by their reduction in risk for recidivism
- Reduction of technical and new arrest convictions leading to commitment at a DOC facility
- Reduction in violations while under supervision
- Reductions in revocations resulting in a return to prison
- Recidivism success rates are increased for persons on probation and supervised release.
- To determine the long-term effectiveness of the intervention Center, research could be provided by the DOC Planning and Performance Unit or an independent researcher with additional dollars added to cover the costs.

Part B: Evidence-based practices

Addiction-Focused Release Planning and Narcan Kits

Evidence-based Practice	Source of Evidence
Naloxone kits	https://www.countyhealthrankings.org/take-action-to-improve-health/what-works-for-health/strategies/naloxone-education-distribution-programs
OUDs in Jails	Moore KE, Roberts W, Reid HH, Smith KMZ, Oberleitner LMS, McKee SA. Effectiveness of medication assisted treatment for opioid use in prison and jail settings: A meta-analysis and systematic review. J Subst Abuse Treat. 2019 Apr;99: 32-43. https://pubmed.ncbi.nlm.nih.gov/30797392/

- Providing Narcan to each population member allows for a well-known prevention measure to be easily accessible by all in an equitable manner. Overdose death data for people released from MN state prisons is below.

Statutory Change(s):

N/A

Corrections

FY 2024-25 Biennial Budget Change Item

Change Item Title: Sex Offense Specific Treatment System

Fiscal Impact (\$000s)	FY 2024	FY 2025	FY 2026	FY 2027
General Fund				
Expenditures	2,415	2,415	2,415	2,415
Revenues	0	0	0	0
Other Funds				
Expenditures	0	0	0	0
Revenues	0	0	0	0
Net Fiscal Impact = (Expenditures – Revenues)	2,415	2,415	2,415	2,415
FTEs	1	1	1	1

Recommendation:

The Governor recommends an ongoing increase in funding for community-based sex offender treatment programming.

Rationale/Background:

Studies have repeatedly found that treatment of individuals who commit sex offenses has a considerable impact on lowering recidivism rates. Current treatments are associated with a significant reduction in both sexual recidivism (from 17 percent to 10 percent) and general recidivism (51 percent to 32 percent).

Community Sex Offender (SO) Treatment funding was established in 2005 after a Legislative Auditor’s Report to help subsidize SO treatment as a condition of probation or supervised release as well as provide oversight to community-based programs.

Since 2007, funding for sex offender treatment has only increased by \$150,000 – yet the number of clients served under these grants has doubled from 952 clients served in 2007 to 2,052 clients served in 2019. Even as the number of clients grow, funding levels have remained the same. SO Treatment must be sustainable with its direct link to public safety outcomes.

Due to inadequate funding, the Department of Corrections (DOC) implemented the requirement for all programs to charge client co-pays. Indigent clients are forced to pay co-pays for treatment which many cannot afford and risk going back to prison for failing to pay and complete treatment. Clients are being discharged unsuccessfully for failing to pay for treatment. Sustainable funding could eliminate the requirement of clients being charged co-pays and assure that no client would return to prison for failing to pay for SO Treatment. In addition, the average length of stay in outpatient treatment is over 880 days which adds up to a large number of co-pays at the burden of financially stretched clients.

Community SO treatment is fundamental to the continuum of care and is much more cost-effective than institutional treatment programs. The annual operating cost for 745 clients at MSOP is \$96M; the cost for 208 clients at Lino Lakes STOP is \$3.48M; and the cost for 70 clients at Rush City STOP is \$465,000.

Community treatment providers have been stating for years that inadequate funding (both insurance and grants) effect the sustainability of these valuable community programs. DOC has been informed that mental health clinics, which provide SO treatment programs, may consider the sustainability of offering such programs. Recent community provider partner meetings indicated the following:

- Insurance covers only a limited number of sessions and it takes months (after treatment starts) to get a rejection from insurance for which payment gets charged back to the clients.
- Most clients have a high deductible (\$5,000) so insurance will not pay until that is met for the year. If treatment extends beyond the CY – another deductible will be applied.
- Insurance only covers group sessions – providers are not paid for report writing, documentation, treatment plans, discharge summaries, individual sessions, assignments, etc. (all of which are requirements of the treatment standards).
- One provider stated they only get \$16 per group (not per hour) as reimbursement from MA which is not sustainable. Other providers rely on their MH services to make up the shortfalls from providing SO treatment.
- Clients on MA do not always update their address information or other requirements and unbeknownst to them – they get dropped. Clients will get billed when this occurs. Some clients do not have MA or insurance upon release.
- Insurance is not what it was 20 years ago – many services are not covered and/or are rejected.
- Required liability insurance and availability of such insurance is excruciating for providers.

Sexual violence is a serious public health and public safety issue in Minnesota. The MN Department of Health (MDH) released a publication titled “Costs of Sexual Violence in Minnesota” in July 2007 which coincides with the release of DOC’s Sex Offender Management Report. A few notable items from the MDH report include:

- In 2005, more than 61,000 Minnesota residents were sexually assaulted
- Sexual assault in Minnesota cost almost \$8 billion in 2005, or \$1,540 per resident
 - The largest cost was due to the pain, suffering, and quality of life losses of victims and their families
 - Medical care, mental health care, victim work loss, sexually transmitted diseases, unplanned pregnancies, suicidal acts, substance abuse and victim services cost \$1.3 billion in 2005
- Sexual violence costs 3.3 times as much as alcohol-impaired driving in Minnesota

The intended results are to increase successful community SO treatment completion rates; decrease victimization; and ensure clients are not returned to prison due to the inability to pay for SO treatment.

Proposal:

This request includes the following investments:

1. \$2.0 million a year ongoing toward the current Community SO Treatment grant program, which would double funding for the vastly underfunded program. The request includes approximately 10% for administrative costs of \$200,000, which includes funding for two FTEs in the Grants and Subsidies Unit to ensure consistent outcome measurements to gauge program effectiveness and adherence to updated SO Treatment Standards.
2. \$120,000 a year ongoing for one FTE to continue to pilot and collect needed data on the Intensive Outpatient Sex Offender Treatment Program. Without this treatment option, clients will either need to access costly residential treatment in prison or in the community, both of which are extremely limited in capacity.
3. \$200,000 a year ongoing increase to community residential SO treatment by five beds.
4. \$95,000 a year ongoing to hire one FTE to expand and formalize training for all agents (supervised release, probation, and juvenile) with sex offense specific clients.

Additional detail on each portion of the request is below:

1. Funding is requested to improve successful community SO treatment completion rates and provide equity in funding by expanding treatment funding for indigent clients who are at highest risk to return to prison due to their inability to pay for mandated SO treatment.

In FY2019, the programs receiving grant funding for sex offender treatment served 2,052 clients across more than 40 different program sites throughout 83 counties in Minnesota. Since 2007, funding has only increased by \$150,000 – yet the number of clients served under these grants doubled from 952 clients served in 2007 to 2,052 clients served in 2019. Even as the number of clients grow, funding levels have remained the same. SO treatment needs to be sustainable on its own as this is a public safety issue and should be treated as such.

This proposal aligns and supports work that is occurring in other agencies such as DHS as well as BCA, DPS and MDH as is relates to their work in reducing sex trafficking and sexual exploitation of children. Sex offender-specific treatment helps individuals develop the skills needed to prevent them from engaging in sexually abusive behavior and to lead successful, non-abusive lives.

2. Funding is requested to continue to pilot this first-of-its kind intensive outpatient SO treatment program to decrease revocation rates and increase successful community SO treatment completions. The intensive outpatient treatment program serves as an alternative to costly residential treatment and provides alternative treatment options to clientele. This treatment program will be used as a model to expand treatment modalities and continuum of care throughout the state.

MN DOC is currently providing grant funding to Alpha/Emergence in the amount of \$180,000 in FY2023. This intensive outpatient program is an alternative for clients who have failed traditional community SO treatment but may not need institutional treatment programming. It is fundamental to the continuum of care and is much more cost-effective than institutional treatment programs. The annual operating cost for 745 clients at MSOP is \$96M; the cost for 208 clients at Lino Lakes STOP is \$3.48M; and the cost for 70 clients at Rush City STOP is \$465,000.

Most of these program costs are covered by a client's insurance, however there are additional costs for this type of program which insurance does not cover (deemed unbillable expenses). It is estimated to cost an additional \$2,500 per month per client. The maximum number of clients in the program at one time is 8.

This proposal aligns and supports work occurring at MN Department of Human Services (DHS). Sex offender-specific treatment helps individuals develop the skills needed to prevent them from engaging in sexually abusive behavior and to lead successful, non-abusive lives.

3. An increase in funding is requested to improve access to residential SO treatment as well as an increase of successful SO treatment completion rates while decrease victimizations. Sex offender-specific treatment helps individuals develop the skills needed to prevent them from engaging in sexually abusive behavior and to lead successful, non-abusive lives. An additional five residential treatment beds would cost approximately \$200,000 per year and drastically decrease the waitlist to enter community residential treatment.

DOC has a current grant agreement with Alpha/Emergence for approximately 3 residential sex offender treatment beds each year at a cost of \$122,766. This proposal complements and/or overlaps with work that is occurring in other agencies such as DHS as well as BCA, DPS and MDH as is relates to their work in reducing sex trafficking and sexual exploitation of children.

4. Formalizing and follow-up on training for agents is essential as standards for treatment and supervision of those with a sexual offense history evolves. This enhancement of training capability will ensure broad coverage and inclusion throughout the state. Agents would be fully trained, and that training monitored fully to comply with the statutory requirements prior to supervising anyone with a sexual offense history.

Impact on Children and Families:

There is a growing body of scientific evidence that suggests sexual offender treatment reduces the risk for future abusive behavior thus improving the lives for families and the next generations.

According to the Rape, Abuse, and Incest National Network (RAINN), children comprise 15 percent of all victims of rape. More specifically, children under 12 comprise 15 percent of all victims. Females aged 16 through 19 are four times as likely as anyone to be the victim of sexual assault. In addition, eight percent of male children in grades 5 through 12 said they had been sexually abused. Sadly, the age at which a male child is likely to fall victim to a sexual assault is four. According to statistics, child protective service agencies respond to reports of child sexual abuse every eight minutes. Of those children who are victimized, only seven percent were assaulted by a complete stranger.

It is the intent to decrease sexual victimization to children by increasing access to SO treatment as well as increasing successful treatment completions.

- Confidence in programming will assist in the reintegration of families affected by sexual offending. The stability provided by solid effective programming in the community allows other community needs such as housing and jobs to get greater emphasis.
- Stable and effective treatment allows the individual to focus on family needs of stability that are often undermined by issues that can be addressed in treatment.
- A solid approach to treatment can effectively stabilize lives and stop the cycle of both offending behavior but also the cycle of instability. Appropriate treatment has been shown to significantly reduce the likelihood of recidivism and the associated broad damages to society from sexual offending behavior.

Equity and Inclusion:

Sexual offending affects all areas of society but responses and needs of disparate groups are dramatically different. How we address treatment in a culturally specific way is an obviously problematic issue. In no other way is it any more important than how different groups respond both to the criminal effects of sexually offending but in how their particular issues are addressed within that treatment.

Tailoring treatment to the specific person and culture within the standards is critical to this proposal.

The needs within the community have been stated and repeated. Too often frustration is expressed when treatment programs withdraw leaving gaps in coverage or are not providing the anticipated services expected of a treatment program.

Tribal Consultation:

Does this proposal have a substantial direct effect on one or more of the Minnesota Tribal governments?

Yes

No

- Many of the tribal governments cover areas that have had limited treatment availability or concerns that they are not focused on the needs of that particular community, whether in rural areas of the state or the unique concerns in urban settings that are different from non-tribal member needs.
- Focus of this treatment plan will be with those tribal governments that are under state authority (excluding Red Lake and Bois Forte) subject to treatment directives from state courts and under jurisdiction of the Commissioner of Corrections.

Results:

Part A: Performance measures

Project outcomes are based on numbers of those able to complete treatment without supervision failures due to inability to pay. An increase in successful community SO treatment completion rates particularly with indigent clients who are at highest risk to return to prison due to their inability to pay for mandated SO treatment is a positive indicator. Satisfaction with and understanding the treatment concepts by agents working with these clients will also indicate success. The options of greater support for treatment needs and more options especially with continued support for the few available residential treatment beds targeted to higher needs clients.

An increase in the number of agents taking part in initial training on supervising those with a sex offense history will indicate success with increased promotion, outreach, and tracking of this statutorily mandated training.

Statutory Change(s):

N/A

Corrections

FY 2024-25 Biennial Budget Change Item

Change Item Title: Pathways from Prison to Employment

Fiscal Impact (\$000s)	FY 2024	FY 2025	FY 2026	FY 2027
General Fund				
Expenditures	1,960	3,550	3,550	3,550
Revenues	0	0	0	0
Other Funds				
Expenditures	0	0	0	0
Revenues	0	0	0	0
Net Fiscal Impact = (Expenditures – Revenues)	1,960	3,550	3,550	3,550
FTEs	7	16	16	16

Recommendation:

The Governor recommends an ongoing increase in funding to expand the evidence-based EMPLOY Program and to create an Economic Opportunity and Public Safety (EOPS) unit in collaboration with the Department of Employment and Economic Development (DEED) to support meaningful job training and placement of incarcerated individuals and to connect and partner with public and private employers, the trades, and community colleges to provide sustained employment for those leaving prison.

Funding is requested to:

- Invest \$488,000 in FY 2024, and \$1.25 million per year ongoing beginning in FY 2025, to create the EOPS unit, an interagency unit to develop and strengthen relationships in the community, and between the state and employers. The new unit would be funded through the Department of Corrections (DOC), but in close coordination with DEED and include three FTEs in FY 2024, which would expand to five FTEs in total beginning in FY 2025, to coordinate the work.
- Invest \$472,000 in FY 2024, and \$1.3 million per year ongoing beginning in FY 2025, to invest in and expand the current DOC EMPLOY Program, making it available to all persons released from state prison facilities. EMPLOY is a data-driven, evidence-based program to increase employment readiness among the incarcerated, and connections to and maintaining living wage jobs for those released from facilities. This proposal also includes an additional four FTEs in FY 2024, which would expand to 11 FTEs in total beginning in FY 2025, to expand the work and provide program funds for participant supplies necessary to be work ready and gainfully employed.
- Invest \$1.0 million per year in community-based contracted programming and services for pre- and post-release employment and vocational services including Cognitive Behavioral Intervention Employment training, job readiness, and career laddering. These programs help to change problem thinking and workplace behaviors that lead to terminations.

Rationale/Background:

Post-secondary and higher education partnerships, along with increased employability, are DOC priorities. However, specific funds have not been appropriated to the work. Nearly all progress made to-date has been through private philanthropy, grant, or MINNCOR funding. This request is an opportunity, for the first time, to make a meaningful budgetary commitment to increase successful outcomes of employment for those released from prison, a key metric in reducing recidivism and creating successful public safety outcomes.

DOC MINNCOR currently funds a small and successful EMPLOY Program since 2006. However, without dedicated funds, the program has had to go on hiatus for years at a time, and no services were available. EMPLOY is an

employment resource program designed to reduce recidivism by providing participants with the necessary tools to locate, gain, and retain employment. They accomplish this through participant trainings, providing employer connections, job retention, and coaching after release, all while encouraging positive change.

Through an internal program evaluation, it is proven that EMPLOY Program participants worked more hours, had higher hourly wages, earned more total wages, and reduced the hazard ratio from recidivism by 27-66%, *A *Long-Term Follow-Up Evaluation of an Employment Assistance Reentry Program, Author, Susan McNeeley, Ph.D.*

This request increases the use of an evidence-based employment practice, homegrown and embedded within our agency; one that is known to increase employment outcomes of participants. It also strengthens community partnerships within impacted persons natural communities, stretching our reach across the state on interventions that matter and work. The intended results include significant increases in enrollment in higher education and technical/vocational training by incarcerated and released individuals, as well as long-term placement in employment.

Proposal:

Economic Opportunity and Public Safety Unit

The funding would be used to create an interagency unit in collaboration with DEED and OHE to build intentional, evidence-based pathways from training, education and industry in prisons to economic opportunity post-release in the community. The Economic Opportunity and Public Safety Unit (EOPS) Unit would develop and strengthen relationships in the community, bringing together both public and private employers, the trades and trade unions, and community colleges and select post-AA pathways. The new unit would:

- Create data-based evaluation and assessment of investments in career technical education and programs, MINNCOR for outcomes (not output) with the ultimate benchmark being job-market attachment and desistence.
- Propose the sun-setting of some areas and the piloting of others within DOC career technical education and community college and other partners.
- Employer and trade union engagement and strong connections are established throughout the State to increase the opportunities for rapid employment placement for those who are more job ready with the necessary skills, training, and experience to fulfill the workforce needs.
- Tracking outcomes toward success with an eye on wealth-building among impacted persons.
- The EOPS Unit will be comprised of:
 - Four FTEs to develop and strengthen relationships in the community, bringing together both public and private employers, the trades and trade unions, and community colleges and select post-AA pathways
 - One Office Administrative Specialist Intermediate to organize and support meetings and events for the EOPS staff, enter data and provide quality assurances
 - The DEED platform, WorkForce1, will be used for shared clients, case planning and more at a cost of \$150,000 a year.
 - Three FTEs will be hired in FY 2024, with an expansion to the full number of five FTEs completed in FY 2025.

Community-Based Support Contracts and Services

Service delivery is strengthened statewide through community-based contract services. Higher-risk and less job ready individuals will participate in employment-focused cognitive skills programming geared toward changing troublesome workplace behaviors that lead to terminations and prison returns. Programming is available pre- and post-release and strengthened by community partnerships and skill reinforcement. Contracts will be awarded to increase vocational and pre-apprenticeship programs, as well as other certification or credentials that lead to increased employment success. Targeted programs and services will be offered for \$1 million annually.

EMPLOY Expansion

This proposal is to increase employment readiness and retention among the incarcerated and connections to living wage jobs for those released from facilities. This is a budget change to dedicate general fund monies and to expand an existing evidence-based program.

Approximately 4,500 individuals are preparing for or released from an MCF annually and will receive EMPLOY services based on individual need and employment readiness. This funding will increase current program capacity by a minimum of 400%. Therefore, more dedicated EMPLOY staff will be deployed for the increased in program participation. EMPLOY Program expansion will lead to increased numbers of people that are more job ready to connect rapidly to employment post-release and improve linkages for those needing training and skill building through community partnerships. Stronger participant post-release follow-up and support services will increase job retention and career laddering.

Impact on Children and Families:

Of those who are incarcerated in Minnesota prisons, 95% will one day be back living in our communities. Our safety depends on these individuals coming out of prison successfully – as supportive family members, good neighbors, taxpayers, and stable employees.

Data shows that individuals with meaningful job opportunities when they are released are less likely to re-offend and go back to prison. The impact is also inter-generational as the children of formerly incarcerated parents who are gainfully employed have more successful outcomes into adulthood.

An important measure of a child’s wellbeing is having an educated and employed parent. This is particularly true for children of incarcerated and formerly incarcerated parents. The primary goal of this proposal is to connect incarcerated individuals with higher education, technical training, and long-term employment.

Providing services to educate and employ justice-system involved individuals can have a generational ripple effect. Parents can better support their children and families and provide support to keep the next generation employed and educated.

Equity and Inclusion:

While African Americans make up roughly 7% of MN’s total population, they make up 35% of the MN prison population, and while roughly 1.4% of Minnesota’s total population is Native American, they make up roughly 8% of the state’s prison population. The results are one of the worst disparities in the nation.

Minnesota is one of the most educated states in the U.S., however, Minnesota’s prisons have lost almost all of their publicly funded post-secondary programs since the loss of Pell eligibility in 1994. As a result, Minnesota’s prisons intensify disparities in post-secondary educational attainment, despite the strategic proximity of dozens of Minnesota’s institutions of higher education to the state’s correctional facilities.

Tribal Consultation:

Does this proposal have a substantial direct effect on one or more of the Minnesota Tribal governments?

Yes

No

Results:

Part A: Performance measures

Post-Secondary/Higher Education

- No meaningful performance measures have been used in the past to assess the scattered and small

investments in post-secondary programs, except for certain comparative internal research showing their correlation with improved outcomes post-release.

- With this funding, both the EOPS and DOC Education staff would each have an FTE devoted to data tracking, reporting and presentation
- Elements to be tracked include:
 - Hours of programming, credits earned, and degrees completed
 - Ethnic and racial inclusivity among participants
 - Post-release outcomes ranging from recidivism to continued education and, where possible, integrated with PSOE unit’s and DEED’s inputs on post-release employment and income outcomes.
 - Disciplinary and behavioral outcomes within facilities
 - Generation of programming capacity and hours for the agency’s strategic priorities

EMPLOY EXPANSION

<i>Type of Measure</i>	<i>Name of Measure</i>	<i>Current Value</i>	<i>Date</i>	<i>Projected Value (without)</i>	<i>Projected Value (with)</i>	<i>Date</i>
Annual Quantity	Active pre/post participants	938	2020	938	5000	2026
Annual Quantity	Active post-release participants receiving community based follow up	207	2020	207	1300	2026
Annual Quantity	Numbers completing cognitive-based employment programs annually	20	2022	50	300	2026
Annual Quantity	Numbers employed	136	2020	136	1100	2026
Quality	Employment Rate	76%	2020	76%	85%	2026
Results	Increased Job Readiness among participants	67%	2022	75%	85%	2026
Results	Recidivism Rate *See evaluation info					
Results	Average Wage	\$14.05	2019	\$15.00	\$25.00	2026

Part B: Evidence-based practices

EMPLOY EXPANSION

- Through an internal program evaluation, it was revealed that EMPLOY increased the odds of employment. Those who completed the program were 281% more likely to gain employment. First, EMPLOY participants worked more hours over the two-year follow-up period than non-participants; this relationship was especially strong for those who completed the program. Participation in EMPLOY increased the arithmetic mean of hours worked by about 35%, while program completion increased this by about 79%. Second, EMPLOY helped formerly incarcerated people find higher-paying jobs, but only when they completed the program. Hourly wages were about 82% higher among those who completed the program than among the comparison group. Third, EMPLOY participants earned a greater earning of

total wages. Those who participated in the program earned about 34% more in total wages, while the increase for those who completed the program was around 86%.

- EMPLOY participation reduced the hazard ratio from recidivism by 27-66%. The results show the risk of recidivism was 30% lower for reconviction, 46% lower for reincarceration for a new felony, and 37% lower for supervision release revocation for those who participated in EMPLOY. These benefits were stronger among those who completed EMPLOY; program completers had 27% lower risk of rearrest, 43% lower risk of reconviction, 59% lower risk of reincarceration, and 66% lower risk of supervised release revocation than did non-participants. EMPLOY also reduced the risk of some forms of recidivism among those who did not successfully complete the program; risk of reconviction was 22% lower among dropouts than among non-participants, while risk of reincarceration was 39% lower. **A Long-Term Follow-Up Evaluation of an Employment Assistance Reentry Program, Author, Susan McNeeley, Ph.D.*

Statutory Change(s):

N/A

Corrections

FY 2024-25 Biennial Budget Change Item

Change Item Title: ARMER Radio System Maintenance and Upgrades

Fiscal Impact (\$000s)	FY 2024	FY 2025	FY 2026	FY 2027
General Fund				
Expenditures	1,500	1,500	1,500	1,500
Revenues	0	0	0	0
Other Funds				
Expenditures	0	0	0	0
Revenues	0	0	0	0
Net Fiscal Impact = (Expenditures – Revenues)	1,500	1,500	1,500	1,500
FTEs	0	0	0	0

Recommendation:

The Governor recommends an ongoing increase in funding to upgrade and maintain the ARMER radio system within all Department of Corrections (DOC) facilities. The request reflects ongoing efforts to address recommendations in the Office of Legislative Auditor report on Safety and Security in State Correctional Facilities from 2020.

Rationale/Background:

The DOC's ARMER radio system consists of 9 main console communication units, 9 main console support structures (microwave, antenna, cabling, etc.), 3300 portable radios, and 40 vehicle style radio systems. These ARMER systems are utilized daily for communication purposes which include but are not limited to movement, count, security, response to incidents, and emergency tones for assistance. They are essential to the operation of the DOC.

Vendors of the radio systems utilize a consistent pattern of product creation, parts availability, and discontinuation of product/parts. The DOC needs to constantly update its portable radios, vehicle radios and console systems to remain current with the product which has parts available from vendors for repair. The nine main console systems within each facility also require regular updates and repair as need. One issue which needs to be addressed in this cycle is the auxiliary components which support the system. These include the microwave system, antenna structures, communication lines, monitors, switches, and miscellaneous items. By replacing items in phases, it provides an opportunity for the systems to remain current during the parts only period of vendor supply. While the parts only period is available other purchasing phases can acquire the new product phase of vendor supply.

Due to the unique operational structure of the ARMER system, constant service is needed when parts fail or problems occur. The DOC maintains this issue by purchasing support contracts with vendors for response to these problems 24 hours a day. This service also includes replacement of this product.

Proposal:

This proposal will increase the security technology budget to keep the ARMER system up to date and working within specifications to ensure staff safety and standard communication throughout the DOC. The request will refresh and update the ARMER infrastructure.

- 83% of this request will be used to replace outdated handheld ARMER radios
- 1.9% of this request will be used to replace radio batteries
- 6.5% of this request will be used to update main console ARMER systems

- 8.6% of this request will be used for technology warranty and service packages supported by outside vendors

The DOC Office of Special Investigation proposes spending these funds over four years to ensure a replacement plan for ARMER systems throughout the DOC. Each phase accounts for different products (radios, auxiliary components, service contracts, etc.) to be completed in a way which allows for the cycle to maintain based on product availability and parts availability. Replacing these systems and maintaining structural equipment keeps the state up to date with overall ARMER requirements across Minnesota.

Impact on Children and Families:

Incarcerated persons are already under a stressful environment while serving their judicial sentences within the State of Minnesota. Allowing the Minnesota Department of Corrections to maintain effective communicative protocols within the ARMER network provides for more effective daily operations. These daily operations and standardized routines allow for a structure setting which helps provide a better environment for incarcerated persons and allows for more positive communication to their families.

This also has a positive impact on the staff and families who support the daily operations within the DOC structure by showing a positive response to safety, daily structure, and routines.

Equity and Inclusion:

The effective communication ability of a ARMER network allows for less interruptions in a structured atmosphere inside the DOC. This then allows for the systems in place to work effectively and does not allow for inequality assumptions when incarcerated persons are disrupted and begin to assume the structure disruptions are related to disparity within the prison populations.

Tribal Consultation:

Does this proposal have a substantial direct effect on one or more of the Minnesota Tribal governments?

- Yes
- No

Results:

Part A: Performance measures

The DOC must be able to accommodate current levels of service for the incarcerated population it serves. This is a constitutional mandate for the state. These are not changes to existing programs. The results will be measured by individual divisions within the department on whether services are stable or decline after appropriation of this request.

- The ARMER system is a technical platform. The system itself undergoes tests, function checks, reliability during operations, and daily usage issues.
- Complaints and complications about the ARMER network will be cataloged depending on the categorization of user error or system failures.
- Currently, the budgetary responsibility has always been in a general fund which does not provide data for this system. General funds are utilized individually by facilities and no consistent ARMER refresh or update is completed in an organized matter.
- The reality of the ARMER system is where the vendor who supplies and creates the equipment determines when previous platforms are no longer supported or repair. The real performance measure is the ability of the DOC to keep up with the technological updates and equipment in an effective manner to support the system itself.

Statutory Change(s):

N/A

Corrections

FY 2024-25 Biennial Budget Change Item

Change Item Title: Oak Park Heights Mental Health Unit Pilot Program

Fiscal Impact (\$000s)	FY 2024	FY 2025	FY 2026	FY 2027
General Fund				
Expenditures	0	0	0	0
Revenues	0	0	0	0
Other Funds				
Expenditures	519	215	0	0
Revenues	519	215	0	0
Net Fiscal Impact = (Expenditures – Revenues)	0	0	0	0
FTEs	0	0	0	0

Recommendation:

The Governor recommends creating a mental health pilot program at the Minnesota correctional facility at Oak Park Heights for treatment of individuals incarcerated in county jails for serious and persistent mental illness (SPMI).

Rationale/Background:

Currently, the Department of Corrections (DOC) has the authority to contract with counties to provide care and incarceration to individuals from county facilities within the Administrative Care Unit (ACU) and the Transitional Care Unit (TCU). However, under current statute, the DOC cannot provide this service in the Mental Health Unit (MHU). Statute defines the class of persons who may be placed in the MHU as “those inmates of state correctional institutions who become mentally ill.” Minn. Stat. 241.69, subd. 1. While the ACU and TCU do not have this limiting language on who can be served, the MHU does and required legislative approval.

Many counties in Minnesota do not have the resources or expertise within county jail facilities to care for individuals with serious and persistent mental illness. The DOC has capacity to provide services for these individuals, provided the county pays the per diem and any additional expense. Creating a pilot initiative to study the issue and provide needed treatment through available DOC capacity in the Mental Health Unit could lead to a more permanent partnership that benefits the state and local corrections agency, and most importantly, the individuals needing treatment for serious and persistent mental illness. This is a priority of the Minnesota Sheriff’s Association. NAMI is also very supportive.

Proposal:

The proposal is budget neutral. It creates a pilot program to allow local county jails to contract with the DOC for treatment and housing of individuals incarcerated in county facilities to instead be housed and treated at the Mental Health Unit at Oak Park Heights. The pilot program would be time-limited, all costs paid for by the counties, and a report would be due to the legislature that outlines the program, challenges, and recommendations for possible statutory changes or funding needs. The bill would be drafted as session law, and the pilot would sunset in late 2024 in order for the legislature to consider changes to statute in the 2025 session.

Impact on Children and Families:

DOC policy, procedures, and practices have extensive impacts on children and families. Healthy incarcerated parents can have a massive benefit on their health outcomes when returning to their families, and conversely, lack of adequate healthcare can put significant strain on families.

Equity and Inclusion:

Across Minnesota, the state and counties incarcerate and provide health services to a very diverse population in terms of race, ethnicity, gender, sexual orientation, disability, and veteran status; and more than 95% of the incarcerated population are released to diverse communities in Minnesota. People of color, Native Americans, and other groups are overrepresented in the criminal legal system. Any increase in the ability by the DOC to provide adequate, modern, comprehensive health care services have a direct impact on these populations.

Adding to the challenges, the communities to which incarcerated people return tend overwhelmingly to be low-income communities of color, and they often lack adequate health care resources. For many members of the justice-involved population, emergency rooms serve as their primary care providers, and these services are sought only once symptoms of a health condition or injury have become sufficiently acute. Providing quality primary care to those incarcerated creates a foundation for accessing care at the right time and right place upon release.

Although incarceration is often counter-productive to the health and well-being of the affected population, it does create a public health opportunity: providing screening, diagnosis, treatment, and post-release linkage to care for members of a vulnerable population who may not seek or have access to services otherwise. In fact, correctional health care, if it capitalizes on this opportunity, can reduce the burden of disease for communities that carry the greatest burden.

In summary - providing health care while incarcerated is a benefit to help prepare individuals to better manage their health care needs upon release and be better parents and family members.

Tribal Consultation:

Does this proposal have a substantial direct effect on one or more of the Minnesota Tribal governments?

- Yes
- No

Results:

The Mental Health Unit Pilot Program proposal is intended to study the impacts and challenges of offering this care to individuals with serious mental illness otherwise incarcerated in local county facilities. A widely known, evidence-based factor in reducing recidivism is mental health treatment.

Statutory Change(s):

This program would be added to M.S. 241.

Corrections

FY 2024-25 Biennial Budget Change Item

Change Item Title: Legalizing Adult-Use Cannabis

Fiscal Impact (\$000s)	FY 2024	FY 2025	FY 2026	FY 2027
General Fund				
Cannabis Management Office Expenditures	15,430	14,841	13,980	13,711
DEED Expenditures	10,400	6,700	0	0
Health Expenditures	8,115	8,115	8,115	8,115
Public Safety Expenditures	4,175	2,662	2,662	2,662
Revenue Expenditures	3,673	3,118	3,138	3,153
Human Services Expenditures	2,260	6,476	6,476	6,476
Cannabis Expungement Board Expenditures	921	844	844	844
Pollution Control Expenditures	607	496	70	70
Supreme Court Expenditures	545	545	0	0
Higher Education Expenditures	500	500	500	500
Agriculture Expenditures	411	411	338	338
Natural Resources Expenditures	338	0	0	0
Education Expenditures	180	120	120	120
Labor and Industry Expenditures	132	132	132	132
Commerce Expenditures	75	283	569	799
Corrections Expenditures	(177)	(345)	(407)	(458)
Tax Aids, Credits, and Refunds Revenues	5,800	31,000	79,300	130,800
Cannabis Management Office Revenues	1,996	3,330	4,000	6,000
State Government Special Revenue Fund				
Health Expenditures	(3,424)	(3,424)	(3,424)	(3,424)
Health Revenues	(7,411)	(10,879)	(12,973)	(19,223)
Trunk Highway Fund				
Public Safety Expenditures	5,608	1,668	1,668	1,668
Outdoor Heritage Fund				
Tax Aids, Credits, and Refunds Revenues	(3)	96	330	594
Arts and Cultural Heritage Fund				
Tax Aids, Credits, and Refunds Revenues	(2)	57	198	356
Clean Water Fund				
Tax Aids, Credits, and Refunds Revenues	(3)	96	330	594
Parks and Trails Fund				
Tax Aids, Credits, and Refunds Revenues	(1)	41	142	257
Net Fiscal Impact = (Expenditures – Revenues)	49,393	19,401	(36,546)	(84,672)
FTEs	92	98	104	104

Recommendation:

The Governor recommends funding for the safe and responsible legalization of cannabis for adults in Minnesota. A new Cannabis Management Office will be responsible for the implementation of the regulatory framework for adult-use cannabis, along with the medical cannabis program, and a program to regulate hemp and hemp-derived products. This recommendation also includes funding for grants to assist individuals entering the legal cannabis market, provides for expungement of non-violent offenses involving cannabis, and implements taxes on adult-use cannabis.

Rationale/Background:

Prohibiting the use of cannabis in Minnesota has not worked. Despite the current prohibition, marijuana is widely consumed across Minnesota. The most recent Minnesota Survey on Adult Substance Use conducted in 2014-2015 found that nearly half (44%) of Minnesota adults reported using marijuana at some point during their lives. The maturation of the market for hemp-derived cannabinoid products following the 2018 Farm Bill culminating in the 2022 legislation authorizing hemp-derived THC edible cannabinoids have created urgency for comprehensive regulation and reform at the state level.

Regulating cannabis for use by adults will replace the abundant illicit market with a tightly regulated system with controls similar to those currently accepted for the sale of alcohol. This proposal will allow for the monitoring and regulation of its cultivation, processing, transportation and sale, activities currently occurring to the profit of drug cartels and criminals and without consumer protection guardrails.

Importantly, this proposal will begin to address racial inequities our current system has created. Despite survey data suggesting that Black and white Minnesotans use cannabis at similar rates, in 2021 Black Minnesotans were over four times more likely than their white counterparts to be arrested for marijuana according to data from the Bureau of Criminal Apprehension.

Marijuana prohibition additionally leaves potential tax revenue uncollected and furthers an opportunity for economic growth in the underground market. This proposal will bolster amounts available the General Fund for policymakers to prioritize while grant programs administered by DEED and the Office of Cannabis Management will further ensure Minnesotan entrepreneurs have the best opportunity to become the new adult-use market.

Finally, this approach is now well-tested across the country. Nineteen states and the District of Columbia have passed laws to legalize and regulate cannabis for adults. In Colorado, the first state to adopt this approach, legal sales began in January 2014 so there is now nearly a decade of implementation experience in other states to help craft this proposal for Minnesota.

Proposal:

This proposal creates a new agency, the Cannabis Management Office, which would be responsible for the implementation of a new regulatory framework for adult-use cannabis. The Office of Medical Cannabis will also move from the Department of Health to join this new agency. The office will be headed by a director appointed by the Governor and receive advice from a Cannabis Advisory Council with representatives from experts, local governments, the cannabis industry and relevant state agencies. The core duties of the office will include:

- to develop, maintain, and enforce an organized system of regulation for the lawful cannabis industry
- to establish programming, services, and notification to protect, maintain, and improve the health of citizens.
- to prevent unauthorized access to cannabis by individuals under 21 years of age.
- to establish and regularly update standards for product testing, packaging, and labeling.
- to promote economic growth with an emphasis on growth in areas that experienced a disproportionate, negative impact from cannabis prohibition.
- to issue and renew licenses.
- to impose and collect civil and administrative penalties.
- to authorize research and studies on cannabis, cannabis products, and the cannabis industry.

Adult-use cannabis will be subject to a new 15% gross receipts tax and state sales tax with retail sales beginning January 1, 2025. A new 15% gross receipts tax would also be imposed on the retail sale of edible cannabinoid products with retail sales beginning October 1, 2023.

The proposal authorizes three grant programs to support the establishment of cannabis businesses in Minnesota. Cannabis grower grants administered by the Office of Cannabis Management will provide farmers with assistance

navigating the new industry and regulations along with subsidized loans for expanding into legal cannabis. Administered by the Department of Employment and Economic Development industry navigation grants and industry training grants will assist individuals in setting up a legal cannabis business through technical assistance and navigation services while providing grants to organizations and individuals for training on cannabis jobs.

The proposal provides for automatic sealing of dismissals, exonerations, convictions, or stayed sentences of petty misdemeanor and misdemeanor marijuana offenses by the Bureau of Criminal Apprehension, which will provide notice of the expungement to local law enforcement agencies as well as the Judicial Branch for compliance purposes. It also provides for the establishment of a Cannabis Expungement Board to review other cannabis convictions to consider eligibility for expungement or resentencing.

The proposal authorizes the Governor to enter into compacts with Minnesota Tribal governments on issues related to medical cannabis and adult-use cannabis.

The proposal finally provides significant resources to address substance use disorders. The proposal includes initial funding for grants directed by the advice of a Substance Use Disorder Advisory Council convened by the Department of Human Services. Five percent of the revenue from the cannabis gross receipts tax would flow into this fund to support these grants into the future.

Appropriations necessary for its implementation include:

- \$30,271,000 in FY2024/2025 and \$27,691,000 in FY2026/2027 to establish and begin operations of a new Cannabis Management Office responsible for the implementation of the new regulatory framework.
- \$822,000 in FY2024/2025 and \$ 676,000 in FY2026/2027 to the Department of Agriculture for food safety and pesticide enforcement lab testing and rulemaking related to changes in cannabis laws.
- \$1,765,000 in FY2024/2025 and \$1,688,000 in FY2026/2027 for a newly created Cannabis Expungement Board for staffing and other expenses related to reviewing criminal convictions and issuing decisions related to expungement and resentencing.
- \$358,000 in FY2024/2025 and \$1,368,000 in FY2026/2027 for the Department of Commerce for staffing and other expenses to complete scale, and packaging inspections.
- A reduction of \$522,000 in FY2024/2025 and \$865,000 in FY2026/2027 to the Department of Corrections' base budget to account for an expected reduction in marijuana-related incarcerations.
- \$300,000 in FY2024/2025 and \$240,000 in FY2026/2027 for the Department of Education to support schools and districts in accessing resources on cannabis use and substance use.
- \$17,100,000 in FY2024/2025 for the Department of Employment and Economic Development for cannabis industry navigator and startup grants.
- \$16,230,000 in FY2024/2025 and \$16,230,000 in FY2026/2027 for the Department of Health for education of women who are pregnant, breastfeeding, or who may become pregnant; data collection and reports; and youth education.
- \$8,736,000 in FY2024/2025 and \$12,952,000 in FY2026/2027 for the Department of Human Services to implement the substance use disorder treatment and prevention grant program and process background studies relevant to the work of the Cannabis Expungement Board.
- \$264,000 in FY2024/2025 and \$264,000 in FY2026/2027 for the Department of Labor and Industry to identify occupational competency standards and provide technical assistance for developing dual-training programs.
- \$338,000 in FY2024/2025 for the Department of Natural Resources for training of DNR Conservation Officers relating to the new cannabis regulatory system and requirements, recognition of impairment, and for the enforcement of the purposed environmental standards adopted by the Cannabis Management Office.
- \$1,000,000 in FY2024/2025 and \$1,000,000 in FY2026/2027 for the Office of Higher Education for Dual Training Competency Grants to employers in the legal cannabis industry.

- \$1,103,000 in FY2024/2025 and \$140,000 in FY2026/2027 for the Pollution Control Agency for rulemaking to establish of water, energy, odor, and solid waste environmental standards for cannabis businesses and provide technical assistance for small businesses.
- \$6,837,000 in FY2024/2025 and \$5,324,000 in FY2026/2027 for the Department of Public Safety Bureau of Criminal Apprehension for identifying and sealing records, forensic science services, and investigations.
- \$7,276,000 in FY2024/2025 and \$3,336,000 in FY2026/2027 for the Department of Public Safety Minnesota State Patrol from the Trunk Highway Fund for additional Drug Recognition Expert (DRE) troopers, crash reconstruction specialist troopers, and replacement drug detection canines.
- \$6,791,000 in FY2024/2025 and \$6,291,000 in FY2026/2027 for the Department of Revenue to collect and administer the tax requirements.

Impact on Children and Families:

The current widespread underground market for marijuana provides no controls against the sale and access to children. This proposal provides age restrictions to prevent the sale of cannabis to those under 21. Additionally, the biannual Healthy Kids Colorado Survey found no increase in the use of marijuana from 2011 to 2015 in the period where legal sales initiated in the state, a finding that has been consistent in Washington, Oregon, Alaska, California, Massachusetts, Maine, and Nevada. The proposal additionally provides funding for MDH to conduct a long-term, coordinated education program to raise public awareness about and address adverse health effects associated with the use of cannabis or cannabis products by persons under age 21.

Equity and Inclusion:

This proposal seeks to begin to address the inequities the current system of marijuana prohibition has created, beginning with the expungement of nonviolent marijuana offenses. A Division of Social Equity at the Office of Cannabis Management will work to further promote the consideration of equity and inclusion in the development and implementation of cannabis regulatory systems. The proposal additionally requires the prioritization of social equity applicants in cannabis license selection along with the cannabis grower and industry training and navigation grant programs.

Tribal Consultation:

Does this proposal have a substantial direct effect on one or more of the Minnesota Tribal governments?

- Yes
- No

Minnesota tribal governments, in particular the Red Lake Nation and the White Earth Nation, have raised significant concerns about the current interactions between their medical cannabis programs and current restrictions in statute. This proposal will provide broad authority for the Governor or designated representatives to negotiate compacts with an American Indian tribe regulating cannabis and cannabis products including medical cannabis.

Results:

The proposal requires Department of Health to engage in research and data collection activities to measure the prevalence of cannabis use and the use of cannabis products in the state by persons under age 21 and persons ages 21 or older.

Statutory Change(s):

13.411, by adding a subdivision; 13.871, by adding a subdivision; 152.02, subdivisions 2, 4; 152.022, subdivisions 1, 2; 152.023, subdivisions 1, 2; 152.024, subdivision 1; 152.025, subdivisions 1, 2; 181.938, subdivision 2; 181.950, subdivisions 2, 4, 5, 8, 13, by adding a subdivision; 181.951, by adding subdivisions; 181.952, by adding a subdivision; 181.953; 181.954; 181.955; 181.957, subdivision 1; 244.05, subdivision 2; 256.01, subdivision 18c;

256D.024, subdivision 1; 256J.26, subdivision 1; 273.13, subdivision 24; 275.025, subdivision 2; 290.0132, subdivision 29; 290.0134, subdivision 19; 297A.67, subdivisions 2, 7; 297A.99, by adding a subdivision; 297D.01, subdivision 2; 297D.04; 297D.06; 297D.07; 297D.08; 297D.085; 297D.09, subdivision 1a; 297D.10; 297D.11; 609.135, subdivision 1; 609.531, subdivision 1; 609.5311, subdivision 1; 609.5314, subdivision 1; 609.5316, subdivision 2; 609.5317, subdivision 1; 609A.01; 609A.03, subdivisions 5, 9; 624.712, by adding subdivisions; 624.713, subdivision 1; 624.714, subdivision 6; 624.7142, subdivision 1; 624.7151; proposing coding for new law in Minnesota Statutes, chapters 3; 17; 28A; 34A; 116J; 116L; 120B; 144; 152; 289A; 295; 604; 609A; 624; proposing coding for new law as Minnesota Statutes, chapter 342; repealing Minnesota Statutes 2020, sections 152.027, subdivisions 3, 4; 152.21; 152.22, subdivisions 1, 2, 3, 4, 5, 5a, 5b, 6, 7, 8, 9, 10, 11, 12, 13, 14; 152.23; 152.24; 152.25, subdivisions 1, 1a, 1b, 1c, 2, 3, 4; 152.26; 152.261; 152.27, subdivisions 1, 2, 3, 4, 5, 6, 7; 152.28, subdivisions 1, 2, 3; 152.29, subdivisions 1, 2, 3, 3a, 4; 152.30; 152.31; 152.32, subdivisions 1, 2, 3; 152.33, subdivisions 1, 1a, 2, 3, 4, 5, 6; 152.34; 152.35; 152.36, subdivisions 1, 1a, 2, 3, 4, 5; 152.37; 297D.01, subdivision 1; Minnesota Rules, parts 4770.0100; 4770.0200; 4770.0300; 4770.0400; 4770.0500; 4770.0600; 4770.0800; 4770.0900; 4770.1000; 4770.1100; 4770.1200; 4770.1300; 4770.1400; 4770.1460; 4770.1500; 4770.1600; 4770.1700; 4770.1800; 4770.1900; 4770.2000; 4770.2100; 4770.2200; 4770.2300; 4770.2400; 4770.2700; 4770.2800; 4770.4000; 4770.4002; 4770.4003; 4770.4004; 4770.4005; 4770.4007; 4770.4008; 4770.4009; 4770.4010; 4770.4012; 4770.4013; 4770.4014; 4770.4015; 4770.4016; 4770.4017; 4770.4018; 4770.4030.

Program: Incarceration and Prerelease Services<https://mn.gov/doc/>**AT A GLANCE**

- 10 correctional facilities statewide
- More than 3,500 employees
- Approximately 8,000 incarcerated adults and juveniles in state correctional facilities
- 76% of released offenders do not return to prison because of a new conviction

PURPOSE AND CONTEXT

The Department of Corrections (DOC) provides transformative opportunities to advance community safety by promoting community reintegration upon release, including educational, treatment and work programming. Individual transformative strategies are prioritized and evaluated by the DOC starting on the first day a person begins their sentence. DOC's incarceration and pre-release services program plays a critical role in providing a safe and secure environment for the provision of transformational services to the men, women and youth committed to the custody and care of the commissioner of corrections. Approximately 15,000 individuals are served through the cycle of intake and release each year. The program is funded primarily by the general fund. Federal funds used to support educational activities represent approximately 1.5 percent of the program's total operating budget.

SERVICES PROVIDED

The incarceration and pre-release services program accomplishes its purpose through:

- The provision of food, clothing, secure housing and adequate living conditions;
- The provision of medical care and behavioral health services;
- The use of policy management, internal controls, incident command responses, security rounds, preventive maintenance, safety inspections and technology systems to help ensure a safe work/living environment;
- The promotion of racial equity;
- The development and use of comprehensive person-centered assessments to guide program planning and offender placement priorities;
- The provision of evidence-based practices for the rehabilitation of those in DOC custody, including treatment, mental health, medical, education and vocational programming that improves individual success;
- Use of organizational and practitioner level performance-management systems focused on successful outcomes and barriers to success;
- The use of research-based transition services and comprehensive release planning; and
- The appropriate use of disciplinary sanctions and investigations of offender criminal activity.

Specific services provided by this program include health care, treatment, education and work programming, population management, classification, transportation, food services, offender property management, workplace safety, physical plant maintenance, asset preservation, criminal investigation, intelligence gathering and fugitive apprehension. The program also manages MINNCOR as a self-sufficient prison industries operation providing incarcerated persons with needed work experience, learning opportunities and the opportunity to advance.

RESULTS

<i>Type of Measure</i>	<i>Name of Measure</i>	<i>Previous</i>	<i>Current</i>	<i>Dates</i>
Quality	Escapes from secure facilities	0	0	2016-2021
Results	3-year adult recidivism rate: Reconviction with a new felony	36%	38%	2015-2020
Results	3-year adult recidivism rate: Reconviction and reincarceration	25%	24%	2015-2020
Quality	Percentage of fugitive level 3 sex offenders apprehended within 72 hours	93%	93%	2016-2021
Quantity	Number of incarcerated individuals enrolled in educational programming	7,195	5,271	2017-2021

The DOC's most recent performance report is located at this link: [2021 Performance Report \(https://mn.gov/doc/assets/FY21%20Performance%20Report_Final2_tcm1089-520111.pdf\)](https://mn.gov/doc/assets/FY21%20Performance%20Report_Final2_tcm1089-520111.pdf)

Minnesota Statutes 241 to 244 (<https://www.revisor.mn.gov/statutes/part/CORRECTIONS>) provide the legal authority for the DOC.

Incarceration and Prerelease Services

Program Expenditure Overview

(Dollars in Thousands)

	Actual FY20	Actual FY21	Actual FY22	Estimate FY23	Forecast Base		Governor's Recommendation	
					FY24	FY25	FY24	FY25
<u>Expenditures by Fund</u>								
1000 - General	435,040	464,185	456,824	485,336	468,992	469,440	535,553	572,208
1251 - COVID-19 Minnesota	1,985							
2000 - Restrict Misc Special Revenue	1,797	1,519	2,208	3,380	3,448	3,512	3,448	3,512
2001 - Other Misc Special Revenue	5,636	5,573	5,870	9,741	9,646	9,723	10,165	9,938
2403 - Gift	9	4	7	19	11	11	11	11
3000 - Federal	1,953	1,337	10,821	7,447	4,111	2,399	4,111	2,399
3010 - Coronavirus Relief	4,667	10,989						
3015 - ARP-State Fiscal Recovery			1,099	4,901				
4400 - Correctional Industries	47,222	42,892	47,441	45,045	45,224	47,524	45,224	47,524
6000 - Miscellaneous Agency	3,068	3,317	3,231					
6001 - Social Welfare Agency	29,203	33,905	35,990	32,321	32,421	32,421	32,421	32,421
Total	530,579	563,722	563,491	588,190	563,853	565,030	630,933	668,013
Biennial Change				57,380		(22,798)		147,265
Biennial % Change				5		(2)		13
Governor's Change from Base								170,063
Governor's % Change from Base								15

Expenditures by Activity

Corr Institutn-Special Revenue			36	150	150	150	150	150
MCF-St. Cloud	35,776	37,738	35,555	34,602	34,728	34,778	34,728	34,778
MCF-Stillwater	49,031	52,116	48,013	47,884	47,949	47,949	47,949	47,949
MCF-Lino Lakes	37,894	39,786	37,198	37,102	37,168	37,168	37,168	37,168
MCF-Oak Park Heights	26,556	28,470	26,283	27,334	27,341	27,343	27,341	27,343
MCF-Moose Lake	33,637	36,574	33,627	32,981	32,981	32,985	32,981	32,985
MCF-Faribault	52,672	56,625	54,923	52,705	52,664	52,664	52,664	52,664
MCF-Willow River-CIP	5,521	5,877	5,945	5,964	5,963	5,963	5,963	5,963
MCF-Rush City	32,893	34,834	32,413	31,757	31,768	31,768	31,768	31,768
MCF - TOGO - CIP MALE	5,198	6,412	5,423	6,055	6,056	6,056	6,056	6,056
MCF-Shakopee	20,234	21,482	19,161	19,345	19,312	19,322	19,312	19,322
MCF - SHAKOPEE - CIP	1,263	1,341	1,406	1,382	1,382	1,382	1,382	1,382
MCF-Red Wing	14,772	15,851	14,863	15,103	15,104	15,106	15,104	15,106
Education	17,878	16,553	18,185	20,527	20,402	20,279	26,208	27,910

Incarceration and Prerelease Services

Program Expenditure Overview

(Dollars in Thousands)

	Actual	Actual	Actual	Estimate	Forecast Base		Governor's Recommendation	
	FY20	FY21	FY22	FY23	FY24	FY25	FY24	FY25
Health Services-Corrections	93,192	96,556	97,251	117,674	115,795	115,795	122,224	127,317
Institution Support Services	45,911	59,159	73,873	77,517	54,769	53,626	107,437	134,108
Office of Special Investigations	6,675	6,430	6,698	7,479	7,479	7,479	9,478	10,344
Transportation	2,452	2,663	2,703	2,827	2,827	2,827	2,827	2,827
Safety	1,286	1,007	1,001	1,009	1,009	1,009	1,187	1,492
Ombudsperson for Corrections	101	878						
Program Planning			945	3,110	3,069	3,069	3,069	3,069
Correctional Industries	47,636	43,372	47,989	45,683	45,937	48,312	45,937	48,312
Total	530,579	563,722	563,491	588,190	563,853	565,030	630,933	668,013

Expenditures by Category

Compensation	360,759	367,572	372,757	393,957	385,294	386,881	423,134	456,938
Operating Expenses	127,970	145,530	142,475	149,899	134,240	133,780	163,480	166,706
Grants, Aids and Subsidies	39,591	43,665	44,935	42,134	42,285	42,335	42,285	42,335
Capital Outlay-Real Property	1,006	2,055	1,181	799	752	752	752	752
Other Financial Transaction	1,253	4,900	2,143	1,401	1,282	1,282	1,282	1,282
Total	530,579	563,722	563,491	588,190	563,853	565,030	630,933	668,013

Total Agency Expenditures	530,579	563,722	563,491	588,190	563,853	565,030	630,933	668,013
Internal Billing Expenditures	1,513	1,497	4,007	2,513	2,354	2,192	2,354	2,192
Expenditures Less Internal Billing	529,066	562,225	559,484	585,677	561,499	562,838	628,579	665,821

Full-Time Equivalents

	3,711.94	3,604.93	3,497.68	3,809.33	3,526.57	3,444.34	3,755.67	3,731.34
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Incarceration and Prerelease Services

Program Financing by Fund

(Dollars in Thousands)

	Actual FY20	Actual FY21	Actual FY22	Estimate FY23	Forecast Base		Governor's Recommendation	
					FY24	FY25	FY24	FY25
1000 - General								
Balance Forward In		16,390	183	4,006				
Direct Appropriation	449,098	468,365	461,747	482,430	470,092	470,540	536,653	573,308
Transfers In	11,522	54,091	24,279	1,994	652	652	652	652
Transfers Out	12,393	68,823	25,379	3,094	1,752	1,752	1,752	1,752
Cancellations		5,655						
Balance Forward Out	13,187	183	4,007					
Expenditures	435,040	464,185	456,824	485,336	468,992	469,440	535,553	572,208
Biennial Change in Expenditures				42,934		(3,728)		165,601
Biennial % Change in Expenditures				5		(0)		18
Governor's Change from Base								169,329
Governor's % Change from Base								18
Full-Time Equivalents	3,462.92	3,411.39	3,333.36	3,636.84	3,355.08	3,272.85	3,584.18	3,559.85

1251 - COVID-19 Minnesota

Direct Appropriation	2,005							
Cancellations	20							
Expenditures	1,985							
Biennial Change in Expenditures				(1,985)		0		0
Biennial % Change in Expenditures								
Governor's Change from Base								0
Governor's % Change from Base								
Full-Time Equivalents	0.66	1.29						

2000 - Restrict Misc Special Revenue

Balance Forward In	3,130	4,237	4,391	4,572	4,432	4,234	4,432	4,234
Receipts	3,234	1,935	2,752	3,570	3,580	3,580	3,580	3,580
Transfers Out	369	360	360	330	330	330	330	330
Balance Forward Out	4,198	4,293	4,574	4,432	4,234	3,972	4,234	3,972
Expenditures	1,797	1,519	2,208	3,380	3,448	3,512	3,448	3,512
Biennial Change in Expenditures				2,272		1,372		1,372
Biennial % Change in Expenditures				69		25		25
Governor's Change from Base								0
Governor's % Change from Base								0

Incarceration and Prerelease Services

Program Financing by Fund

(Dollars in Thousands)

	Actual	Actual	Actual	Estimate	Forecast Base		Governor's Recommendation	
	FY20	FY21	FY22	FY23	FY24	FY25	FY24	FY25
Full-Time Equivalents	6.61	3.75	0.87	0.36	0.36	0.36	0.36	0.36

2001 - Other Misc Special Revenue

Balance Forward In	1,571	1,825	2,285	3,695	8,632	8,920	8,632	8,920
Receipts	5,888	6,026	7,280	9,949	9,934	9,934	10,453	10,149
Internal Billing Receipts	431	542	1,232	1,027	1,027	1,027	1,027	1,027
Transfers In				4,729				
Balance Forward Out	1,824	2,278	3,695	8,632	8,920	9,131	8,920	9,131
Expenditures	5,636	5,573	5,870	9,741	9,646	9,723	10,165	9,938
Biennial Change in Expenditures				4,402		3,758		4,492
Biennial % Change in Expenditures				39		24		29
Governor's Change from Base								734
Governor's % Change from Base								4
Full-Time Equivalents	58.88	45.00	42.26	42.26	41.26	41.26	41.26	41.26

2403 - Gift

Balance Forward In	8	7	11	8				
Receipts	8	7	5	11	11	11	11	11
Balance Forward Out	7	10	8					
Expenditures	9	4	7	19	11	11	11	11
Biennial Change in Expenditures				13		(4)		(4)
Biennial % Change in Expenditures				103		(16)		(16)
Governor's Change from Base								0
Governor's % Change from Base								0

3000 - Federal

Balance Forward In	6,256	6,527	6,515	4,870	1,655	60	1,655	60
Receipts	2,222	1,327	9,175	4,232	2,516	2,393	2,516	2,393
Balance Forward Out	6,525	6,517	4,869	1,655	60	54	60	54
Expenditures	1,953	1,337	10,821	7,447	4,111	2,399	4,111	2,399
Biennial Change in Expenditures				14,978		(11,758)		(11,758)
Biennial % Change in Expenditures				455		(64)		(64)
Governor's Change from Base								0

Incarceration and Prerelease Services

Program Financing by Fund

(Dollars in Thousands)

	Actual	Actual	Actual	Estimate	Forecast Base		Governor's Recommendation	
	FY20	FY21	FY22	FY23	FY24	FY25	FY24	FY25
Governor's % Change from Base								0
Full-Time Equivalents	16.35	13.35	11.14	11.14	11.14	11.14	11.14	11.14

3010 - Coronavirus Relief

Balance Forward In		3,383						
Direct Appropriation	8,034	7,688						
Cancellations		82						
Balance Forward Out	3,367							
Expenditures	4,667	10,989						
Biennial Change in Expenditures				(15,656)		0		0
Biennial % Change in Expenditures				(100)				
Governor's Change from Base								0
Governor's % Change from Base								
Full-Time Equivalents		13.53						

3015 - ARP-State Fiscal Recovery

Balance Forward In				1				
Direct Appropriation			1,100	4,900	0	0	0	0
Balance Forward Out			1					
Expenditures			1,099	4,901				
Biennial Change in Expenditures				6,000		(6,000)		(6,000)
Biennial % Change in Expenditures						(100)		(100)
Governor's Change from Base								0
Governor's % Change from Base								
Full-Time Equivalents			0.01					

4400 - Correctional Industries

Balance Forward In	13,145	10,632	12,414	12,245	13,125	14,451	13,125	14,451
Receipts	44,634	44,668	47,273	45,925	46,550	48,550	46,550	48,550
Transfers In		2,000	1,500					
Transfers Out		2,000	1,500					
Balance Forward Out	10,557	12,408	12,246	13,125	14,451	15,477	14,451	15,477
Expenditures	47,222	42,892	47,441	45,045	45,224	47,524	45,224	47,524

Incarceration and Prerelease Services

Program Financing by Fund

(Dollars in Thousands)

	Actual	Actual	Actual	Estimate	Forecast Base		Governor's Recommendation	
	FY20	FY21	FY22	FY23	FY24	FY25	FY24	FY25
Biennial Change in Expenditures				2,372		262		262
Biennial % Change in Expenditures				3		0		0
Governor's Change from Base								0
Governor's % Change from Base								0
Full-Time Equivalents	166.52	116.62	110.04	118.73	118.73	118.73	118.73	118.73

6000 - Miscellaneous Agency

Balance Forward In	4,318	4,665	4,772	4,729				
Receipts	3,415	3,411	3,189					
Transfers Out				4,729				
Balance Forward Out	4,665	4,759	4,729					
Expenditures	3,068	3,317	3,231					
Biennial Change in Expenditures				(3,154)		(3,231)		(3,231)
Biennial % Change in Expenditures				(49)				
Governor's Change from Base								0
Governor's % Change from Base								

6001 - Social Welfare Agency

Balance Forward In	5,291	6,438	9,517	7,877	8,236	8,495	8,236	8,495
Receipts	30,350	36,983	34,349	32,680	32,680	32,680	32,680	32,680
Balance Forward Out	6,438	9,516	7,876	8,236	8,495	8,754	8,495	8,754
Expenditures	29,203	33,905	35,990	32,321	32,421	32,421	32,421	32,421
Biennial Change in Expenditures				5,203		(3,469)		(3,469)
Biennial % Change in Expenditures				8		(5)		(5)
Governor's Change from Base								0
Governor's % Change from Base								0

Program: Community Supervision and Postrelease Services

<https://mn.gov/doc/>

AT A GLANCE

- The Department of Corrections (DOC) serves more than 19,000 individuals on community supervision, including:
 - Adult felony supervision in 53 counties
 - Adult misdemeanor and juvenile probation in 28 counties
 - Intensive supervised release (ISR) supervision in 75 counties
 - Intensive supervision of Challenge Incarceration Program (CIP) participants in 82 counties
- County correctional agencies supervise approximately 76,000 people
- Risk assessment and community notification of sex offenders
- State and county offender work crews benefit local communities

PURPOSE AND CONTEXT

The community supervision and post-release services program works to transform lives for a safer Minnesota through community case management, problem-solving, and effective supervision of men, women and youth across the state. DOC implements strategies that provide both support and accountability to those subject to supervision. The agency's probation and supervised release agents hold system-involved people accountable for the offenses they committed, while providing them with the tools to become successful members of their communities when their sentences are complete. The community services program serves approximately 95,000 people on community supervision statewide, their victims, the courts, and local law enforcement agencies. The program is funded primarily by the general fund, with approximately 58% of the budget designated as pass-through to help fund county and community-based correctional services.

SERVICES PROVIDED

The community supervision and post-release services program engages in the following activities to accomplish its purpose:

- Provides opportunities for redemption and productive community reintegration;
- Uses evidence-based practices in the rehabilitation of those under community supervision or probation, including employment, treatment and health care directives, housing, pursuit of educational opportunities, and other processes;
- Provides investigative services, reports and recommendations to the MN Judicial Branch and to DOC's Hearings and Release Unit;
- Assesses the risk levels and needs of released individuals to place them on proper supervision caseloads;
- Provides pre-release classes and assists with housing, employment and access to transformative support services;
- Incorporates research-based strategies, including cognitive-based programming and motivational interviewing;
- Collaborates with local agencies and providers to help those placed on community supervision with mental health, domestic violence prevention, chemical dependency treatment, housing and employment needs;
- Collects and distributes address and employment information for predatory offenders requiring community notification and participates in community notification meetings;
- Promotes racial equity;

- Builds community connectedness;
- Refers potential civil commitment cases to county attorneys;
- Uses community-based programs (Sentencing to Service crews, Institution Community Work Crews, Challenge Incarceration Programs and work release programming) to manage lower-risk cases, reduce the need for prison beds, respond to natural disasters and complete community work projects; and
- Provides services that ensure the rights and needs of victims are met.

Other specific services provided by this program include juvenile justice reform, management of supervision contracts, compliance with conditions of release, payment of financial restitution orders and due process hearings. The program manages pass-through and other funds appropriated for subsidies, grants, contracts and reimbursements. Program staff administer interstate compacts that allow for the controlled movement of incarcerated individuals between states and provide victims with notification and other services.

RESULTS

<i>Type of Measure</i>	<i>Name of Measure</i>	<i>Previous</i>	<i>Current</i>	<i>Dates</i>
Results	3-year adult recidivism rate: Reconviction with a new felony	36%	38%	2015-2020
Results	3-year adult recidivism rate: Reconviction and reincarceration	25%	24%	2015-2020
Quantity	Number of incarcerated individuals who completed pre-release planning	4,928	4,629	2016-2021
Quantity	Number of hours worked by Institution/ Community Work Crews (ICWC) ¹	154,797	80,617	2016-2021
Quality	Estimated market value of ICWC hours @ \$11 per hour ¹	\$1,702,767	\$886,787	2016-2021

¹Significant decline in FY2020 and FY2021 occurred as a result of the COVID-19 pandemic.

The DOC's most recent performance report is located at this link: [2021 Performance Report \(https://mn.gov/doc/assets/FY21%20Performance%20Report_Final2_tcm1089-520111.pdf\)](https://mn.gov/doc/assets/FY21%20Performance%20Report_Final2_tcm1089-520111.pdf)

Minnesota Statutes 241 to 244 (<https://www.revisor.mn.gov/statutes/part/CORRECTIONS>) provide the legal authority for the DOC.

Community Supervision and Postrelease Services

Program Expenditure Overview

(Dollars in Thousands)

	Actual FY20	Actual FY21	Actual FY22	Estimate FY23	Forecast Base		Governor's Recommendation	
					FY24	FY25	FY24	FY25
<u>Expenditures by Fund</u>								
1000 - General	131,419	135,244	134,938	140,637	136,883	136,883	210,615	215,070
1251 - COVID-19 Minnesota	200							
2000 - Restrict Misc Special Revenue	4,828	2,390	3,946	4,121	4,574	4,634	4,574	4,634
3000 - Federal	516	308	1,257	1,970	1,294	1,319	1,294	1,319
3010 - Coronavirus Relief	104	1,003						
6001 - Social Welfare Agency	990	861	759	740	740	740	740	740
Total	138,058	139,804	140,899	147,468	143,491	143,576	217,223	221,763
Biennial Change				10,504		(1,300)		150,619
Biennial % Change				4		(0)		52
Governor's Change from Base								151,919
Governor's % Change from Base								53

Expenditures by Activity

Probation & Supervised Release	29,299	29,933	30,678	30,948	30,948	30,948	36,738	38,364
Special Supervision	7,947	8,425	8,279	7,791	7,791	7,791	7,791	7,791
Sentencing to Service	3,733	3,843	3,130	3,321	3,474	3,504	4,211	4,080
Reentry Services	1,798	2,802	2,886	4,093	3,667	3,667	8,023	9,613
Work Release	5,858	5,666	5,592	6,241	6,241	6,241	6,241	6,241
Instn Comm Svcs Work Crews	2,972	2,896	2,850	2,732	3,032	3,062	3,032	3,062
Risk Assess/Comm Notification	2,131	2,133	2,183	2,591	2,591	2,591	2,591	2,591
Facilities Planning & Inspection	926	913						
Grants/Subsidy/Offender Suprt	78,189	77,817	79,838	80,627	79,407	79,407	140,656	140,656
Community Support Services	2,082	2,815	2,652	6,250	3,503	3,528	5,103	6,528
Hearings and Release	2,160	2,374	2,296	2,406	2,406	2,406	2,406	2,406
Victim Assist/Restorative Just	963	186	514	468	431	431	431	431
Total	138,058	139,804	140,899	147,468	143,491	143,576	217,223	221,763

Expenditures by Category

Compensation	46,235	48,273	47,629	48,167	48,282	48,342	56,414	58,955
Operating Expenses	15,349	15,434	15,254	21,072	18,310	18,335	25,201	27,200
Grants, Aids and Subsidies	76,279	76,010	77,937	77,895	76,578	76,578	135,287	135,287
Capital Outlay-Real Property	1	0	1	11	11	11	11	11

Community Supervision and Postrelease Services

Program Expenditure Overview

(Dollars in Thousands)

	Actual	Actual	Actual	Estimate	Forecast Base		Governor's Recommendation	
	FY20	FY21	FY22	FY23	FY24	FY25	FY24	FY25
Other Financial Transaction	194	88	78	323	310	310	310	310
Total	138,058	139,804	140,899	147,468	143,491	143,576	217,223	221,763

Total Agency Expenditures	138,058	139,804	140,899	147,468	143,491	143,576	217,223	221,763
Internal Billing Expenditures	140	302	454	300	285	285	285	285
Expenditures Less Internal Billing	137,918	139,502	140,445	147,168	143,206	143,291	216,938	221,478

<u>Full-Time Equivalents</u>	484.55	482.15	471.33	492.05	452.76	442.82	534.86	546.22
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Community Supervision and Postrelease Services

Program Financing by Fund

(Dollars in Thousands)

	Actual FY20	Actual FY21	Actual FY22	Estimate FY23	Forecast Base		Governor's Recommendation	
					FY24	FY25	FY24	FY25
1000 - General								
Balance Forward In		1,689		2,433				
Direct Appropriation	132,965	134,548	137,781	138,204	136,883	136,883	210,615	215,070
Transfers In	3,401	6,212	4,873	7,198	3,724	3,724	3,724	3,724
Transfers Out	3,401	6,212	4,873	7,198	3,724	3,724	3,724	3,724
Cancellations	28	994	409					
Balance Forward Out	1,517		2,435					
Expenditures	131,419	135,244	134,938	140,637	136,883	136,883	210,615	215,070
Biennial Change in Expenditures				8,912		(1,809)		150,110
Biennial % Change in Expenditures				3		(1)		54
Governor's Change from Base								151,919
Governor's % Change from Base								55
Full-Time Equivalents	429.98	434.54	428.05	442.66	406.14	396.20	488.24	499.60

1251 - COVID-19 Minnesota

Direct Appropriation	200							
Expenditures	200							
Biennial Change in Expenditures				(200)		0		0
Biennial % Change in Expenditures								
Governor's Change from Base								0
Governor's % Change from Base								
Full-Time Equivalents		0.17						

2000 - Restrict Misc Special Revenue

Balance Forward In	2,434	1,892	3,287	2,964	3,143	2,733	3,143	2,733
Receipts	4,083	4,047	3,703	4,164	4,164	4,164	4,164	4,164
Transfers Out			81					
Net Loan Activity	242	(306)	0	136				
Balance Forward Out	1,931	3,243	2,964	3,143	2,733	2,263	2,733	2,263
Expenditures	4,828	2,390	3,946	4,121	4,574	4,634	4,574	4,634
Biennial Change in Expenditures				849		1,141		1,141
Biennial % Change in Expenditures				12		14		14
Governor's Change from Base								0
Governor's % Change from Base								0

Community Supervision and Postrelease Services

Program Financing by Fund

(Dollars in Thousands)

	Actual FY20	Actual FY21	Actual FY22	Estimate FY23	Forecast Base		Governor's Recommendation	
					FY24	FY25	FY24	FY25
Full-Time Equivalents	49.35	46.03	38.50	45.11	45.11	45.11	45.11	45.11

3000 - Federal

Balance Forward In		10	11	11				
Receipts	527	308	1,257	1,959	1,294	1,319	1,294	1,319
Balance Forward Out	11	10	11					
Expenditures	516	308	1,257	1,970	1,294	1,319	1,294	1,319
Biennial Change in Expenditures				2,403		(614)		(614)
Biennial % Change in Expenditures				292		(19)		(19)
Governor's Change from Base								0
Governor's % Change from Base								0
Full-Time Equivalents	5.22	1.37	4.78	4.28	1.51	1.51	1.51	1.51

3010 - Coronavirus Relief

Balance Forward In		940						
Direct Appropriation	1,044	170						
Cancellations		107						
Balance Forward Out	940							
Expenditures	104	1,003						
Biennial Change in Expenditures				(1,107)		0		0
Biennial % Change in Expenditures				(100)				
Governor's Change from Base								0
Governor's % Change from Base								
Full-Time Equivalents		0.04						

6001 - Social Welfare Agency

Balance Forward In	152	97	99	34	34	34	34	34
Receipts	935	863	745	740	740	740	740	740
Transfers Out			51					
Balance Forward Out	97	99	34	34	34	34	34	34
Expenditures	990	861	759	740	740	740	740	740
Biennial Change in Expenditures				(352)		(19)		(19)
Biennial % Change in Expenditures				(19)		(1)		(1)

Community Supervision and Postrelease Services

Program Financing by Fund

(Dollars in Thousands)

	Actual	Actual	Actual	Estimate	Forecast Base		Governor's Recommendation	
	FY20	FY21	FY22	FY23	FY24	FY25	FY24	FY25
Governor's Change from Base								0
Governor's % Change from Base								0

Program: Organizational, Regulatory and Admin Services

<https://mn.gov/doc/>

AT A GLANCE

- Provision of services to
 - More than 4,100 employees
 - Approximately 27,000 people in state correctional facilities or on community supervision
- Employees represented by nine bargaining units/plans
- Employees are located at central office and across the state at 10 correctional institutions and 44 field offices
- Centralized/regionalized support services including financial operations, communications, legal services, human resources, inspections and enforcement, peer supports, victim services, sentence and records administration, and the office of professional accountability
- Shared management with direct line supervision provided by centralized managers and indirect supervision provided by facility managers
- Inspect and license 185 Minnesota facilities including county jails, municipals, halfway houses and juvenile facilities

PURPOSE AND CONTEXT

The organizational, regulatory and admin services program formulates organizational mission activities, internal and external accountability, and major policies for the Department of Corrections (DOC). The program provides leadership and support services that assist all programs in achieving the agency's mission to transform lives for a safer Minnesota. Customers include all DOC employees, the incarcerated population, individuals on community supervision, victims, state and local agencies, county sheriffs' departments, the Legislature, community-based organizations and citizens. Additionally, the human resources and financial services units partner with and provide limited services to the Minnesota Sentencing Guidelines Commission and the Bureau of Mediation Services. The program represents less than five percent of the total DOC's operating budget and is funded almost entirely by the general fund.

SERVICES PROVIDED

The organization, regulatory and admin services program employs the following strategies to accomplish its purpose:

- Promote the mission and values of the agency through executive leadership, policy development, strategic planning, implementing evidence-based practices, rulemaking, and internal and external communications.
- Promote racial equity and advance equity and inclusion across the agency.
- Align the organizational structure to reflect and support the agency's mission.
- Provide statutorily required services in the areas of finance, human resources, peer support, employee development, inspection and enforcement of promulgated rules, legal services, victim notification and participation, and records and sentence administration for incarcerated persons.
- Use best and current practices to manage information technology, planning and performance, and compliance functions.
- Use promulgated standards to audit the safety and security of correctional facilities.
- Transform data collection and reporting processes into a strategic and performance-based model that is both dynamic and intuitive.

- Hire and maintain a high-quality and diverse workforce.
- Conduct business activities with integrity and transparency.
- Use established procurement processes that maximize the selection of diverse vendors and contractors.
- Safeguard the state’s assets and comply with federal and state regulations and agency policies through compliance with established procedures and sound internal controls.
- Manage criminal justice data through integrated systems in partnership with the courts, state agencies, and state and local law enforcement agencies.

Other specific services provided by this program include employee misconduct investigations, including discrimination and sexual harassment investigations, budget management, financial transactions, financial reporting and analysis, procurement and inventory functions, offender banking services, internal audit, asset and property management, recruitment and selection, job classification, salary and benefit administration, labor contract negotiations, pre-service and in-service training, criminal justice records management, legal representation, facilitating and providing expertise on restorative justice principles and practices, providing victim advocacy services and expertise on victimization issues, mail distribution, and responding to public data and media requests. This program partners with MN.IT and other stakeholders to ensure continual operation and/or accessibility to internal and external technology systems and to provide help-desk support. The planning and performance unit conducts research and evaluation projects, prepares legislative reports, coordinates implementation of evidence-based practices, coordinates strategic planning activities and projects prison populations over time. The program is also responsible for business continuity and risk management plans

RESULTS

<i>Type of Measure</i>	<i>Name of Measure</i>	<i>Previous</i>	<i>Current</i>	<i>Dates</i>
Results	3-year adult recidivism rate: Reconviction with a new felony	36%	38%	2015-2020
Results	3-year adult recidivism rate: Reconviction and reincarceration	25%	24%	2015-2020
Results	Workers’ compensation claim incident rate per 100 full-time employees	4.0%	4.1% ¹	2016-2021

¹Excludes COVID-19 claims to allow for comparison to previous fiscal years. The rate including COVID-19 claims was 25.2%.

The DOC’s most recent performance report is located at this link: [2021 Performance Report \(https://mn.gov/doc/assets/FY21%20Performance%20Report_Final2_tcm1089-520111.pdf\)](https://mn.gov/doc/assets/FY21%20Performance%20Report_Final2_tcm1089-520111.pdf)

Minnesota Statutes 241 to 244 (<https://www.revisor.mn.gov/statutes/part/CORRECTIONS>) provide the legal authority for the DOC.

Organizational, Regulatory and Admin Services

Program Expenditure Overview

(Dollars in Thousands)

	Actual FY20	Actual FY21	Actual FY22	Estimate FY23	Forecast Base		Governor's Recommendation	
					FY24	FY25	FY24	FY25
<u>Expenditures by Fund</u>								
1000 - General	28,913	29,319	29,507	33,322	31,560	31,560	70,322	76,342
1251 - COVID-19 Minnesota	50							
2000 - Restrict Misc Special Revenue			25	36	36	36	36	36
2001 - Other Misc Special Revenue	3,087	591	5,457	6,187	5,487	3,567	5,487	3,567
3010 - Coronavirus Relief	12	50						
6001 - Social Welfare Agency				14	14	14	14	14
Total	32,063	29,959	34,990	39,559	37,097	35,177	75,859	79,959
Biennial Change				12,527		(2,275)		81,269
Biennial % Change				20		(3)		109
Governor's Change from Base								83,544
Governor's % Change from Base								116

Expenditures by Activity

Employee Development	2,481	1,548	1,296	1,600	1,600	1,600	2,800	5,320
Financial Services	5,115	5,185	5,231	5,526	4,901	4,901	5,092	5,092
Human Resources	4,728	4,632	4,540	4,973	4,972	4,972	5,505	5,505
Information and Technology	9,446	10,576	9,180	9,055	9,055	9,055	36,669	37,269
Office Services	699	540	482	690	689	689	879	879
Operations Support Services	6,625	4,790	9,164	10,662	9,432	7,512	17,582	18,692
Policy and Legal Services	1,374	1,336	1,509	1,878	1,762	1,762	2,230	2,230
Planning and Performance	916	601	813	816	816	816	942	942
Offender Records	679	751	537	798	798	798	798	798
Victim Services			247	377	377	377	377	377
Inspection and Enforcement			1,234	2,292	1,803	1,803	1,803	1,803
Office of Prof Accountability			756	892	892	892	1,182	1,052
Total	32,063	29,959	34,990	39,559	37,097	35,177	75,859	79,959

Expenditures by Category

Compensation	17,475	16,647	18,215	20,804	20,265	20,265	27,487	30,687
Operating Expenses	14,552	13,302	16,709	18,714	16,791	14,871	48,331	49,231
Other Financial Transaction	36	10	66	41	41	41	41	41
Total	32,063	29,959	34,990	39,559	37,097	35,177	75,859	79,959

Organizational, Regulatory and Admin Services

Program Expenditure Overview

(Dollars in Thousands)

	Actual FY20	Actual FY21	Actual FY22	Estimate FY23	Forecast Base		Governor's Recommendation	
					FY24	FY25	FY24	FY25
Total Agency Expenditures	32,063	29,959	34,990	39,559	37,097	35,177	75,859	79,959
Internal Billing Expenditures			2	2	2	2	2	2
Expenditures Less Internal Billing	32,063	29,959	34,988	39,557	37,095	35,175	75,857	79,957
<u>Full-Time Equivalents</u>	175.01	162.75	173.13	208.69	203.61	198.78	257.41	261.28

Organizational, Regulatory and Admin Services

Program Financing by Fund

(Dollars in Thousands)

	Actual FY20	Actual FY21	Actual FY22	Estimate FY23	Forecast Base		Governor's Recommendation	
					FY24	FY25	FY24	FY25
1000 - General								
Balance Forward In		359		1,964				
Direct Appropriation	29,064	29,374	31,625	31,530	31,732	31,732	70,494	76,514
Transfers In	750	2,982	2,806	179	19	19	19	19
Transfers Out	827	3,078	2,960	351	191	191	191	191
Cancellations		318						
Balance Forward Out	74		1,964					
Expenditures	28,913	29,319	29,507	33,322	31,560	31,560	70,322	76,342
Biennial Change in Expenditures				4,597		291		83,835
Biennial % Change in Expenditures				8		0		133
Governor's Change from Base								83,544
Governor's % Change from Base								132
Full-Time Equivalents	171.79	158.77	169.25	204.81	199.73	194.90	253.53	257.40

1251 - COVID-19 Minnesota

Direct Appropriation	50							
Expenditures	50							
Biennial Change in Expenditures				(50)		0		0
Biennial % Change in Expenditures								
Governor's Change from Base								0
Governor's % Change from Base								

2000 - Restrict Misc Special Revenue

Balance Forward In				60	49	38	49	38
Receipts			5	25	25	25	25	25
Transfers In			81					
Balance Forward Out			60	49	38	27	38	27
Expenditures			25	36	36	36	36	36
Biennial Change in Expenditures				61		11		11
Biennial % Change in Expenditures						17		17
Governor's Change from Base								0
Governor's % Change from Base								0
Full-Time Equivalents			0.02	0.02	0.02	0.02	0.02	0.02

Organizational, Regulatory and Admin Services

Program Financing by Fund

(Dollars in Thousands)

	Actual FY20	Actual FY21	Actual FY22	Estimate FY23	Forecast Base		Governor's Recommendation	
					FY24	FY25	FY24	FY25
2001 - Other Misc Special Revenue								
Balance Forward In	9,365	7,499	8,173	5,941	2,854	467	2,854	467
Receipts	1,220	1,265	3,225	3,100	3,100	3,100	3,100	3,100
Internal Billing Receipts	1,220	1,265	3,225	3,100	3,100	3,100	3,100	3,100
Balance Forward Out	7,499	8,173	5,941	2,854	467		467	
Expenditures	3,087	591	5,457	6,187	5,487	3,567	5,487	3,567
Biennial Change in Expenditures				7,966		(2,590)		(2,590)
Biennial % Change in Expenditures				217		(22)		(22)
Governor's Change from Base								0
Governor's % Change from Base								0
Full-Time Equivalents	3.22	3.94	3.86	3.86	3.86	3.86	3.86	3.86

3010 - Coronavirus Relief

Direct Appropriation	12	50						
Expenditures	12	50						
Biennial Change in Expenditures				(62)		0		0
Biennial % Change in Expenditures				(100)				
Governor's Change from Base								0
Governor's % Change from Base								
Full-Time Equivalents		0.04						

6001 - Social Welfare Agency

Balance Forward In				56	47	38	47	38
Receipts			5	5	5	5	5	5
Transfers In			51					
Balance Forward Out			56	47	38	29	38	29
Expenditures				14	14	14	14	14
Biennial Change in Expenditures				14		14		14
Biennial % Change in Expenditures								
Governor's Change from Base								0
Governor's % Change from Base								0

Minnesota Department of Corrections

Federal Funds Summary

(Dollars in Thousands)

Federal Agency and CFDA #	Federal Award Name and Brief Purpose	FY 2022 Actual	FY 2023 Budget	FY 2024 Base	FY 2025 Base	Required State Match or MOE?	FTEs
Department of Agriculture CFDA 10.553	National School Breakfast/Lunch – MCF RW salaries, supplies and equipment in kitchen areas at DOC institutions housing juveniles. Subgrant from Minnesota Department of Education	\$ 62	\$ 122	\$ 129	\$ 131	No	1.20
	Budget Activity 30 - MCF Red Wing Total	\$ 62	\$ 122	\$ 129	\$ 131		1.20
Department of Education CFDA 84.002	Adult Basic Education – supplemental funds to serve the most difficult to reach literacy students. Subgrant from Minnesota Department of Education	\$ 1,178	\$ 1,285	\$ 1,285	\$ 1,285	No	4.06
Department of Education CFDA 84.013	Chapter 1 Education (Neglected and Delinquent) – provide remedial instruction to students who have reading levels at least two grades below their peers. Subgrant from Minnesota Department of Education	\$ 579	\$ 354	\$ 354	\$ 354	No	3.79
Department of Education CFDA 84.027	American Rescue Plan IDEA - Pandemic disruption of education of children with disabilities.	\$ -	\$ 4	\$ 4	\$ -	No	-
Department of Education CFDA 84.027	Expanded Summer Programming - Pandemic disruption of education of children with disabilities.	\$ -	\$ 50	\$ 50	\$ -	No	-
Education CFDA 84.027	MN Covid-19 School Testing at MCF-Red Wing	\$ 40	\$ -	\$ -	\$ -	No	-
Education CFDA 84.027	Summer Academic & Mental Health - mental health support of adolescents.	\$ -	\$ 6	\$ -	\$ -	No	-
Education CFDA 84.027	ESSER 9.5% - to support summer learning for high school students.	\$ -	\$ 32	\$ -	\$ -	No	-
Department of Education CFDA 84.027	ESSER I - flexible use for COVID related expenses in juvenile education.	\$ -	\$ 4	\$ -	\$ -	No	-
Department of Education CFDA 84.027	ESSER II - flexible use for COVID related expenses in juvenile education.	\$ -	\$ 31	\$ -	\$ -	No	-
Department of Education CFDA 84.027	ESSER III - learning recovery to address impact of lost instructional time for juveniles.	\$ -	\$ 69	\$ 69	\$ -	No	-
Department of Education CFDA 84.027	Special Education – provide services and instruction to students who have an individual education plan. Subgrant from Minnesota Department of Education	\$ 36	\$ 55	\$ 55	\$ 55	No	0.25
	Budget Activity 40 - Education Total	\$ 1,833	\$ 1,890	\$ 1,817	\$ 1,694		8.10
Department of Justice CFDA 16.593	Residential Substance Abuse Treatment – treatment programs and activities for offenders with substance abuse issues. Subgrant from Minnesota Department of Public Safety	\$ 218	\$ 324	\$ 324	\$ 324	Yes	1.86
Department of Health CFDA 93.323	COVID Detect & Mitigate - for incarcerated population in all correctional facilities	\$ -	\$ 1,665	\$ -	\$ -	No	-

Minnesota Department of Corrections

Federal Funds Summary

(Dollars in Thousands)

Federal Agency and CFDA #	Federal Award Name and Brief Purpose	FY 2022 Actual	FY 2023 Budget	FY 2024 Base	FY 2025 Base	Required State Match or MOE?	FTEs
	Budget Activity 41 - Health Services Total	218	1,989	324	324		1.86
Department of Justice CFDA 16.606	State Criminal Alien Assistance Program – reimburse facilities for costs associated with housing criminal aliens	\$ 207	\$ 2	\$ -	\$ -	No	-
Department of Justice CFDA 16.606	State Criminal Alien Assistance Program – Post 2007 reimburse facilities for costs associated with housing criminal aliens	\$ 1,522	\$ 3,194	\$ 1,591	\$ -	No	-
Minnesota Department of Public Safety CFDA 16.034	Coronavirus Emergency Supplemental Funding - Criminal Justice System C-19 Response	\$ 612	\$ 250	\$ 250	\$ 250		-
Minnesota Department of Public Safety CFDA 97.036	Institution Support Services FEMA DR4531	\$ 6,366	\$ -	\$ -	\$ -		-
	Budget Activity 42 - Institution Support Services Total	\$ 8,707	\$ 3,446	\$ 1,841	\$ 250		-
	Program 01 - Incarceration and Prerelease Services Total	\$ 10,820	\$ 7,447	\$ 4,111	\$ 2,399		11.16
Department of Justice CFDA 16.812	Adult Reentry and Employment Strategies Implementation Program - educational and employment support for released offenders in to largest counties.	\$ 411	\$ 426	\$ -	\$ -	No	2.77
	Budget Activity 64 - Reentry Services Total	\$ 411	\$ 426	\$ -	\$ -		2.77
Department of Justice CFDA 16.745	Juvenile Justice and Mental Health Collaboration - community collaboration for juvenile offenders with mental health or substance abuse disorders.	\$ 70	\$ 391	\$ -	\$ -	Yes	-
Department of Justice CFDA 16.745	MN Incentivize Diversion (MID) Program - Incentivize successful completion of juvenile diversion from reoffending.	\$ -	\$ 292	\$ 444	\$ 469	No	-
Minnesota Department of Public Safety CFDA 16.034	Coronavirus Emergency Supplemental Funding - Criminal Justice System C-19 Response	\$ 406	\$ 600	\$ 600	\$ 600		-
Minnesota Department of Public Safety CFDA 97.036	Community Services FEMA DR4531	\$ 5	\$ -	\$ -	\$ -		-
	Budget Activity 73 - Community Support Services Total	\$ 481	\$ 1,283	\$ 1,044	\$ 1,069		-
Department of Justice CFDA 16.575	Crime Victim Services – Direct Services to Crime Victims. Subgrant from Minnesota Department of Public Safety	\$ 131	\$ 261	\$ 250	\$ 250	Yes	1.28

Minnesota Department of Corrections

Federal Funds Summary

(Dollars in Thousands)

Federal Agency and CFDA #	Federal Award Name and Brief Purpose	FY 2022 Actual	FY 2023 Budget	FY 2024 Base	FY 2025 Base	Required State Match or MOE?	FTEs
Department of Justice CFDA 16.590	Improving Criminal Justice Response to Domestic Violence, Sexual Assault and Stalking Victims – Advocacy work and a Native American pilot site.	\$ 234	\$ -	\$ -	\$ -	No	-
	Budget Activity 75 - Victim Assist Restorative Justice Total	\$ 365	\$ 261	\$ 250	\$ 250		1.28
	Program 02 - Community Supervision and Postrelease Services Total	\$ 1,257	\$ 1,970	\$ 1,294	\$ 1,319		4.05
	Federal Fund [3000 Fund] – Agency Total	\$ 12,077	\$ 9,417	\$ 5,405	\$ 3,718		15.21
US Department of the Treasury CFDA 21.027	Staff Overtime Bonus Pay	\$ 1,099	\$ 1	\$ -	\$ -	No	-
US Department of the Treasury CFDA 21.027	Staffing Crisis Management Incentive - staff overtime bonus pay and hiring bonus pay	\$ -	\$ 4,900	\$ -	\$ -	No	-
	Budget Activity 42 - Institution Support Services Total	\$ 1,099	\$ 4,901	\$ -	\$ -		-
	ARP State Fiscal Recovery [3015 Fund] – Agency Total	\$ 1,099	\$ 4,901	\$ -	\$ -		-
	Federal Funds - Agency Total	\$ 12,077	\$ 9,417	\$ 5,405	\$ 3,718		15.21

Narrative

Federal funding represents less than three percent of the DOC’s total budget.

The DOC continuously works to identify and apply for competitive grants that align with our mission. Ongoing formula grants and competitive grants primarily support juvenile and adult education, the cost of incarcerating illegal aliens convicted of crimes in Minnesota, substance abuse treatment, offender reentry services and collaborative efforts to reduce recidivism. New grants awarded are continuations of expired grants, or have a narrowed focus on population or demographics.

DOC has continued several grant-funded activities beyond the expiration date of the grant, sometimes seeking funding through the legislative process (i.e. chemical dependency treatment, release planning for mentally ill offenders).

Current data indicates an increase in federal grant opportunities within the DOC overall. In general estimates are based on current awards throughout the term of the grant, or as ongoing where applicable.

Federal funds are flexible in how they are spent, except COVID relief funds. COVID funds must be spent on eligible costs due to the pandemic.